



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE GENERAL COUNSEL

March 24, 2016

Abuv Media
Attention: Dan Schuessler, Founder and CEO
156 2nd Street,
San Francisco, CA 94105

dan@abuvmedia.com

VIA EMAIL AND CERTIFIED MAIL

RE: IMPROPER USE OF ED MARKS AND MISREPRESENTATION OF AN AFFILIATION
BETWEEN AFFORDABLE COLLEGES ONLINE AND ACCREDITED SCHOOLS
ONLINE AND THE US DEPARTMENT OF EDUCATION

Dear Mr. Schuessler:

It is our understanding that Abuv Media (Abuv) creates and manages different websites including Affordable Colleges Online (Affordable) and Accredited Schools Online (Accredited). This letter concerns Abuv's unauthorized use of a mark which belongs to the Institute of Education Sciences (IES), a principal office in the U. S. Department of Education (Department), on <http://www.accreditedschoolsonline.org/> and the unauthorized use of the ED.gov mark on <http://www.affordablecollegesonline.org/>. Both of these uses inappropriately imply a relationship between the Department and these websites.

On the Affordable website, Abuv is using the ED.gov mark on the homepage without approval from the Department as required by 15 USC § 1125. (Please see attached). On the Accredited website, Abuv is using the Institute of Education Sciences' (IES) mark on the homepage of its website without approval from the Department as required by 15 USC § 1125. (Please see attached) Abuv's use of these marks next to the phrase "Sources & DATA PARTNERS" implies an affiliation between the Department and your organization, your website, and/or its related goods and services. Federal law, specifically 15 USC § 1125, imposes civil liability for false assertions of sponsorship or approval for commercial activities.

We are also aware of Abuv's use of the Free Application for Federal Student Aid (FAFSA[®]) service mark on its Affordable website. (Please see attached). The FAFSA service mark is owned by the Department and is registered with the U.S. Patent and Trademark Office Reg. No. 4,524,039. Therefore, when using the mark we request that you reference the service mark as follows: FAFSA[®] and state on the materials or webpage that "FAFSA[®] is a registered service mark of the U.S. Department of Education."

For the reasons stated above, the Department is instructing Abuv to cease and desist all inappropriate uses of the Department's marks and place the following disclaimer on the homepage of the Affordable website: "This site is not affiliated with or endorsed by the U.S. Department of Education. The content or any information posted on this site does not reflect the views of the U.S. Department of Education."

To avoid further action, please confirm in writing within 10 business days of your receipt of this letter that you have implemented the requests in the preceding paragraphs. If we do not receive your written assurance by that date, the Department will pursue all available steps to protect its rights.

If you have any questions, I can be reached at (202) 401-6000.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tracey Sasser', written over a horizontal line.

Tracey Sasser
Assistant General Counsel,
Division of Business and Administrative Law

cc: Scott Bolden, Civil Division
United States Department of Justice