

THE RUTHERFORD INSTITUTE

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INTERNATIONAL OFFICE
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April 5, 2011

Via Telefax and Certified Mail

Robert E. Barry, Esq.
County Counsel
County of Union
10 Elizabethtown Plaza
Elizabeth, New Jersey 07207

**Re: Use of the Seal of the County of Union / Union County Citizen's
Forum**

Dear Mr. Barry:

The Rutherford Institute has been contacted by Tina Renna, a resident of the County of Union who is the producer of the local access television show "Union County Citizen's Forum," which airs on the Township of Cranford's public access Channel 35. In a letter under your signature dated September 17, 2010, the County of Union demanded that the Township of Cranford cease and desist display of the Seal of the County of Union in any way, including all television shows, because the Seal is a pending trademark and the display constitutes trademark infringement. Ms. Renna's television show included a display of the Seal of the County of Union with a light shining on it, which was a symbolic expression of the show's purpose to shed light on the workings of the County government. The County's cease and desist demand has thereby inhibited her speech and expression. Indeed, it is Ms. Renna's belief that the County's demand was specifically targeted at her reporting of news and public information concerning the activities of the Union County government.

On behalf of Ms. Renna, we hereby demand that the County withdraw its demand that Channel 35 and programming producers, such as Ms. Renna, cease and desist display of the Seal of the County of Union as the County has no right to prevent use of the Seal under trademark laws, and the use of the Seal in connection with news and public information reporting is affirmatively protected by federal and state guarantees to freedom of speech.

The County's claim to trademark protection in the Seal is unwarranted because both federal and state trademark statutes preclude trademark registration for symbols and

