



Newegg Inc.
16839 E. Gale Avenue
City of Industry, CA 91745

June 6, 2011

VIA E-MAIL & U.S. MAIL

Best Buy Co., Inc.
Best Buy Corporate Campus
7601 Penn Avenue South
Richfield, MN 55423-3645

Re: Use of GEEK ON Logo
Your Reference No.: 11-43667

Dear [REDACTED]:

We are in receipt of your letter dated May 26, 2011 and hereby respond. First, we respectfully disagree with your assertion that Newegg's "Geek On" promotions constitute trademark infringement. Best Buy neither owns nor has exclusive rights to use the word "Geek", and Best Buy neither owns nor has exclusive rights to use a general, unstylized computer power button icon. Second, we also disagree with your assessment that the TV commercial in question constitutes trade disparagement. It is a comedic, tongue-in-cheek take on a commonly understood customer experience, and does not name, identify or focus on any particular retailer, and we believe that the actor portraying the salesperson is not "slovenly" in any way. We believe that any reasonable viewer would agree, and would encourage you to review the commercial again at:

<http://www.youtube.com/watch?v=nYk0dQrz3uc>

However, we do not wish to offend Best Buy or any Best Buy employees. To avoid any possible further misunderstandings or confusion, we are making efforts to ensure that in the future, the ad will run with the following disclaimer prominently displayed:

THIS ADVERTISEMENT PHOTOPLAY IS A WORK OF FICTION. ANY SIMILARITY TO REAL PERSONS (LIVING OR DEAD), BUSINESS ESTABLISHMENTS, PLACES, EVENTS, OR OTHER MATERIAL IS COINCIDENTAL AND UNINTENTIONAL. IT IS SOLELY INTENDED TO PARODY BUSINESS ESTABLISHMENTS THAT PROVIDE POOR CUSTOMER SERVICE (BUT NONE IN PARTICULAR), AND NO INFERENCES

SHOULD BE DRAWN ABOUT THE IDENTITY, AFFILIATION OR LOCATION OF ANY PARTIES OR BUSINESSES DEPICTED. NO ANIMALS WERE HARMED IN THE MAKING OF THIS COMMERCIAL.

We hope that this adequately responds to your concerns.

Very truly yours,



Newegg Inc.