

July 6, 2010

Matteo Passoni
Hi Tech International S.r.l.
Via Buonarroti, 43A
20064 Gorgonzola
Italy

Cease and Desist Order

Dear Mr. Passoni,

Neoteric Hovercraft, Inc. is providing this letter pursuant to the U.S. Digital Millennium Copyright Act of 1998 ["DMCA"], the Vessel Hull Design Protection Act, and the U.S. Economic Espionage Act of 1996.

1) Intellectual property infringement by Hi Tech International S.r.l.

The Hi Tech International S.r.l. website registered in your name, **Error! Hyperlink reference not valid.**, regardless of penalties previously imposed upon you by the major international search engines subsequent to DMCA complaints filed by Neoteric Hovercraft, Inc. on 12 January, 2009, continues to publish content that infringes upon the intellectual property copyrighted, trademarked and owned exclusively by Neoteric Hovercraft, Inc.

Extensive documentation exists, admissible in a court of law, proving beyond doubt that Hi Tech International S.r.l. has repeatedly committed unlawful intellectual property infringement. As but a few examples:

- a)** As evidenced by www.whois.net, the Neoteric Hovercraft, Inc. domain names www.neoterichovercraft.com and www.rescuehovercraft.com were registered on 27 January 1999; the Hi Tech International S.r.l. domain names www.hovercraft.it and www.hoverescue.com were not registered until 23 October 2001 and 10 September 2007 respectively.
- b)** As evidenced on the Internet Archive www.archive.org, the Neoteric Hovercraft, Inc. website was first documented by the Internet Archive, with full content, by 08 October 1999. The Hi Tech International S.r.l. website did not appear in the Internet Archive until 15 November 2001, and the site did not contain any content until 03 June 2002, when HTI committed intellectual property infringement by plagiarizing verbatim the entire Neoteric Hovercraft, Inc. website.
- c)** The World Hovercraft Organization and Neoteric Hovercraft, Inc. are in possession of years of emails written by Matteo Passoni and sent from Hi Tech International S.r.l. that clearly illustrate that the documented intellectual property infringement, as well as economic/industrial espionage and theft of trade secrets, was committed with intent and full knowledge by Matteo Passoni.
- d)** Subsequent to a U.S. Digital Millennium Copyright Act Complaint against Hi Tech International S.r.l. filed on 12 January 2009 by Neoteric Hovercraft, Inc., Google, Yahoo and other search engines banned the majority of the pages of www.hovercraft.it and www.hoverescue.com from their search results. An example of this penalty is evidenced in

the notice appearing at the bottom of

<http://www.google.com/#q=Hi+Tech+International+Srl&hl=en&sa=2&fp=c0cfdbfb1e48170b>

Be advised that it is the policy of the major search engines to ban the entire website of a repeat offender from their search results. Hi Tech International S.r.l. is a repeat offender; the two pages listed below are examples of Neoteric Hovercraft, Inc. website pages plagiarized verbatim and added to the Hi Tech International S.r.l. website subsequent to the 12 January 2009 original DMCA complaint:

http://hovercraft.it/Neoteric_Hovercraft.pdf

http://hoverescue.com.it/Neoteric_Hovercraft.pdf

2) Intellectual property infringement by HTI America/Keltic Marine Group

The page http://kelticstar.com/Keltic%20Marine%20Group_files/Page1010.htm publishes technical diagrams received from Hi Tech International S.r.l. that consist of derivative plagiarisms of technical diagrams originally plagiarized from *www.neoterichovercraft.com* and altered slightly to appear on the Hi Tech International S.r.l website *www.hovercraft.it / www.hoverescue.com*. These diagrams infringe upon numerous pages of the Neoteric Hovercraft, Inc. website, as detailed in attached **EXHIBIT A**. Further, these diagrams are in violation of the Vessel Hull Design Protection Act.

Further, the page http://kelticstar.com/Keltic%20Marine%20Group_files/Page1007.htm on the Keltic Marine Group website publishes false and misleading information about the hovercraft the page claims are "SOON TO BE BUILT IN NORTH AMERICA." The page states that "*Hi-Tech International have been manufacturing hovercraft in Italy since 1995.*" It is well-documented that Hi Tech International S.r.l. had no association with hovercraft until the following sequence occurred, documented in entirety by the World Hovercraft Organization and Neoteric Hovercraft, Inc.:

27 Sept. 2001	Matteo Passoni first contacted Neoteric via email
26 Oct. 2001:	Matteo Passoni received hovercraft pilot training from Neoteric president Chris Fitzgerald in Terre Haute, IN USA and signed a Neoteric Hovercraft Dealership and Distributorship Agreement
21 April 2006:	Matteo Passoni confirmed HTI's industrial/economic espionage in his own words, stating in an email to Chris Fitzgerald, " <i>You are right when you say that HTI beginning of its own hovercrafts from your craft.</i> "

3) Economic/industrial espionage/theft of trade secrets by Hi Tech International S.r.l.

The hovercraft that Hi Tech International S.r.l., HTI America/Keltic Marine Group are marketing and manufacturing/building are, in fact, products resulting from acts of industrial/economic espionage and theft of trade secrets committed by Hi Tech International S.r.l., as admitted by Matteo Passoni in the 21 April, 2006 email referenced above.

