## Exhibit B

NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL.
HARBISON TYOSIE
Artorney Cenera!

# SENT VAA CERTIFIED MAIL - RETURN RECEIPT REOUESTED 

June 30, 2011
Mr. Glen T. Senk
Chief Executive Officer
Urban Outfitters lncopporated
5000 South Broad Strect
Philadelphia, Penusylvania 19112-1495

## RE: Cease and Desist Marketing Prodacts Using "Navajo"

Dear Mr. Senk:
Flease immediately cease and desist using the "Navajo" name on, and in relation to your products. The Navajo Nation ("Nation") is aware that your corporation is marketing and seljirig clothing and accessories using the Nayajo name and trademark.' The Nation cannot accept its uniquet and wellknown name being displayed on and in relation to your products, which have absolutely no connection to the Nation, its entities, its people, and their protucts. Your company's use of the Navajo name damages the Nation's government and commercial entities.

The Navajo name and trademark are fancus. The Nation's name is the symbol of a sovercige entity in all of its governmertal and commercial forms. The Nation and its people have used the Navajo formative name arid Navajo tademarks in commerce for over 150 years with a wide variety of goods and services. The Nation's use of the Navajo name and trademarks has created a notable legacy and distinct association between the Nation, its entitics, its people, and their products.

The Navajo name and trademarks have an unmistakable contemperary presence in the market. Furthemore, the Navajo name and trademark have widespread secondary meaning in the marketplace. The Nation and its entities have made substantial investments in advertising and promoting Navajo goods and services under the Navajo name and tademarks. The Nation has extensively used, advertised, promoted, offered, rendered and sold its goods and services to consumers through various channels of trade in conmerce ineluding national online and primt media. The Navajo hime and trademarks are prominently featured on the Nation's website, wrw.navajo.org, and throughout major media. Furthermore, the Navajo name and trademarks, and the products and services associated with therewith, have received a significant amount of tnsolicited press coverage, and have been the sabject of numercus television broadcasts and articles in major publications. As a result of the Nation's historical legacy, contemporary efforts, and concomitant results, the Navajo name and trademarks have become assets of sulbstontial value and symbols of the Nation's and its entitics' goodwill.

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The Nation and its entilies own the famous and distinctive Navajo name and trademarks, which associate products and services solely with the Nation, its instrumentalities, and its agents. The Nation and its entities have numerous federal registrations for the Navajo trademarks, and applications for those federal registrations were filed as early as 1996 . Furthemore, the Nation's entities (e.g., Navajo Nation Gaming Enterprise, Dince Development Cuppration, Nawajo Arts $\&$ Crafts Enteprise) own numerous fedcral registrations incorporating the Navajo component. These registered marks are conclusive cwidence of Nation's oxclusive right to use the Navalo name and trademarks in connection with the specifed goods and services. Demonstrative registrations inciude:

| Repistration | Mark | Ysc |
| :---: | :---: | :---: |
| 2061748 | NAVAJO | Sportswear; numely, slacks, shorts, stirts and jeans. |
| 2237848 | NAVAJO | Clothing; namely, tups, wests, shirts, sport shoms, pole shirts, golf shirls, * jackets ${ }^{*}$ T-shirts and sweat shirts. |
| 2573987 | NAVATO | Towels, wash cloths, bath linens, fabric bath mats, hed sheets, pillow cases and bed linens. |
| 2976666 | NAVAO | rootwear; namely, shoes and boots; beachwear, blouses, overalls, rain wear, sweaters, jackets, coats, ski wear, caps, visors, berets and hats. |
| 3602907 | NAVAJO | Online retail store services; namoly, on-line ordering services in the field of clothing-specifically, men's and women's sportsweat, namety, jeans, tops, shirts, sport shorts, polo shirts, golf shirts, T-shints and sweatshirts. |
| 3789271 | FIREROCK NAVAIO CASINO | Clothing: namely, shirts, sweatshirts and jackets; hcadwear. |
|  |  |  |
| 3960633 | NAVAJO | Tobaceo pouches manufactured by the Navajo Natiom or its individual members and sold within the Navajo Nation through Navajo Nation retail outlets. |
| 3548345 | NAVAJO | Paintings and drawings. |
| 3548344 | NAVAJO | Hand-spur yarn for textile use. |
| 3787518 | NAVATO | Neckties and leather belts of plain leathicr, and of leather omamented with sifver, and of leather ontamented with silver and turquise or other trimmings, for personal wear |
| 3787517 | NAVAO | Hand-woven blankets, namely wroolen blankets, bed blanlicts, children's blankets, blanket throws. |

Your coporation's use of the Navajo name and trademarks falsely suggests a connection with the Nation as an institution. The Nation is a federally-achnowledged Indian tribe, which is an institution as defined in Section 2(a) of the Trademark Act. The term "Navajo" points uniquely and ummistakably to the Navajo Nation. The fatme of reputation of the Nation is such that when a corporation uses "Navajo" with its poods or services, a comection with the Nation is falsely presumed.

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Although your corporation's use of the Navajo name and trademark falsely suggests a connection with the Navajo Nation, your corporation is not connected with the Nation's goods or services. Your corporation's use of "Navajo" is identical in appearance, meaning, and commercial impression to the Nation's name and trademarks. Thus, this falsely sugests a connection with the Nation in violation of the Trademark Act.

Your corporation's use of Navajo will cause confusion in the market and socicty concerning the souree or origin of your corporation's products. Consumers will incomectly belicve that the Nation has licensed, approved, or authorized your corporation's use of the Navajo name and trademarks for its products - when the Nation has not - or that your corporation's use of Navajo is an cxtension of the Nation's family of trademaks - which it is not. This is bound to cause confusion, mistake, or deeeption with respect to the source or origin of your goods. This undermines the character and uniqueness of the Nation's long-standing distinctive Nawajo name and trademarks, which-because of its false cornection with the Nation-dilutes and tarnishes the name and trademarks. Accordingly, please immediately cease and desist using the Navajo name and trademark with your products.

As a Nation with a distinguished legacy and umistakable contemporay prosence, the Nation is conmitted to retainitg this distinction end preventing inaccuracy and confusion in society and the rnarket. The Nation must maintain distinctiveness and clanily of walid association with its govermment; its jnstitutions, its entities, its people, and their products in commerce. When an entity attempts to falsely associate its products with the Nation and its producls, the Nation does not regard this as benign or trivial. The Nation temains firmly committed to the cancellation of all marks that attempt to falsely associate with the institution, its entities, its prople or its products, Accordingly, immediately cease and desist using Navajo with your products.

Respectfully yours,


HT/242


[^0]:    ' Soe the following address for examples of your corporntion's u5e of the Navajo name and mark to market and your products:
    
     $\dot{c}=8$ maxPrice= $k$ minPrice

