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October 10, 2024

By Email
(amb@aspy.dev)

██████████
ArmCord Developer

Re: Your Violation of Arm’s Rights in the Famous ARM Marks

Dear Mr. ██████████:

This firm represents Arm Limited (“Arm”) with respect to intellectual property matters. I write to reiterate concerns Arm has previously raised about your use of ARMCORD in connection with what you describe as a web app client. Your acknowledgment of Arm’s rights but refusal to comply with the request that you cease all use of ARM, whether alone or with other elements, is extremely concerning.

As you are clearly aware, Arm is a world-renowned technology solutions provider that has, for at least the last thirty (30) years, owned and used the famous ARM brand to offer a full suite of high-quality services and products in the United States and around the world, including but not limited to a variety of hardware and software related services, such as the Arm Developer Hub, which supports developers using Arm’s goods and services, and Arm’s own GitHub page. This three decade-long, widespread and consistent use has transformed the ARM brand into one of the most well-known, well-respected brands in the world. The versatility of Arm’s products, and the goodwill and reputation Arm has tirelessly built in connection with those products and its business, only continue to entrench that respect and recognition. Consumers encountering ARM-branded products and programs across industries therefore readily associate those products with Arm and its reputation for excellence.

To better protect its valuable goodwill and the association of ARM with the company in the minds of consumers, Arm has sought and obtained trademark registrations for the mark ARM around the world, including but not limited to several trademark registrations issued by the United States Patent and Trademark Office (“USPTO”) in connection with, among other things, services and products in International Classes 9, 16, 35, 37, 38, 41, 42, and 45 (e.g., U.S. Reg. Nos. 2,332,930, 2,397,339, 2,397,340, 2,422,904, 2,424,708, 4,930,184, 4,930,186, 4,980,649, 4,980,650, 5,692,669, 5,692,670, 5,879,654, 5,879,656) (the “ARM Marks”). Each of those registrations are valid and subsisting on the Principal Register and are therefore evidence of the validity of the ARM Marks, Arm’s ownership of the ARM Marks, and Arm’s exclusive right to use the ARM Marks in connection with the services and products covered by those registrations in the United States.



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As noted above, and despite Arm's well-established rights, it previously came to Arm's attention that you are advertising and marketing a web client app under an ARMCORD designation. Concerned about the violation of its ARM Marks, Arm took steps intended to get you to rebrand your program in a way that does not include ARM. In response, you confirmed that the use of ARM in ARMCORD is meant to be a direct reference to Arm and its ARM Marks. You nevertheless indicated that you did not intend to remove ARM from your branding.

This is unacceptable. There is no question that your use of ARMCORD creates a significant likelihood of confusion with Arm's senior rights. Again, your admission that "ArmCord is a web app client that was originally intended as a port to ARM (aarch64) of the original software (Discord) - Hence Arm + (Dis)Cord" alone confirms that point. The fact that Arm provides developer support through channels including the Arm Developer Hub, which is associated with Arm's GitHub repository, only underscores it.

While Arm appreciates your intent to contribute to the Arm ecosystem, Arm is nonetheless forced to inform you that your use of "ARM" in this manner is unauthorized. You do not have permission to use Arm's ARM Marks in any manner, let alone in a way that falsely suggests an association, affiliation, sponsorship, or other relationship between your product and Arm or the ARM Marks. Your use of ARMCORD therefore constitutes, at a minimum, willful trademark infringement, unfair competition, and false designation of origin in violation of the Lanham Act, 15 U.S.C. § 1051 *et seq.*, as well as applicable state and local laws.

Arm has spent significant time and resources developing its famous ARM brand. These valuable marks are a core component of Arm's branding and are one of the most common ways that the public encounters Arm's products and services in the marketplace. Arm takes threats to its famous ARM Marks very seriously. That concern is magnified here given your open admission on the ArmCord website that users "are breaking Discord ToS [Terms of Service] by using ArmCord." See Exhibit A. Accordingly, Arm must insist that you immediately take all steps necessary to cease all use of ARM, whether alone or in connection with other elements, in any manner, including but not limited to as ARMCORD or any other mark, trade name or business name, hashtag, social media account, or domain name.

Although it is Arm's goal to resolve this issue amicably, Arm views this matter very seriously, and the requests herein are made without prejudice to any of Arm's expressly reserved rights to other remedies and relief. Please contact me by no later than **October 24, 2024**, to discuss your compliance. I look forward to your prompt reply.

Regards,

/s/ [REDACTED]
[REDACTED]

Enclosures

CC: [REDACTED] (by email)

Exhibit A - Screenshot of ArmCord's FAQ page: <https://armcord.app/faq>