According to the Economic Espionage Act of 1996, individuals may be fined up to \$500,000 USD and corporations up to \$5 million USD for economic/industrial espionage and theft of trade secrets. In addition, violators may be imprisoned for up to 10 years and all property used and derived from the theft/receipt can be seized. Additional penalties may be imposed through violation of the Indiana Uniform Trade Secrets Act by misappropriation of a trade secret by a person who "has reason to know" that the trade secret was acquired by improper means.

Neoteric Hovercraft, Inc. has fully informed both Hi Tech International S.r.l. and Keltic Marine Group of the full history of offenses committed by Hi Tech International, S.r.l. , therefore both Hi

Tech International S.r.l. and Keltic Marine Group “have reason to know” that the website material referenced above, as well as the Hi Tech International S.r.l. hovercraft it is marketing and that Keltic Marine Group claims are “SOON TO BE BUILT IN NORTH AMERICA”, were acquired by Hi Tech International S.r.l. through unlawful actions.

Based upon the foregoing, we hereby demand that Matteo Passoni, Hi Tech International S.r.l./HTI America confirm to us in writing within **ten days** of receipt of this Cease and Desist Order that:

1) You have removed all materials that constitute infringement upon Neoteric Hovercraft Inc.’s exclusive intellectual property rights from *www.hovercraft.it* and *www.hoverescue.com* as well as from all additional websites and printed materials owned and/or produced by Hi Tech International S.r.l. or HTI America (See attached **EXHIBIT A** for a complete list of all pages to be removed);

2) You have instructed Keltic Marine Group, operating as “HTI America”, to remove all materials that infringe upon Neoteric Hovercraft Inc.’s exclusive intellectual property rights from *www.kelticstar.com* as well as from all additional websites and printed materials owned and/or produced by Keltic Marine Group or HTI America or Hi Tech International S.r.l. The pages to be removed from *www.kelticstar.com* include the following:

http://kelticstar.com/Keltic%20Marine%20Group_files/Page1010.htm
http://kelticstar.com/Keltic%20Marine%20Group_files/Page1007.htm

3) You agree to refrain from publishing in the future on *www.hovercraft.it*, *www.hoverescue.com*, *www.kelticstar.com* and on any additional websites or printed materials or media owned and/or produced by Hi Tech International S.r.l., HTI America or Keltic Marine Group, any materials that infringe upon the intellectual property rights exclusively owned by Neoteric Hovercraft, Inc.;

3) You have removed all materials that contain false and misleading statements about HTI hovercraft from *www.hovercraft.it*, *www.hoverescue.com* and *www.kelticstar.com* as well as from any printed materials or media produced by Hi Tech International S.r.l., HTI America and Keltic Marine Group;

4) You have removed the word “neoteric” from all the meta tags on each page in all languages of the websites *www.hovercraft.it* and *www.hoverescue.com*;

5) You have instructed Keltic Marine Group to remove any and all instances of the word “neoteric” from the meta tags on *www.kelticstar.com*;

6) Further, you agree that Hi Tech International S.r.l., HTI America, Keltic Marine Group or any other entity owned or contracted by Hi Tech International S.r.l. will not market, promote, publicize, sell, distribute, build, produce or manufacture HTI hovercraft with reverse thrust buckets or Neoteric hovercraft bodies or hulls, or Neoteric engineering of any design, which were obtained illegally from Neoteric Hovercraft, Inc. through reverse engineering and splash molding, and constitute economic/industrial espionage and theft of trade secrets by Matteo Passoni and Hi Tech International S.r.l.

If, in **ten days**, Neoteric Hovercraft, Inc. is not in receipt of your compliance with these demands, Neoteric Hovercraft, Inc. will proceed to file a second series of formal DMCA

Complaints against Hi Tech International S.r.l., HTI America and Keltic Marine Group with all the major international search engines with the request that *www.hovercraft.it*, *www.hoverescue.com* and *www.kelticstar.com* be banned in entirety from all search results for repeated violation of the Digital Millennium Copyright Act.

Further, if in ten days, Neoteric Hovercraft, Inc. is not in receipt of your compliance with these demands, Neoteric Hovercraft, Inc. will proceed with legal actions in the United States, in Italy and in Canada against Hi Tech International S.r.l., HTI America and Keltic Marine Group. These actions are advised by international legal counsel, as well as by the State of Indiana; the U.S. Department of Commerce; the Counterintelligence Division of the United States Federal Bureau of Investigation (FBI); the U.S. Central Intelligence Agency (CIA); and by the Government of Italy; Guardia di Finanza and Autorita' Garante della Concorrenza e Del Mercato.

The foregoing is without waiver of any and all rights of Neoteric Hovercraft, Inc., all of which are expressly reserved herein.

Very truly yours,

S. J. Herring
Director of Legal Affairs
Neoteric Hovercraft, Inc.
1649 Tippecanoe Street
Terre Haute, Indiana 47807-2394

cc: Google, Inc.
Yahoo! Inc.
Microsoft Corporation
IAC Search & Media
AOL, Inc.
Overture Services, Inc./AltaVista
Overture Services, Inc./AlltheWeb
Lycos, Inc.
Indiana Dept. of Commerce
U.S. Dept. of Commerce
U.S. FBI, Counterintelligence Division
U.S. Central Intelligence Agency
Guardia di Finanza
Autorita' Garante della Concorrenza e Del Mercato