

October 16, 2009

*Via Federal Express*

Trevor Zylstra  
SparkFun Electronics, Inc.  
6175 Longbow Dr., Suite 200  
Boulder, CO 80301-3256

***Re   Infringement of SPARC International, Inc.'s Trademark Rights  
by SparkFun Electronics, Inc.***

Dear Sirs:

This law firm represents SPARC International, Inc. ("SI") in connection with its trademark and other legal matters. We are writing concerning infringement of SI's distinctive and highly valuable trademarks.

SI is the proprietor of the SPARC trademark in the United States and many other jurisdictions worldwide. SI is also the proprietor of numerous SPARC-based marks, including OPENSPARC, SPARC ENTERPRISE, ULTRASPARC, ULTRASPARC DRIVEN (logo), SPARCengine, SPARCle, and SPARC64 among others. SI has used the SPARC trademark since 1989. The SPARC mark has achieved worldwide recognition for quality computer hardware and software products and related services. SI and/or its licensees currently use the SPARC and SPARC-based marks in connection with microprocessors, central processing units, circuit boards, integrated circuits, computers, laptop computers, communications servers, computer programs for business applications, and operating systems as well as other related goods and services. SI has obtained trademark registrations for the SPARC mark in the U.S. as well as in ninety-four (94) other countries. Specifically, SI is the owner of U.S. Trademark Registration Nos. 1,591,728, 1,715,120, 1,664,103 and 1,737,259 for SPARC in Classes 9, 16 and 42.

It has recently come to our attention that SparkFun Electronics, Inc. is using the term SPARKFUN as a trademark in connection with the sale of computer hardware, including integrated circuits and circuit boards. Because the dominant portion of the SparkFun mark, namely, SPARK, is phonetically identical and nearly visually identical to SI's SPARC mark and because it is used in connection with identical goods, we believe confusion is likely to occur among the relevant purchasing group. Additionally, the SPARKFUN mark could be mistaken for one of SI's many SPARC-derived marks. Purchasers or users of SPARKFUN products may be misled into believing that your products originate from, are sponsored by, or are approved by SI or its licensees. SI therefore considers your use of the term SPARKFUN mark to be an infringement of its trademark rights.

Trevor Zylstra  
SparkFun Electronics, Inc.  
October 16, 2009  
Page 2

The SPARC trademark portfolio is an extremely valuable asset belonging to SI and relied upon in significant ways by SI's licensees (such as Sun Microsystems and Fujitsu). Any infringement is a "threat" and potentially dilutes the worth of SI's carefully cultivated and maintained trademark portfolio.

SI cannot permit your company to use the term SPARKFUN in further violation of SI's intellectual property rights. Accordingly, SI demands that your company immediately cease and desist from using the term SPARKFUN. SI further demands that you immediately take steps to transfer the sparkfun.com domain name to SI.

Please contact me as soon as possible, but in no event later than October 28, 2009 to confirm that SparkFun Electronics, Inc. will comply with the above demands. If we do not receive a satisfactory response by that date, we will assume that SparkFun Electronics, Inc. intends to continue using the term SPARKFUN and infringing upon SI's trademark rights. SI will then be forced to take any and all legal and administrative actions necessary to protect those rights. I sincerely hope such action will not be necessary.

Sincerely, 

U