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PATENTS, TRADEMARKS & COPYRIGHTS

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October 30, 2003

VIA FEDERAL EXPRESS
NO. 8350 4449 8911

Mr. Randy Garbin
c/o RoadAge Media
11 Homer Street
Worcester, MA 01602

Re: Notice of Trademark Infringement

Dear Mr. Garbin:

We represent American Diner Museum, Inc. (The Museum) in its intellectual property matters. This follows recent correspondence from Michael A. Ursillo, Esq. in connection with the same matter.

This letter is to inform you that the marks AMERICAN DINER MUSEUM and DINER MUSEUM are common law trademarks of The Museum, each of which have been in use since October of 1997. It has come to our attention that you are using both of the foregoing marks in connection with your business, and that you have registered americandinermuseum.com and dinermuseum.com with Network Solutions as second level domain names. Print-outs of the search results confirming your registration of the domain names are attached. Moreover, you are using these domain names to operate a Web site located at <http://www.dinermuseum.com>.

The Museum considers your unauthorized use of its marks and any similar variation thereof in connection with your internet site, your business, and your advertisements, or on any sign, brochure, or otherwise in connection with any products offered by your business to be likely to confuse, mislead, or deceive the consumer public, contrary to fact, that your company and its Web site are sponsored or in some way approved by The Museum. Furthermore, The Museum considers your actions to constitute unfair competition, which actions appear to be a deliberate attempt to divert The Museum's customers to your site. By doing this, you unjustly benefit from the substantial goodwill The Museum has established in its mark.

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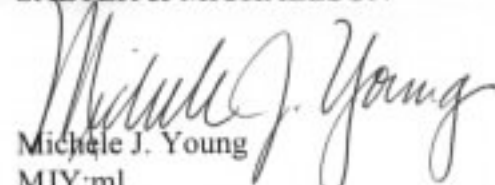
In addition, as meta-tags in your web-site <http://www.dinerforsale.com>, you are using each of the foregoing marks and domain names, along with our client's surname. Print-outs of several pages from your web-site also are enclosed. Your company's use of the foregoing on its Web site constitutes false advertising because it misrepresents the nature, characteristics, qualities, and origin of your company's activities. This likelihood of confusion and false advertising subjects your company to, *inter alia*, actions for trademark infringement and unfair competition.

We therefore demand that you provide written assurances within ten (10) days following receipt of this letter that you will:

- permanently refrain from all use of the mark American Diner Museum or Diner Museum or any similar marks in any way in connection with your business, including on any Web site as well as on any advertising and promotional materials;
- permanently refrain from all use of Daniel Zilka's name or any similar names in any way in connection with your business, including on any Web site as well as on any advertising and promotional materials; and
- immediately transfer the domain names "www.americandinermuseum.com" and "www.dinermuseum.com" to The Museum.

If the requested written assurances are not received within ten (10) days, our client will not hesitate to take appropriate action to prevent your company from using its trademarks in connection with your business, as well as to prevent your company from using americandinermuseum.com and dinermuseum.com as domain names and on any Web site. If such action becomes necessary, The Museum will also seek damages and counsel fees.

Very truly yours,
SALTER & MICHAELSON


Michele J. Young
MJY:ml
enc.

cc: American Diner Museum, Inc.

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