

FILED  
CLERK, U.S. DISTRICT COURT  
5/22/18  
CENTRAL DISTRICT OF CALIFORNIA  
BY: CS DEPUTY

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14 **UNITED STATES DISTRICT COURT**  
15 **CENTRAL DISTRICT OF CALIFORNIA**  
16 **WESTERN DIVISION**

17 **SECURITIES AND EXCHANGE**  
18 **COMMISSION,**

19 **Plaintiff,**

20 **vs.**

21 **TITANIUM BLOCKCHAIN**  
22 **INFRASTRUCTURE SERVICES,**  
23 **INC.; EHI INTERNETWORK AND**  
24 **SYSTEMS MANAGEMENT, INC.**  
25 **aka EHI-INSM, INC.; and MICHAEL**  
26 **ALAN STOLLERY aka MICHAEL**  
27 **STOLLAIRE,**

28 **Defendants.**

Case No. **CV18-4315-DSF(JPRx)**  
**DECLARATION OF WILLIAM W.**  
**FRIEDMAN**

**DECLARATION OF WILLIAM W. FRIEDMAN**

I, William W. Friedman, declare, pursuant to 28 U.S.C. § 1746, as follows:

1. I am employed by Cisco Systems, Inc. (“Cisco”) as its Senior Director, Legal Services, and Head of Cisco’s Brand Protection Team. I have personal knowledge of the matters set forth below and, if called as a witness, would testify to these facts under oath.

2. I make this declaration at the request of the United States Securities and Exchange Commission (“SEC”).

3. Cisco is a worldwide technology leader that has been making the Internet work since 1984. Cisco, among other things, manufactures and sells networking and communications products.

4. On or about February 6, 2018, the SEC requested that Cisco provide it with certain information concerning companies called Titanium Blockchain Infrastructure Services, Inc. (“TBIS”) and EHI Internetwork and Systems Management, Inc. (“EHI”), and an individual named Michael Stollaire aka Michael Stollery or Michael Stoller (“Stollaire”).

5. In my capacity as the Senior Director, Legal Services, and Head of Cisco’s Brand Protection Team, I am required, periodically and as needed, to become familiar with the entities with which Cisco has contracts, agreements, and/or other substantive business relationships including alliances and partnerships. In addition, in my capacity as the Senior Director, Legal Services, and Head of Cisco’s Brand Protection Team, I share responsibility with other members of the Cisco’s legal department, intellectual property counsel, and others to protect Cisco’s trade name, trademarks, and service marks from infringement and other unauthorized uses by third parties. In response to the SEC’s request, and with my oversight and assistance, Cisco personnel reviewed the books, records, files, and computer systems of the business units within Cisco that might reasonably be expected to have or to have had any type of business relationship with TBIS or EHI or Stollaire including as a

1 customer, client, vendor, employee, contractor, consultant, or other type of business  
2 transaction.

3 6. Cisco keeps and maintains business records in the course of its  
4 transactions and regularly conducted activities as a regular practice. It is Cisco's  
5 practice to prepare such records at or near the time of the occurrence of the matters  
6 set forth by, or from information transmitted by, a person with knowledge of those  
7 matters. Cisco maintains books and records of entities and persons with which it has  
8 contracts, agreements, and/or other substantive business relationships, such the  
9 purchase and sale of a product or service, making an investment, or entering into an  
10 alliance or partnership, including authorized uses by third parties of its trade name,  
11 trademarks, and service marks. Cisco also maintains books and records of entities  
12 and persons with which it has engaged as an employee, vendor, contractor, or  
13 consultant. For the purposes of this declaration, as the Senior Director, Legal  
14 Services, and Head of Cisco's Brand Protection Team, I am a custodian of those  
15 records or am otherwise qualified to testify about them.

16 7. Cisco's books and records are current as of the date of this declaration.  
17 The search of these materials has not disclosed any current or past business  
18 relationship of any kind between Cisco and TBIS or Stollaire.

19 8. The search of these materials indicates that EHI had registered for and  
20 entered into an Indirect Channel Partner Agreement with Cisco, which expired on  
21 August 1, 2017. Approximately 58,000 companies participate in the Indirect Channel  
22 Partner program as "Resellers" of commercially available Cisco products and  
23 services and as "Professional Service Providers" which means performing pre or  
24 post-sale services for an end-user of commercially available Cisco products and  
25 services, as defined by the Indirect Channel Partner Agreement. Participants in this  
26 program must sign the Indirect Channel Partner Agreement and accept Cisco's terms  
27 and conditions to participate in the program. Companies with a current Indirect  
28 Channel Partner Agreement have the right to display Cisco trademarks to promote

1 their businesses in the resale of Cisco products and services, but a company's right to  
2 display the trademarks and hold itself as a business partner of Cisco expire when the  
3 Indirect Channel Partner Agreement ends. Since EHI's Indirect Channel Partner  
4 Agreement with Cisco ended on August 1, 2017, EHI's company's right to display  
5 Cisco trademarks and hold itself as a business partner of Cisco expired at that time.

