

Exhibit C

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Client: 818

June 14, 2013

VIA EMAIL: dweslow@wileyrein.com

David E. Weslow
Wiley Rein LLP
1776 K Street NW
Washington, DC 20006

Re: United States Trademark Registrations owned by Ascent Real Estate, Inc.

Mark: **A ASCENT REAL ESTATE and Design**

Registration No.: 3,195,161

Filing Date: June 2, 2005

Issued: January 2, 2007

Class: 36

Mark: **ASCENT REAL ESTATE**

Registration No.: 4,230,114

Filing Date: March 21, 2012

Issued: October 23, 2012

Class: 36



Dear Mr. Weslow:

We have been retained by Ascent Real Estate, Inc., to respond to your April 30, 2013 letter regarding the above referenced trademarks, and to pursue further action as necessary.

Ascent Real Estate, Inc., has been using the above referenced marks in connection with real estate brokerage services since at least as early as April 2005. Regardless of when the domain name ascentrealestate.com was registered, our client's use of the ASCENT REAL ESTATE trademark predates any use in commerce of the term "Ascent Real Estate" by ECC or ZipRealty, Inc. While your preemptive denial of ECC's lack of bad faith in registering the domain for purposes of a UDRP proceeding is perhaps accurate, it is largely irrelevant. What is relevant is that your client(s) began prominently using the term "Ascent Real Estate" on the website only recently and, in all events, subsequent to Ascent Real Estate, Inc.'s securing trademark rights in the term. Additionally, the website located at ascentrealestate.com remained dormant for several years, and has been used by ECC and ZipRealty in connection with the offering of real estate services subsequent to Ascent Real Estate, Inc.'s perfecting its rights in the ASCENT REAL ESTATE mark. Accordingly, ECC and ZipRealty are in violation of the Lanham Act.



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Notwithstanding the foregoing, Ascent Real Estate, Inc., wishes to resolve this matter amicably and to avoid the expense of litigation. Subject to a reservation of all rights, defenses, and affirmative claims, Ascent Real Estate, Inc., is amenable to discussing a resolution regarding the removal of the term Ascent Real Estate from the website and the transfer of the ascentrealestate.com domain name.

Please contact me on or before June 20, 2013 to discuss a resolution of this matter.

Sincerely,
The Trademark Group, APLC

Nicholas S. Barnhorst, Esq.

NSB:SBH:mdv