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Philippine Flightsimmers Group
Peter Binamira
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Paris, December 11, 2006

www.twobirds.com

By registered letter

And by email: ejhay@msn.com

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WARNING LETTER

O/Ref. AIRBU.0019 LDE/IAR

RE: AIRBUS / Philippine Flightsimmers Group

Dear Sir,

We refer to the cease and desist letter sent to you on November, 29 2006.

We are the Attorneys at Law of the well-known group AIRBUS, which is, as you know, one of the two leading civil aircraft manufacturers in the world.

AIRBUS is the owner of numerous trademarks all over the world, including the trademark and company name AIRBUS and trademarks as A380.

There is no doubt that the trademark AIRBUS is well-known throughout the world and this reputation has already been acknowledged.

My client was informed that the PHILIPPINE SKIES FORUM, that you are administrating was containing a web page which address is <http://www.philskies.net/forum/viewtopic.php?t=9322>, which not only highly tarnishes the image of my client but also infringes its rights.

Indeed, on the above mentioned web page, one claims that "Airbus to focus on A350XWB development, ends the A380 programme...Effective immediately, Airbus is discontinuing all development and production work on the A380 airplane programme. Resources will be redirected towards creating the new A350XWB family aircraft (...) Airbus will begin negotiating with A380 customers on compensation for the terminations of sales contracts".

There is no doubt that such declarations are false, deceptive, and made with intent to harm.

Furthermore, this website creates a likelihood of confusion in the public mind and damage Airbus corporate and products, image and reputation. This confusion is strengthened by the fact that the publisher has reproduced AIRBUS press release material so that the public shall believe that it is an official press release!

In addition, the publisher of the web page infringes AIRBUS author's rights since it reproduces, without any prior authorization, elements of the official AIRBUS web site which benefit from copyright protection.

Such unauthorized reproduction amounts to author's rights infringement.

Finally, the above mentioned web page exactly reproduces the well-known AIRBUS, its corporate logo and A 380 trademarks, without any prior authorization.

Such use generates a risk of confusion for the public, believing that it is the official Web Site of AIRBUS and/or that this page was published with the prior consent and under the control of AIRBUS.

Such behaviour clearly constitutes trademark infringement.

Consequently, AIRBUS sustains high damages because of the risk of confusion and generated to the public between its trademarks and the deceptive and untruth content displayed on the above mentioned web page of the forum, which divert consumers and tarnish AIRBUS's image and trademarks.

There is no doubt that these facts are punishable with civil or even criminal sanctions.

Therefore, AIRBUS asks you to:

- **take all measures to end, within a period that does not extend 48 hours starting from the reception of the present letter, the unlawful confusion constituted by the litigious site, accessible at the address: <http://www.philskies.net/forum/viewtopic.php?t=9322>.**
- **Replace the litigious website by the amended communiqué enclosed**

Upon failure to do this, we regret to inform you that since our client is determined to end this situation, by all means and no matter what the competent court, we have received instructions to immediately file this case before the competent courts, for your having failed to respond to our legitimate claim.

I remain at the disposal of your lawyers for any discussion they would wish to have.

Waiting for your response in due time,

Best Regards,

A handwritten signature in black ink, consisting of a long horizontal line with a small loop at the end and a small flourish.

Isabelle Leroux
Attorney at Law

*Att: contentious web page
communiqué*

COMMUNIQUE

The Philippine Flight Simmers Group Forum wishes to express its apologies to Airbus for the publication on its Forum of a text which is considered by Airbus as highly damaging to the company and its image.

On November 11th, an internaute has posted a counterfeit press release with Airbus logo announcing the launch of the A350XWB programme and the end of the A380 programme. The text was written in the form of a press release and could have been interpreted as being an official release from Airbus as its style and format were copied.

Airbus wishes to clarify that the A350XWB programme is currently under discussion and a launch decision will be taken soon. The A380 programme is definitely not terminated and has 15 worldwide customers signed up for a total of 166 orders and commitments.

Upon request from Airbus, this text has been removed immediately.

Press releases

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Airbus to focus on A350XWB development, end A380 programme

13 November 2006

Effective immediately, Airbus is discontinuing all development and production work on the A380 airplane programme. Resources will be redirected towards creating the new A350XWB family of aircraft.

The EADS Board of Directors took the decision to accelerate A350XWB development in order for Airbus to compete more effectively in the mid-size wide body commercial jetliner market. The airplane family will be comprised of three variants carrying from 275 to 350 passengers in typical three class layouts, and will have a range of 8500 nautical miles.

Airbus will begin negotiating with A380 customers on compensation for the termination of sales contracts. EADS plans to announce a charge against earnings for the costs of canceling the A380 programme in the first quarter of 2007. A decision on the disposition of completed A380 frames will be made at a later date.

Airbus is an EADS company.



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