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Via Overnight Delivery

IJR Capital Investments LLC
5555 West Loop S, Ste. 395
Bellaire, Texas 77401

Re: Your Infringement of Viacom's SpongeBob SquarePants Trademarks

Dear Sir or Madam:

I write on behalf of Viacom International Inc. ("Viacom"), which owns and operates the Nickelodeon programming services. As you may know, SpongeBob SquarePants is a popular Nickelodeon show that premiered in 1999. SpongeBob SquarePants has become an extremely valuable media franchise, which includes two feature films, a comic book series, original music, video games and theme park rides. Viacom owns a family of trademarks relating to SpongeBob SquarePants (the "SpongeBob Marks"), and has devoted tremendous resources to the creation, development and marketing of these Marks.

We recently learned that you are operating a restaurant called "Krusty Krab" -- based on the fictional "Krusty Krab" restaurant featured in the SpongeBob SquarePants television show -- and that you filed a trademark application for "The Krusty Krab" in Class 43 (Restaurant Services), Serial Number 86470477. Your use of the "Krusty Krab" mark in connection with your restaurant violates federal law because it suggests an association with and/or endorsement by Viacom or Nickelodeon. Accordingly, we hereby require that you confirm, within ten days of the date of this letter, that you will promptly: (i) change the name of your restaurant; (ii) refrain from using any of the SpongeBob Marks in connection with your restaurant; and (iii) withdraw your pending trademark application, Serial Number 86470477.

We understand that it may take you some time to transition to new branding, and we are prepared to discuss a reasonable phase-out period. However, if you fail to comply with the foregoing requests, Viacom will be required to proceed in a manner appropriate to protect its valuable intellectual property rights. We thank you in advance for your cooperation.

Viacom expressly reserves all rights, remedies and defenses in connection with this matter.

Very truly yours,



Andrew Hughes

