



November 7, 2013

Amanda Tseng  
Paralegal  
Canonical Ltd.  
Blue Fin Building, 5th Floor  
110 Southwark Street, SE1 0SU  
**BY EMAIL**

Dear Amanda:

I write on behalf of Micah Lee in response to your email of November 7, 2013 regarding the website <https://fixubuntu.com/>. You requested that Mr. Lee remove Ubuntu logo from the site and remove the Ubuntu word from the URL. While we appreciate the polite tone of your letter, we must inform you that your request is not supported by trademark law and interferes with protected speech.

The website criticizes Canonical Limited for certain features of Ubuntu that Mr. Lee believes undermine user privacy and teaches users how to fix these problems. It is well-settled that the First Amendment fully protects the use of trademarked terms and logos in non-commercial websites that criticize and comment upon corporations and products. *See, e.g., Lamparello v. Falwell*, 420 F.3d 309 (4th Cir. 2005); *Koch Indus., Inc. v. Does*, 2:10CV1275DAK, 2011 WL 1775765 (D. Utah May 9, 2011). Mr. Lee's site is a clear example of such protected speech. Neither Mr. Lee, nor any other member of the public, must seek your permission before engaging in such constitutionally protected expression.

Although no changes are required, Mr. Lee has slightly revised the site to include a disclaimer noting the already obvious fact that <https://fixubuntu.com/> is neither affiliated with nor approved by Canonical Limited. In addition, he has removed the Ubuntu logo. To be clear, neither of these steps was required by law and Mr. Lee makes them only in a spirit of compromise. Mr. Lee also notes that he will gladly take down the entire website as soon as Canonical stops violating the privacy of Ubuntu users by default.

We trust that Canonical will not make any further efforts to improperly assert trademark rights in order to interfere with critical speech.

Very truly yours,

A handwritten signature in black ink, appearing to read "Daniel Nazer".

Daniel K. Nazer  
Staff Attorney