

July 7, 2010

Mr. Robin H. Upshon
Managing Partner
HTI America, Inc. / Keltic Marine Group
126 Shore Club Road
Hubbards, Nova Scotia BOJ 1TO

Cease and Desist Order

Dear Mr. Upshon,

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

1) Intellectual property infringement

The website registered in your name, *www.kelticstar.com*, has, on the page www.kelticstar.com/Keltic%20Marine%20Group_files/Page1010.htm, published technical illustrations that constitute a derivative infringement upon intellectual property copyrighted and owned by Neoteric Hovercraft, Inc. ["Neoteric"].

The technical illustrations on the above-referenced page of your website, titled *HTI 425-Four Persons*, *HTI 525-Six Persons* and *HTI 725-Nine Persons*, were first plagiarized by Hi Tech International, S.r.l. ["HTI"] from material copyrighted and owned by Neoteric, which originally appeared on *www.neoterichovercraft.com* on the pages listed below:

<http://neoterichovercraft.com/specifications/4Lspecifications.htm>
<http://neoterichovercraft.com/specifications/6Lspecifications.htm>
<http://neoterichovercraft.com/specifications/4Rspecifications.htm>
<http://neoterichovercraft.com/specifications/6Rspecifications.htm>
<http://neoterichovercraft.com/specifications/4Cspecifications.htm>
<http://neoterichovercraft.com/specifications/6Cspecifications.htm>
<http://neoterichovercraft.com/specifications/4Mspecifications.htm>
<http://neoterichovercraft.com/specifications/6Mspecifications.htm>

These technical illustrations are documented intellectual property produced, copyrighted and owned by Neoteric. The illustrations were first plagiarized by HTI, along with other infringing material, on *www.hovercraft.it* / *www.hoverescue.com* on the following, and additional, pages of the HTI website and then provided by HTI to the Keltic Marine Group to be plagiarized on *www.kelticstar.com*:

http://hovercraft.it/lang_id_2/page_id_4/index.htm
http://hovercraft.it/lang_id_2/page_id_15/index.htm
http://hovercraft.it/lang_id_6/page_id_4/index.htm
http://hovercraft.it/lang_id_6/page_id_15/index.htm
http://hovercraft.it/lang_id_1/page_id_4/index.htm
http://hovercraft.it/lang_id_1/page_id_15/index.htm
http://hovercraft.it/lang_id_5/page_id_4/index.htm
http://hovercraft.it/lang_id_5/page_id_15/index.htm
http://hovercraft.it/lang_id_3/page_id_4/index.htm

http://hovercraft.it/lang_id_3/page_id_15/index.htm
http://hovercraft.it/lang_id_1/page_id_4/index.htm

The dates of original publication of all the above-referenced technical illustrations are documented by the Internet Archive, www.archive.org. As but one example ...

a) As evidenced at http://web.archive.org/web/*hh_/neoterichovercraft.com/, the Neoteric page <http://neoterichovercraft.com/specifications/4Lspecifications.htm> was first published between June 04, 2000 and Feb. 01, 2001.

b) However, as evidenced at http://web.archive.org/web/*/www.hovercraft.it, the plagiarized illustrations did not appear on the HTI web site until June 03, 2002, when HTI committed intellectual property infringement by plagiarizing the entire Neoteric Hovercraft, Inc. website.

c) As evidenced at http://web.archive.org/web/*/kelticstar.com, no pages from www.kelticstar.com have been archived since 2008; therefore the Keltic Marine Group plagiarism occurred only recently.

Please be aware that subsequent to filing a DMCA Complaint with Google, Yahoo and other major search engines reporting all intellectual property infringement on www.hovercraft.it / www.hoverrescue.com, the search engines immediately removed, and continue to remove, all infringing HTI pages 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=c0cfd9fb1e48170b>

Also be aware that it is the policy of the major search engines to ban the entire website of a repeat offender from their search results.

2) 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 is "SOON TO BE BUILT IN NORTH AMERICA." The page states that "Hi-Tech International have been manufacturing hovercraft in Italy since 1995."

The hovercraft that Keltic Marine Group is marketing and building are, in fact, products resulting from acts of industrial/economic espionage and theft of trade secrets committed by HTI. Further, as clearly documented, HTI has not been manufacturing hovercraft in Italy since 1995. Hi Tech International S.r.l. had no association with hovercraft until the following sequence occurred:

Sept. 27, 2001	Matteo Passoni first contacted Neoteric via email
Oct. 26, 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
April 21, 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> "

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 receiving 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.

Since Neoteric has fully informed Keltic Marine Group of the full history of offenses committed by HTI, Keltic Marine Group therefore “has reason to know” that the website material referenced above, as well as the HTI hovercraft it is marketing and that Keltic Marine Group claims are “SOON TO BE BUILT IN NORTH AMERICA”, were both acquired by HTI through unlawful means.

Based upon the foregoing, we hereby demand that you 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’s exclusive intellectual property rights from *www.kelticstar.com* as well as from any additional websites or printed materials owned and/or produced by Keltic Marine Group;
- 2)** You agree to refrain from publishing on *www.kelticstar.com* or on any additional websites or printed materials owned and/or produced by Keltic Marine Group, any materials provided to Keltic Marine Group by HTI, or created by Keltic Marine Group, that constitute an infringement upon Neoteric’s exclusive intellectual property rights;
- 3)** You have removed all materials that contain false and misleading statements about HTI hovercraft from *www.kelticstar.com* as well as from any printed materials or media produced by Keltic Marine Group;
- 4)** Further, you agree that Keltic Marine Group will not market, promote, publicize, sell, distribute, build, produce or manufacture HTI hovercraft, which were obtained illegally from Neoteric Hovercraft, Inc. through reverse engineering and splash molding, and constitute economic/industrial espionage and theft of trade secrets.

If in ten days we are not in receipt of your compliance with these demands, Neoteric will proceed to file DMCA Complaints against Keltic Marine Group with all the major search engines.

Further, if in ten days we are not in receipt of your compliance with these demands, Neoteric will include Keltic Marine Group in all legal actions currently being instituted against HTI through the State of Indiana as well as through the Counterintelligence Division of the US Federal Bureau of Investigation, 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: Matteo Passoni, Hi Tech International S.r.l.
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 Mercado
Google, Inc.
Yahoo! Inc.
Microsoft Corporation
IAC Search & Media
Overture Services, Inc. / AltaVista
Overture Services, Inc. / AlltheWeb
Lycos, Inc.