

RESPONSE TO NOTICE OF TRADEMARK INFRINGEMENT

1. Please provide your contact information:

Name: [REDACTED]

Address: [REDACTED]

Phone Number: [REDACTED]

Email Address: [REDACTED]

Phone Number:

Alternative Phone Number:

2. For each trademark identified in the complainant's Notice of Trademark Infringement, please provide your response as to why your use of the allegedly infringing trademark does not constitute trademark infringement.

Trademark ¹	Response
<p>a. https://thrivous.com/blogs/views/opti-nutra-min-d-lab-pro-vs-thrivous-clarity</p>	<p>Opti-Nutra claims that content on the Thrivous website at the referenced link is trademark infringement and false comparative advertising.</p> <p>Thrivous legal counsel advises that Canada and United States law both protect fair use of competitive trademarks in comparative advertising that is true.</p> <p>Thrivous claims that no content at the referenced link is trademark infringement, according to the best knowledge and in the good faith of Thrivous.</p> <p>Thrivous claims that all content at the referenced link is true comparative advertising, as evidenced by the content and its links, according to the best knowledge and in the good faith of Thrivous.</p> <p>Opti-Nutra proposes no evidence to support its claims, which may imply that the claims are spurious, abusing law to bully a smaller competitor. However, if Opti-Nutra would like to propose evidence for its claims, Thrivous welcomes the opportunity to review that evidence and, if the evidence warrants, make adjustments to the content to ensure accuracy.</p> <p>Thrivous advises Opti-Nutra that all information related to this dispute will be published to ensure transparency for consumer education.</p> <p>Opti-Nutra asked Shopify to compel Thrivous to remove the content at the referenced link. Thrivous asks Shopify to decline the request from Opti-Nutra. Consenting to the request from Opti-Nutra, based on claims without evidence, would be to foster an anti-competitive environment that harms consumers.</p>

b.	
c.	
d.	
e.	

¹ This trademark should correspond to the trademark identified in the Notice of Trademark Infringement that you received.

Declaration

I have a good faith belief that the information is provide here is true and accurate.

I declare under penalty of perjury, that I am the owner of the accused web-site content or authorized to act on behalf of the owner of the accused web-site content.

Please indicate agreement to these term by providing your signature below. Your digital signature is as legally binding as your physical signature.

Signature:



Date: 24 January 2017