

December 5, 2011

Mr. David Partida Zuñiga
Hacienda de Oro, S.A. de C.V.
El Mirador km 43-A
Col. El Mirador
Amatitlán, Jalisco

Via Federal Express

Lou Sans
Sans Wine & Spirits
11809 Willard Avenue
Tustin, California 92782-5104

**Via E-mail [lou@sansws.com]
and Federal Express**

Re: Mr. José-Pablo Fernández [Our File: 57916/002001]
Notice of Copyright Infringement / Demand to Cease and Desist

Greetings:

The undersigned attorney and law firm represent Mr. José-Pablo Fernández in intellectual property matters. Mr. Fernández is the owner of the copyrights in his internationally-acclaimed photograph “Jimador que Tequila”:



Jimador que Tequila

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We are advised that Hacienda de Oro has, without Mr. Fernández's permission, reproduced this photograph on the labels of its "El Ultimo Agave" tequila. We further understand that Hacienda de Oro and its United States distributor, Sans Wine & Spirits, are distributing bottles of tequila bearing this label, and are also distributing this reproduction of my client's photograph in their marketing materials. For example:

Drink Responsibly

—Tequila—

El Ultimo Agave™

100% de Agave

Tequila
El Ultimo Agave
Resposado
100% de Agave
40% Alc/Vol

We Have It

WORLDWIDE TASTING CHAMPION
Silver 2009

WORLDWIDE TASTING CHAMPION
Gold 2009

WORLDWIDE TASTING CHAMPION
Gold 2009

www.sanswineandspirits.com

The advertisement features a large bottle of El Ultimo Agave tequila on the left, with a smaller bottle of the same brand in the center. To the right of the large bottle are three smaller bottles of different varieties (Silver, Gold, and another Gold). The background is dark with a light blue and green gradient. The text "Drink Responsibly" is written vertically on the left. The main title "El Ultimo Agave" is in a large, stylized font. Below it, "100% de Agave" is written. The phrase "We Have It" is prominently displayed in the center. At the bottom, there are three circular award medals from the "WORLDWIDE TASTING CHAMPION" competition, dated 2009. The website address "www.sanswineandspirits.com" is at the bottom.

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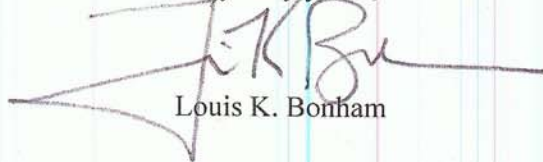
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This reproduction and distribution of copies of my client's photograph is unauthorized, and thus constitutes infringement of his copyrights. Demand is hereby made that Hacienda de Oro, Sans Wine & Spirits, and all persons and entities in privity with either of them, immediately **cease and desist** from all further acts of copyright infringement, including but not limited to all further reproduction and distribution of labels that include Mr. Fernández's photograph or any derivative thereof; any continued display of Mr. Fernández's photograph on any page of any website; and any other reproduction, display, or distribution of Mr. Fernández's photograph or any derivatives thereof. Failure to honor this cease and desist demand will result in suit being filed in federal court against Hacienda de Oro and all other involved persons and entities.

This infringement of my client's copyrights is an extremely serious matter. Please note that under the Copyright Act, you and any other infringers (including retailers of bottles bearing the unauthorized copy of my client's work) may be liable for significant monetary remedies under the Copyright Act. Please also note that a federal court may order the destruction of any and all infringing articles, and bar the importation of bottles bearing an unauthorized copy of my client's work.

My client would prefer to resolve the infringement of his copyrights in a businesslike fashion. If you would like to do so, please call me (or preferably, have your attorney do so) as soon as possible. However, if we do not hear from you or your attorney promptly, we have been directed to bring suit in federal court for copyright infringement, as well as to pursue other remedies under federal law.

Very truly yours,

A handwritten signature in black ink, appearing to read 'LKB', with a long horizontal line extending to the right.

Louis K. Bonham