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Legal Department



March 4, 2008

VIA E-MAIL AND OVERNIGHT MAIL

Howard Chui
PO Box 2003
Richmond Hill, Ontario L4E1A3

Re: Violation of MobiTV's intellectual property rights

To Whom it May Concern,

I am the Vice President and General Counsel for MobiTV, Inc. ("MobiTV"). MobiTV owns the copyright in certain software which allows subscribers, for a fee, to access television and/or audio content on various wireless and IP-based devices (collectively referred to hereafter as the "MobiTV Software").

It has recently come to my attention that several sections of your website at www.howardforums.com ("Howard Forums") contain links and information that describe and facilitate the unauthorized use by Howard Forums users of the MobiTV Software, which enables them to gain free access to MobiTV's various services (see the link located at <http://www.howardforums.com/showthread.php?t=1332161>, as well as certain pages linking from this page). MobiTV considers Howard Forums' continued reproduction, public display and distribution of this information and links to constitute violation and infringement of MobiTV's intellectual property rights, including, without limitation, its copyright, trademark and trade secret rights. We are concurrently contacting Howard Forums' host and registrar regarding this matter.

MobiTV strongly values its intellectual property rights, works hard to protect them, and considers Howard Forums' actions to be blatant violations of such rights. In light of the foregoing, we hereby demand that Howard Forums immediately remove all content located on Howard Forums' website at www.howardfourms.com that facilitates any unauthorized use of the MobiTV Software (and including that which is posted on the link mentioned in the previous paragraph herein, as well as any other links associated with or linking from or to the aforementioned link), as well as any unauthorized copies of the MobiTV Software.

In accordance with the requirements of the Digital Millennium Copyright Act, we are providing you with the following information:

- An electronic or physical signature of the person authorized to act on behalf of the owner of the copyright interest: (please see signature below).

- Identification of the copyrighted work that MobiTV claims has been infringed: the MobiTV Software.
- Identification of the materials that is claimed to be infringing or to be the subject of the infringing activity and that is to be removed or access to which it is to be disabled, and information reasonably sufficient to permit Howard Forums to locate the material: See the following link:
<http://www.howardforums.com/showthread.php?t=1332161>
- Our name, address, telephone number, and email address:
Ellen McDonald
Associate General Counsel
MobiTV, Inc.
6425 Christie Ave., 5th Floor
Emeryville, CA 94608
510-450-5110
emcdonald@mobitv.com
- MobiTV has a good faith belief that the disputed use described in this letter is not authorized by the copyright owner, its agent, or the law.
- MobiTV hereby states, under penalty of perjury, that the above information in this notice is accurate and that it is the copyright owner of the MobiTV Software or is authorized to act on the copyright owner's behalf.

This letter does not purport to be a complete statement of the facts or the law, and is sent without prejudice to any of MobiTV's claims, contentions, arguments, rights, remedies or defenses, all of which are expressly reserved.

Please confirm in writing by 5:00 P.M. Pacific Standard Time Friday, March 7, 2008 that you have complied with this demand. If we do not hear from you by that time, we will be forced to take further legal action to protect MobiTV's valuable intellectual property rights.

Sincerely,

Andrew Missan / JWA

Andrew P. Missan
Vice President & General Counsel