



155 MONTGOMERY STREET, SUITE 1200
SAN FRANCISCO, CA 94104
(415) 277-7200
(415) 277-7210 (FAX)
WWW.WEBBLEGALGROUP.COM

May 7, 2018

Mr. Kristoffer Mackenhauer Nielsen
NATULIQUE (Corporate Headquarters)
Balticagade 10, 2., Aarhus Docklands
DK-8000 Aarhus C, DENMARK

Via e-mail only to: sa@NATULIQUE.com

In re your e-mail to ireadlabelsforyou.com dated May 1, 2018

Dear Mr. Nielsen:

Thank you for your e-mail to ireadlabelsforyou.com. It has been directed to me for response. Please send all further correspondence to me. After reading the post and your e-mail, I have a lot of questions for you and your company.

You wrote: “there are no attitudes about factual untruths in the form of information.”

I do not understand what this means. If you would like me to respond to it, please tell me what you mean. To which alleged factual untruths do you refer? Please feel free to enumerate them, setting forth for each (1) the statement made, (2) what is untrue about the statement, and (3) what documentation you have supporting your allegation that the statement is untrue, and (4) the identity of all persons who will testify in court about the allegation. Also, please provide the documentation described.

You wrote: “NATULIQUE Ltd. reserves the right to claim the right to object to the reported posts, since these are stated statements, information and images are damaging and infringing regard to their trademark.”

Again, I do not understand what you mean here. What does the “right to claim the right to object” mean? Is this something peculiar to Danish law perhaps?

What are “stated statements?”

To what trademarks do you refer? How are they infringed? Please also provide citation to any law that supports this argument.

You wrote: “these are misleading in the interests of our customers.”

What are misleading? How are they misleading?

What are your customers' interests? Do they have an interest in knowing the truth about your company's silly claims that its hair color was "certified" as "organic" by an organization your company apparently created, based on the information contained in the post? Do they have an interest in knowing the ingredients in the hair color they use? And if so, why has Natulique taken down the full list of ingredients it uses in its hair color?

What other interests do your customers have? And how do you know what your customers' interests are? Do you ask them? What questions do you ask them? What are their answers? Do you document their responses?

Your allegation raises these, and many other, questions.

You wrote: "As the owner of the trademark NATULIQUE, we can, if necessary, lead the evidence of the untruths."

Again, I do not understand your point. So, your company alleges it has a trademark. How does this fact uniquely position it to be able to "lead the evidence of the untruths?" What does that even mean? What evidence is there? What circumstances are "necessary" in order for you to "lead the evidence of the untruths," and where are you going to lead them? And how? This all very mysterious, but, I must say, very intriguing.

You wrote: "This article is on more the one case lies and states false and misleading information about our Brand, NATULIQUE. Thus, the content violates our trademark and brand and creates a injurious effect."

First of all, I genuinely do not understand what this means. What lies are contained in the article? What false and misleading information was stated about your "Brand?" I have read through the article, which appears to me to have been very thoroughly researched and supported. If you can enumerate any facts that are untrue, and can provide proof that they are not true, we will certainly consider your information.

You wrote: "1) It states that we call our colour 'Organic Hair Colour'. There is no way on any official NATULIQUE material that we wrote this form of designations and we have never indicated that in our marketing materials or in other ways the regarding to the products."

Is your company's website called www.natulique.com? Do you consider it to be part of Natulique's "marketing materials" or something that is "in other ways the [sic] regarding to the products?" If this is indeed Natulique's website, perhaps someone hacked it and posted this material without your knowledge.

Letter to Kristoffer Mackenhauer Nielsen

May 7, 2018

Page 3 of 9

As noted in the post, screenshots were taken of your website so that proof would be available if you ever changed the website and then made this false claim. I understand you may have been in college when Natulique first posted this information on its website, and apparently Natulique has changed its website recently. Perhaps you were not aware that historically, Natulique absolutely has claimed that its hair color was “organic,” and it continues to do so today. Look at the following information that was truthfully conveyed in the website post itself. (Did you even read the post?)

Here is a screenshot from a Google search:

NATULIQUE® Organic Hair Colour EXCLUSIVELY for Professionals

www.natulique.com/ ▼

Feb 23, 2017 - Permanent Organic Salon Hair Colour, Hair Care and Styling for Professional use, worldwide, offered by NATULIQUE® Certified Organic ...

[Natural Hair Colours](#) · [Organic Hair Colour](#) · [Contact Us](#) · [PPD Free Hair Colour](#)

Organic Hair Colour - NATULIQUE® Certified Organic

www.natulique.com/organic-hair-colour/ ▼

Jan 5, 2017 - NATULIQUE Organic Hair Colour is the most gentle, 100% ammonia free, high-performance professional hair colour in the world.

