

# SANTA BARBARA PIX

## Digital Event Photographers

April 15, 2009

Michael DiNardo  
Kelly Lowry & Kelly LLP  
6320 Canoga Ave. #1650  
Woodland Hills, CA 91367

Dear Mr. Dinardo:

I am in receipt of your letter dated April 03, 2009.

First, you stated that your client Peter Wolf has attempted to contact me on numerous occasions to discuss the matter. To date, I have not received any mail, phone calls, or email from anyone named Peter Wolf to discuss anything. The only contact I have had regarding Peter Wolf is from you in your letter dated April 03, 2009. Later in your letter, you ask me to contact your client by phone. I will communicate in the future with either you or your client in writing only. Please let me know who I should be in communication with in the future – you or your client. Until I hear otherwise, I will communicate with you.

Second, I was unaware of your client's patents until my receipt of your letter. As I am not an attorney, I do not completely understand your client's patents or how they relate to [www.santabarbarapix.com](http://www.santabarbarapix.com). However, after reviewing your client's patents, it appears that he has obtained a patent to do something that has been done for years – namely performing a database search. Your client's patent is no different than the processes which are used by the multitudes of stock photography agencies that have existed since the early 1990's. As such, I am investigating filing with the United States Patent Office for a re-examination of your client's patents. Also, in light of the *In re Bilski* appeal (No. 2007-1130), the U.S. Court of Appeals for the Federal Circuit ruled that the patent application at issue was not tied to a machine and did not result in a transformation, both standards set by the U.S. Supreme Court for patentability. Your client's patents obviously do not meet either of these standards.

Third, since your client's patents appear untenable for multiple reasons, I will not alter or change my website, nor will I provide you with the information you requested. I am aware that your client has granted multiple 'licensing agreements' to various photography companies and I am willing to entertain any reasonable proposals he may wish to make in writing regarding granting me a 'licensing agreement'. Otherwise, I intend to fight your client and defeat his patents at all costs and for as long as it might take.

Sincerely,

Mike Bouffard  
SantaBarbaraPix

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