

November 2, 2009

Legal Complaints
BFADS.NET

VIA ELECTRONIC MAIL ONLY

legal@bfads.net

Re: Unauthorized Posting of Gander Mountain's "Black Friday" Advertisement on
BFADS.NET
Our File: M201358

Dear Sir or Madam:

We represent Gander Mountain Company ("Gander Mountain") in intellectual property matters. It has recently come to our client's attention that BFADS.NET has obtained and posted on its website copies of Gander Mountain's planned 2009 "Black Friday" advertising circulars. A printout of an e-mail blast sent by BFADS.NET promoting the availability of the Gander Mountain advertisements and printouts from the BFADS.NET website evidencing display of the advertisements are attached for your reference.

Gander Mountain has not authorized the public disclosure of its Black Friday advertisements. As such, the display and disclosure of the content of the advertisements is a violation of both trade secret and copyright law, as well as other federal and state intellectual property laws. The posting of the advertisements may also mislead consumers into thinking that the prices quoted in the advertisements are either currently effective or are not subject to change.

In light of the foregoing, Gander Mountain respectfully requests that BFADS.NET agree to take the following actions:

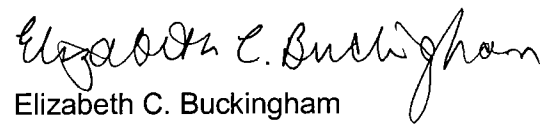
- (1) Immediately cease and desist from displaying or promoting information derived from the Gander Mountain Black Friday advertisements, including removing all price information and scans of the advertising circulars BFADS.NET has obtained. Once the information contained in those advertisements becomes public knowledge, BFADS.NET is free to disseminate this information.
- (2) Immediately reveal the source from which BFADS.NET obtained Gander Mountain's Black Friday advertisements.

We expect to receive your **written reply by 5 p.m. central time on November 3, 2009**, that BFADS.NET will take the actions requested above. If we do not hear from you by then, or if you are unwilling to cooperate, we will advise Gander Mountain to take all steps necessary to protect its valuable intellectual property rights. This letter is not intended to be a recitation of all

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of the facts pertinent to this matter or all of Gander Mountain's possible claims. Accordingly, nothing in this letter should be construed as a waiver of any rights.

Very truly yours,



Elizabeth C. Buckingham

ECB:JRC

cc: Gander Mountain Company

-----Original Message-----

From: BF Ads Webmaster [mailto:webmaster@bfads.net]

Sent: Monday, November 02, 2009 7:36 AM

To: [REDACTED]

Subject: [BFAds] Gander Mountain and November Give-Away Contest

Hello Black Friday Subscribers,

As expected, we hit November and immediately receive a new Black Friday advertisement. We just posted the 113-item Gander Mountain Thanksgiving/Black Friday holiday advertisement list (<http://bfads.net/Gander-Mountain>) along with its 16-page advertisement scans (<http://bfads.net/Adscans>).

Gander Mountain is offering different sales on Thanksgiving, Black Friday, Saturday and Sunday; however all of these sales are listed within the aforementioned 16-page advertisement scan. We think it's a bit ridiculous for a sporting goods store to have four different sales and are looking into ways of improving the organization of the advertisement listings.

In the interim, we have instructions for how to filter the deals by day in our news post here:

<http://bfads.net/Gander-Mountain-Black-Friday-Ad-Posted>

I hope everyone had a Happy Halloween, remember you have until 5pm CST today to submit your costume entry to our Halloween contest here:

<http://bfads.net/Halloween>

Winners will be announced tomorrow, Tuesday, November 3rd.

Speaking of contests, it's finally November and that means the debut of our 2nd Annual November Holiday Give-Away contest. Throughout the month of November, we're going to be giving over \$2000 in gift-certificates and we haven't even finalized the prizes for the final week. All November Holiday Give-Away contest information is available on our contest page here:

<http://bfads.net/Contest>

Today's prizes are two \$25 gift-certificates to the store of your choice and two BF Ads t-shirts. You only need to enter the contest once and you will be eligible for all daily give-aways. If you win, you are still eligible to win other prizes later in the month. The chances of this happening are very slim, but you won't be ineligible to win the bigger prizes because you won a t-shirt earlier in the month.

Lowe's Hardware will be releasing a sneak-peak of their Black Friday advertisement at midnight and we expect other advertisements to arrive on an almost daily basis for the rest of the month. So expect the frequency of these emails to increase and be sure to check the site often for the latest news.

Thanks for Subscribing!

Kind Regards,

Michael

webmaster@bfads.net