

Our Ref: TOC 112291.351994  
Your Ref:



30 August 2007

**By Mail**

**By Email: [shawn@anecdote.com.au](mailto:shawn@anecdote.com.au)**

Anecdote Pty Ltd  
56 Grandview Avenue  
PASCOE VALE SOUTH VIC 3044

**Attention: Mr Shawn Callahan**

Dear Sir

**Unauthorised Use of the Registered Trade Mark "Yellow Pages"  
"Manually Updated Yellow Pages" operated at  
<http://www.anecdote.com.au/whitepapers.php?wpid=13>**

1. We act for Telstra Corporation Limited (**Telstra**) and Sensis Pty Ltd (**Sensis**). We are instructed to write concerning your conduct which appears to infringe our clients' rights.
2. Our clients are concerned that your website referred to above infringes upon our clients' rights relating to the trade mark "Yellow Pages". Our clients assume that the infringement is unintended, and wish to bring the infringement to your attention so that you can rectify it.
3. Our clients are the registered owner and exclusive authorised user of Registered Australian Trade Mark No 545667: **YELLOW PAGES** (telephone books, telephone directories and business directories) and numerous other registered Australian trade marks which incorporate the words "Yellow Pages". These trade marks have proceeded to registration on the basis of extensive use of the trade mark "Yellow Pages" by our clients. Full details of our clients' trade mark rights can be obtained from the Trade Marks Office.
4. Among other things, Sensis is responsible for compiling, producing, selling and marketing the *Yellow Pages*® directories and associated products on behalf of Telstra.
5. Our clients or their predecessors, have collated data for and printed Australian telephone directories since 1880. Since about 1975, our clients or their predecessors, have published and distributed telephone directories for all Australian capital cities and major regional centres. Our clients' directories are distributed in book form to most homes and businesses in Australia.
6. Our clients produce business related telephone directories using the trade mark "Yellow Pages". There are 85 *Yellow Pages*® directories produced nationally, including 6 major metropolitan directories, 29 local directories, and 50 regional directories. Each year Sensis distributes over 15 million

**Lawyers**

ABN 42 843 327 183  
167 Flinders Street  
Adelaide SA 5000

GPO Box 65  
Adelaide SA 5001  
DX 102 Adelaide  
Telephone +61 8 8205 3333  
Facsimile +61 8 8205 3300

[www.piper-alderman.com.au](http://www.piper-alderman.com.au)

**Adelaide • Sydney  
Melbourne • Brisbane**

**Partner:**

Tim O'Callaghan  
Direct Phone +61 8 8205 3450  
Email: [tocallaghan@piper-alderman.com.au](mailto:tocallaghan@piper-alderman.com.au)

**Contact:**

Stephanie Tieman  
Direct Phone + 61 3 8665 5530  
Email: [stiemman@piper-alderman.com.au](mailto:stiemman@piper-alderman.com.au)

To: Anecdote Pty Ltd  
Date: 30/08/2007  
Our Ref: TOC 112291.351994  
Page: 2



*Yellow Pages*® directories, with a directory delivered to almost every home and business in Australia. For the past 10 years our clients have made the *Yellow Pages*® directory database available online by means of their website at [www.yellowpages.com.au](http://www.yellowpages.com.au). *Yellow Pages*® is one of Australia's most well-known and highly regarded brands.

7. As a result of the widespread distribution and extensive advertising associated with the *Yellow Pages*® directories, our clients have developed a substantial and valuable reputation and goodwill in the *Yellow Pages*® brands.
8. Your use of the trade mark "Yellow Pages" or a mark which is substantially identical or deceptively similar to our clients' registered trade marks, infringes upon our clients' trade mark rights, and is also likely to mislead members of the public into believing that there is an association between your organisation and our clients.
9. Our clients appreciate that any infringement of our clients' rights by you is likely to have been unintended. You are requested to remove all references to "Yellow Pages" or any trade mark which is substantially identical or deceptively similar to our clients' registered trade marks within the next 14 days and to cease use of those trade marks in the future. If this is attended to, our clients do not intend to take any further steps with respect to past infringement.
10. We invite you to confirm your preparedness to co-operate with our client by writing that intention on this letter and faxing a copy back to us.

We thank you for your assistance.

Yours faithfully  
**Piper Alderman**

Per:

A handwritten signature in black ink, appearing to read "Tim O'Callaghan", written over a horizontal line.

**Tim O'Callaghan**  
Partner