

**Esteemed  
Espresso Coffee  
Machines Manufacture Gmbh  
Dilsberger Str. 68  
D-69151 Neckargemund (DE)**

Raccomandata r.r.

**OGGETTO: - Fallimento ECM di Friedrich Berenbruch e c. sas – Sito internet ecm-espresso.it**

I am writing to you as the Official Receiver of the company “ECM di Friedrich Berenbruch & C. S.A.S. in Fallimento”.

On 20 October 2008 the Bankruptcy Court of Milan declared the bankruptcy of ECM di Friedrich Berenbruch e c. sas and nominated the undersigned as the Official Receiver .

On 12.11.2009 the subscribed filed the trademark ECM as Italian National Trademark.

As you surely know, the company “ECM di Friedrich Berenbruch” has been using the trademark ECM for years in respect of coffee machines manufactured by the same.

It has recently come to my notice that on 27.11.2008, you have registered the trademark ECM in your name, both as German National Trademark under No. 307 82 037.8/11 and as International , Trademark No. 976617.

Nonetheless, you could not ignore that this trademark has always distinguished the Italian company ECM, that was set up by Mr. Friedrich Berenbruch.

Since you registered the trademark after the declaration of bankruptcy of the ECM di Berenbruch Friedrich & C. S.A.S., and the subscribed Trustee in bankruptcy has never authorized you to register the trademark in your name, it is obvious that, given the awareness of another's ownership of the trademark in question, the trademark registrations obtained by you can be voidable.

I ask you to proceed immediately to the cancellation of the aforementioned registrations and of any other possible registrations you obtained/applied for, for the same trademark.

Hoping in an amicable settlement of the question, I wait for your prompt reply.

Yours faithfully  
Milan, 17 may 2010

IL CURATORE FALLIMENTARE  
DOTT. IGNAZIO ARCURI