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Please respond to: Trevoise

February 5, 2020

VIA CERTIFIED MAIL/RETURN RECEIPT REQUESTED

doxo, Inc.
101 Stewart Street
Seattle, WA 98101

Re: *Infringement of Trademark Rights of North Wales Water Authority*

Dear Sir or Madam:

Please be advised that this office serves as Solicitor for the North Wales Water Authority, Montgomery County, Pennsylvania (the "Authority"). It has come to the attention of the Authority that doxo, Inc. ("doxo") created and operates an Internet website that prominently features the Authority's "North Wales Water Authority" (NWWA) service mark, in which the Authority has common law trademark rights. Doxo's use of the Authority's service mark is presented in such a manner as to appear that the doxo website is the website of the Authority, or is at a minimum endorsed by or affiliated with the Authority.

The doxo website permits customers of the Authority to pay their monthly water bill owing to the Authority, despite the Authority's maintenance of its own website that allows customers to pay their bills through the use of an authorized web-based payment service. Customers searching for the Authority's

online bill payment option, however, are diverted from Authority's website to the deceptively similar website operated by doxo. The deceptive nature of the doxo website includes the following:

- The doxo website encountered by a customer searching for North Wales Water Authority online payment prominently displays the name of the Authority throughout the website and includes the Authority's logo;
- Although the name "doxo" is included on the subject website, and although the website includes a disclaimer indicating doxo is not affiliated with the Authority, is not endorsed by the Authority, and that the Authority's logo is owned by the Authority, the disclaimer is not prominently displayed in comparison to the larger, and bold, use of the Authority's name;
- The doxo website states: "Pay your North Wales Water Authority bill" and includes a box for the customer to enter a payment amount, then provides a link to a second web page, asking the customer to "Enter Your North Wales Water Authority Bill Details," requesting customer information and account number;
- The doxo website includes a section titled "North Wales Water Authority FAQ by doxo", listing questions and allegedly providing links to the Authority's website; however, at least one of the alleged links results in a broken link that reflects negatively on the Authority;
- The look and feel of doxo's website is confusingly similar to the Authority's website, using a similar color scheme;
- Although the payment service provided by doxo includes the charge of a service fee to the Authority's customer, the doxo website is misleading on its face in that there is no mention of such a fee until the customer completes the transaction;

Doxo, Inc. has never requested, nor has it received, permission from the Authority to use the Authority's service mark or to incorporate the Authority's information into its website. As a result, the doxo website is misleading to the Authority's customers and is likely to cause confusion, mistake, or deception among the Authority's customers as the source, quality and nature of doxo's services vis-à-vis the Authority. The Authority provides its customers with its own billing service on the Authority website through a web-based service specifically authorized by the Authority to process such online payments. Doxo's use of the Authority's service mark, its use of direct links to the Authority's website, and the similar look and feel of the two websites, suggest that the Authority's and doxo's websites are unified or affiliated. By engaging in such deceptive practices, doxo is attempting to confuse consumers to obtain a commercial advantage by charging a service fee to Authority's customers, who are able to make online payments to the Authority through the Authority's website without incurring such fees.

Doxo's activities constitute not only unlawful infringement of the Authority's service mark and reputation as well as unfair competition, but are also unlawful and unfair business practices causing damage to the Authority. Doxo, Inc.'s use of the North Wales Water Authority service mark and domain

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name is a violation of the Authority's common law trademark rights, common law service mark rights and domain name rights.

Accordingly, this letter constitutes North Wales Water Authority's demand that doxo, Inc. immediately cease and desist any and all use of the Authority's trademark, service mark and/or domain name. If this office does not receive written confirmation that doxo, Inc. will cease and desist all use of the Authority's trademark, service mark and/or domain name immediately, the Authority will proceed to take appropriate action to protect its rights.

Very truly yours,



Michael P. Clarke

MPC:bm

cc: Robert C. Bender, Executive Director, NWWA