

**LONG BOW GROUP**

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April 11, 2007

Jamison J. Barr  
Jenzabar, Inc.  
800 Boylston St.  
Prudential Center, 35<sup>th</sup> Floor  
Boston, MA 02199

Dear Jamison:

In response to your letter dated March 22, 2007, please be advised that we asked our counsel to make a thorough examination of the information you provided. Our understanding continues to be that neither Jenzabar's defamation allegations nor Jenzabar's trademark infringement claims are valid.

That said, let me make two preliminary points. First, as I'm sure you know, truth is a defense against a defamation charge. The statement on the web site with which you take issue is, in fact, truthfully reporting that a Boston Globe article was published in 2003, which itself truthfully stated that lawsuits were filed, quotes accurately from Mr. DiLorenzo's complaint, and even says that the defendant denied the claims. To the extent that the Boston Globe article made an error on the number of executives involved in the action, that is hardly defamatory. As you know, not every false statement rises to the level of defamation. As to the rest of the article quote, it seems to be opinion at worst, truthful fact at best. Nonetheless, we are willing to clearly indicate on our website that Jenzabar has recently contested the accuracy of certain limited statements in the Boston Globe article and we will also post your letters to us which detail your concerns.

Second, I believe there has been some confusion around Jenzabar's claim of trademark violation. Specifically, the trademark cases you cite bear on situations where the intent of the user was to cause market confusion. In this case, there is no issue of market confusion; the use of the name 'jenzabar' is, in fact, solely for referential purposes and such use does not constitute a trademark violation. The website is identified as an historical website focusing on the 1989 Tiananmen Square demonstrations and the feature documentary "The Gate of Heavenly Peace." The copyright is explicitly held by the Long Bow Group, a non-profit educational corporation founded in 1982. Long Bow Group is not in the same (or even in a related) area of business as Jenzabar, and no visitor to our website would reasonably believe the website to be sponsored by or affiliated with Jenzabar. Please also know that your suggestion that there has been any intent on the part of Long Bow to defame your client is inaccurate, unfounded, and, quite frankly,

Jenzabar, Inc.  
April 11, 2007  
p. 2

inappropriate. As you know, the website contains information relating to many of the central characters in the film. The information provided with respect to Jenzabar is offered only because the company is so closely linked with Chai Ling, who by her own statements identifies herself as an important and controversial participant in the Tiananmen protests. Nonetheless, we are willing to add the following language to the webpage about Jenzabar: "These web pages are the sole responsibility of the Long Bow Group, and are in no way affiliated with or sponsored by Jenzabar, Inc."

Finally, the Long Bow Group remains committed to taking those actions which are both legally and ethically appropriate; but we are troubled by what seems a clear effort on Jenzabar's part to suppress our first amendment rights, censor the historical record, intimidate us with charges which are brought years after the fact, and which have been asserted in a hostile and threatening manner on unsupportable legal grounds.

Yours sincerely,

A handwritten signature in cursive script that reads "Richard Gordon".

Richard Gordon