Natural Hair Colour Shades - NATULIQUE® Certified Organic

www.natulique.com/natural-hair-colour-shades/ ▼

Feb 20, 2017 - We currently have 73 different Natural Hair Colours Shades. You can find all shades below or in the NATULIQUE Shade Chart as detachable shade samples. ... The newly updated colour shade chart with all 73 colours as detachable shade samples.

Do you see the words “Natulique” and “certified” and “organic?” Is that term “Natulique” referring to your company? How do you know this? Or, is there another Natulique and this really refers to it? Did Natulique write or commission these posts? Or did some rogue person or company post these on the internet in a perverse attempt to defame Natulique? And, if the latter, please forward to me documentation of Natulique’s attempts to have this information taken down from the internet by said rogue actor.

Also, here is a screenshot from your company’s logo, that was on your company’s website:



Letter to Kristoffer Mackenhauer Nielsen

May 7, 2018

Page 4 of 9

The logo has the words, “Natulique,” and “Certified Organic” in it, and some type of leaf or plant that has what looks like red spots on it, and that’s about it. I am spelling this out for you, because you apparently were not able to see this in the post.

Again, did someone hack into your company’s website and surreptitiously plant this logo on it?

If that’s not enough for you, here is another screenshot, taken from Natulique’s website:



It says, “Organic Hair Color.” Do you see that?

And here is where Natulique – again, on its website – claims to have been “certified organic.”



Again, this is a screenshot, taken from the website www.natulique.com.

Do you contend that this screenshot was not made from the Natulique website? What evidence do you have of that? Such a claim would be truly remarkable.

Finally, Natulique continues to claim – to this very day – that its hair color is “organic.” This screenshot was made on March 24, 2018:



Perhaps, since Natulique has decided to remove some of this offending material from its website, it thought that it could erase all traces of its claims to be organic, and that your e-mail could intimidate my client into taking her post down. Fortunately, she had the foresight to anticipate this naïve move on your part, and is fully prepared to defend herself in court if necessary. In fact, as you know if you read the post, the post itself contained the very proof she needed in order to rebut the same claims you make now.

You wrote: “2) The author states that we write ‘free from PPDs, Resorcinol, Ammonia and Parabens’, which we partial verify. But contrary to what is stated in the post, it completely neglects that we have draw attention to this fact with have an asterisk which points to a section saying that this 'applied to selected shades only'. We can add pictures for evidence if needed.”

Again, we do not know what you’re referring to here. The phrase “free from PPDs, Resorcinol, Ammonia and Parabens” does not appear in the post. Can you help us understand what you mean? Are you referring to some other post by another author, perhaps?

And even if that phrase were somehow in the post, we genuinely do not understand the balance of this allegation.

You wrote: 3) In addition, I declare copyright against you if you do not remove the post immediately. Because you use more than five images associated with this

article, such as NATULIQUE Ltd. they have intellectual property rights, including the copyright.

Again, we are not sure as to what you are referring. Are you claiming you are entitled to copyright protection under some law? Which one? United States Federal law? If you are making a claim under Federal law, I would be happy to review any citation to authority that you feel would support your allegation. Although I have been practicing law for some time now in the areas of business and commercial litigation, including intellectual property litigation, I do not recognize your legal theory. If you have citation to any law, feel free to provide it.

If you are referring to some European law, please provide citation to that law and we will run it by our European counsel. Make no mistake – this is an allegation we take very seriously, but simply do not understand the basis – factual or legal – for your remarkable allegation.

You wrote: “4) Finally, you claim in connection with your article and this is the biggest issue with the article. In the content of the article, you mix the informations and ingredients of several of our product lines, ie, blend our wetline series - shampoo and conditioner with our hair colorant serie. We cannot accept this as it forms a misleading image of our products according to our customers. Referring to the above, you claim that NATULIQUE Ltd. writes that the products are certified organic, which we never have not said or convey in writing.

Once again, we do not understand what you are trying to say. Your point seems to be that the post somehow conflates shampoo, conditioner and hair color ingredients. Is this your point? If so, there is no truth to it. The ingredients discussed in the post are those that Natulique used to list on its website for its hair color product, which it claimed was “certified organic.” Moreover, your company confirmed in writing in March 2018 that it continues to use the same ingredients as listed in the post.

The point of the post was that the ingredients Natulique itself listed for its “certified organic” product did not support its “organic” claim. So, this argument either fails logically or we do not understand it. Please feel free to enlighten us as to your intent.

You wrote: “This is therefore exclusively information who is in a misleading and untrue, which is unlawful and infringing. Therefore, we maintain the stated above, as our objection. It is the case that you intentionally and subjectively act injurious damage on our brand in contrary to the truth in this regard.”

I understand that English is not your native tongue, and you are to be commended for even trying to write a letter in a foreign language, something I presently lack the ability to do. However, this portion of your letter is not intelligible, and does not seem to add anything to the above. If you’d like to try to clarify it, I am happy to review it.

