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RESPONSE TO CERTIFIED MAIL

January 28 2003

Senior Attorney Christine Searls
Qwest Communications International Inc
1801 California Street ~ Suite 3800
Denver, CO 80202

Dear Ms Searls,

Thank you for your letter, dated January 17th, 2003.

It seems you have been rather presumptuous in your interpretation of the use of my domain name. I have been known throughout the investigative industry as "Ma-Bell Michele" for many years. The name was actually derived from a Beatles song, recorded in early 1965 and this is the reason I chose the domain name.

Unless Qwest Communications International has entered the private investigative profession, I can see no conflict of interests or reason for anyone to assume any association with your organization, other than those overly imaginative people who may also believe Taco Bell is the Mexican subsidiary of your company. I do not offer the same services as you, and in no way could I be described as being in competition with you. My services are not even available to the public and are restricted to members of the investigative profession only, who are well aware of who I am and what I do.

Further, in accordance with Paragraph 15(a) of ICAAN's Uniform Domain Name Dispute Resolution Policy, in order to prove legitimate rights to the domain name, the complainant must prove all three of the following conditions under the Policy:

(1) the domain name registered by the Respondent is identical or confusingly similar to a trademark or service mark in which the Complainant has rights

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While it is your contention that the domain name is "confusingly similar" to your trademark, I disagree, and maintain that your contention does not give you exclusive rights to the use of the generic words "Ma" and "Bell".

(2) the Respondent has no rights or legitimate interests in respect of the domain name

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As previously stated, I have been known throughout the investigative profession as "Ma Bell Michele" for an appreciable amount of time, and as such, believe I have ample rights and legitimate interest in the domain name.

(3) the domain name has been registered and is being used in bad faith.

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Again, as previously stated, I do not operate in competition with Qwest Communications International, offer similar products for sale, or advertise similar services, therefore, the domain was not purchased, and could not be construed as being used in bad faith.

Ms. Searls, your organization's failure to secure the domain name prior to my purchase of it is not my concern. However, in the interests of reaching an amicable agreement, and to allay your fears, I can

- 1) Place a disclaimer at the top of the web site stating that I have no association with your company in order to avoid any confusion to those who lack basic comprehension skills; or
- 2) If the domain name is so important to you, you are free to make me a more realistic, and far less insulting offer for its purchase, bearing in mind that my domain name is currently in the bookmarks of thousands of investigators worldwide; is mentioned in countless printed articles, Internet sites, training materials and investigative journals; and, should I accept your offer and transfer the domain to you, will require that I incur the substantial cost of having a new web site designed to include hosting; renew my entire stock of business cards, stationary, brochures and alter all of my current advertising; a cost alone that, as you'll understand, would FAR exceed the amount of your current offer, and this is before we even consider my inevitable loss of revenue.

I look forward to your reply.

Regards,

Michele Yontef