You wrote: “We hope that you understand that we cannot accept mentioned post and therefore we kindly ask you to remove/delete this to avoid infringement of our registered trademark. You have one week from now to answer, before we will do what is necessary to stop this infringement.”

Again, we are not sure what you mean here. Natulique is free to “accept” the post or not, but we don’t really understand what you mean. This is not a product, or work for hire, that we are delivering to you, empowering you to either accept it or reject it. Rather, it is a post that states provable (and, dare I say, proved) facts, coupled with opinions. One cannot be sued here in the United States for expressing an opinion, and I daresay the same is probably true in Denmark and the European Union as well. As such, there is nothing in the post that is legally actionable.

I also do not know how a post can be an infringement of a trademark. Again, if you can provide citation to some legal authority, I will happily review it and counsel my client accordingly.

You wrote: “Please confirm the receipt of this email and attach your letter of cancellation or the change.”

I am not sure what you mean by a letter of cancellation or change. However, you may rest assured that the original post has been modified. A new post replaces it, confirming:

1. the fact that the Natulique website has been changed, and that although historically it has claimed to be certified organic, the website makes this preposterous claim less frequently;
2. the fact that Natulique has removed the list of all but the most innocuous-sounding ingredients, concealing what it uses as a colorant, for example;
3. the fact that Natulique now admits on its website that it created the 360BIOCERT designation;
4. the fact of your e-mail, which has been transcribed in full; and
5. the fact of this response.

If you care to continue this exchange, we will happily keep the public abreast of all material developments. The point of the blog, after all, is to provide as much transparency to toxins contained in consumer goods as possible so that consumers can make informed choices, which can have a profound impact on their health and lives. We trust that you and Natulique also support these laudable efforts. And if you don’t, please let me know why not.

Letter to Kristoffer Mackenhauer Nielsen

May 7, 2018

Page 8 of 9

Again, we will review any legal authority you send us regarding your intellectual property claims. We take such allegations very seriously. However, absent more specific information and citation to legal authority, we can't address the allegations.

We trust this puts an end to this matter. We encourage Natulique to stop making legal threats and instead to use its resources and efforts to make safe products that www.ireadlabelsforyou.com can recommend. It is certainly possible to do, and every year more and more products achieve "recommended" status after initially failing to make the grade.

More importantly, if Natulique's brand has indeed been "injured," as you claim, it has been injured solely because of the light cast on its ingredients and business practices. The best way to conform its brand would be to manufacture goods that adhere to the needs and desires of its customers.

In sum, I do not understand much of your e-mail. Feel free to supplement it if you wish. We will review anything you provide us, and determine whether it merits further response. Otherwise, we will consider this matter concluded.

Finally, since you have threatened litigation, and since you have modified your website over time, and now are pretending that the prior versions of the website never existed, I have to advise you as follows.

My client demands that you immediately preserve and retain all evidence relating to this matter, including, but not limited to, all documents, tangible things, e-mails, drafts and versions of your website and that of and pertaining to 360BIOCERT and other electronic data in the possession, custody, or control of you or your agents, including, but not limited to, graphic design firms, website design firms, formulators, manufacturers, vendors, suppliers and consultants.

For purposes of this letter, such "electronic data" includes, but is not limited to, text files (including word processing documents and text or instant messages), spread sheets, e-mail files and information concerning e-mail (including logs of e-mail history and usage, header information and "deleted" files), internet history files and preferences, graphical image files (including .JPG, .GIF, .BMP and TIFF files), data bases, calendar and scheduling information, computer system activity logs, instant message text and all related information and/or data related, and all file fragments and backup files containing the above electronic data. Additionally, the continued operation of any computer systems (including standalone personal computers, network workstations, notebook and/or laptop computers, smart phones, or desktop computers) in the possession, custody or control of you or your agents will likely result in the destruction of relevant evidence due to the fact that electronic evidence can be easily altered, deleted, overwritten or otherwise modified. We hereby demand that you and your agents refrain from operating (or removing or altering fixed or external drives and media attached thereto) such computer systems (or segregate all storage systems and devices, or create and retain true and compete images

Letter to Kristoffer Mackenhauer Nielsen

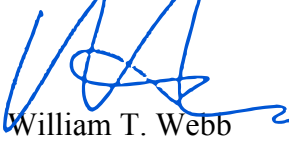
May 7, 2018

Page 9 of 9

of all related storage systems and devices) and suspend all overwriting practices and protocols until further written notice from us.

Please note that the failure to preserve and retain evidence, including electronic data, constitutes spoliation or destruction of evidence and may subject you to sanctions under California law. See Code of Civil Procedure section 2023; Penal Code section 135; and *Cedars-Sinai Medical Center v. Superior Court* (1998) 18 Cal. 4th 1, 12.

Very truly yours,

A handwritten signature in blue ink, appearing to be 'WT Webb', with a stylized flourish at the end.

William T. Webb