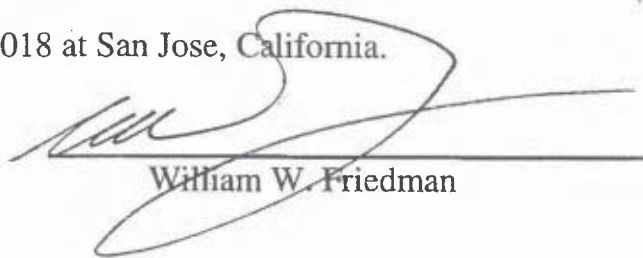
6 9. The search of these materials has not disclosed that Cisco has authorized  
7 TBIS or Stollaire to use Cisco's name or logo in TBIS's marketing or advertising.  
8 Given that the "Cisco" name and logo are the intellectual property of the company,  
9 Cisco considers a third-party's unauthorized use of the "Cisco" name or logo in  
10 marketing or advertising as an infringement of its intellectual property.

11 10. Cisco sent a cease and desist letter to Stollaire, in his capacity as the  
12 CEO of EHI, on March 16, 2018, a true and correct copy of which is attached hereto  
13 as Exhibit 1. It is my understanding that as of this date, EHI is no longer using the  
14 Cisco trademarks on its website and EHI is in compliance with Cisco's cease and  
15 desist letter.

16 I declare under penalty of perjury under the laws of the United States of  
17 America that the foregoing is true and correct.

18 Executed this 5<sup>th</sup> day of April, 2018 at San Jose, California.

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William W. Friedman

# **EXHIBIT 1**



SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041  
TEL 650.988.8500 FAX 650.938.5200 WWW.FENWICK.COM

March 16, 2018

LINDA M. GOLDMAN


EMAIL LGOLDMAN@FENWICK.COM  
Direct Dial (650) 335-7108

**VIA FEDEX**

Michael Stollaire, CEO  
EHI Internetwork and Systems Management, Inc.  
15027 Dickens Street, Suite 4  
Sherman Oaks, CA 91403

Re: Cease and Desist Demand - Unauthorized Use of Cisco's Intellectual Property at  
<[ehiinsm.com](http://ehiinsm.com)>

Dear Mr. Stollaire:

Our firm represents Cisco Systems, Inc. and its subsidiary Cisco Technology, Inc. (collectively "Cisco") in connection with intellectual property matters, including protection of its trademarks. We recently learned that EHI Internetwork and Systems Management, Inc. ("EHI-INSM") uses Cisco's CISCO® mark and  ("Cisco Corporate Logo") without authorization on the <[ehiinsm.com](http://ehiinsm.com)> website.

Cisco has used the CISCO® mark and trade name since 1984, and owns rights to the CISCO® mark and name, including numerous trademark registrations for CISCO® and the Cisco Corporate Logo worldwide, including in the United States. Cisco has also invested significant time and resources to build considerable worldwide consumer recognition and goodwill in its CISCO® brand. As you can imagine, Cisco takes its intellectual property rights seriously, particularly when it involves its corporate logo. Accordingly, third parties are prohibited from making unauthorized use of Cisco's marks, including the Cisco Corporate Logo, to promote their businesses. You can find guidelines regarding use of the Cisco marks here: <https://www.cisco.com/c/en/us/about/brand-center/logo-usage-guidelines.html?dtid=ossdc000283>.

As you know, EHI-INSM's registration as a Cisco partner expired in 2017 due to lack of sales. Even when it was a Cisco partner, EHI-INSM was permitted under the Indirect Channel Partner Agreement to use only partner-specific logos (not the Cisco Corporate Logo). Furthermore, EHI-INSM was obligated under the agreement not to use any Cisco trademark without authorization. However, EHI-INSM displays the Cisco Corporate Logo on the "Our Partners" and "Our Clients" pages of its website without Cisco's permission (see <http://www.ehiinsm.com/index.php/partners/> and <http://www.ehiinsm.com/index.php/clients/>; screenshots attached). Such placement is misleading and likely to confuse customers because it creates the false impression that EHI-INSM is a Cisco partner when that is not the case.



Michael Stollaire, CEO  
March 16, 2018  
Page 2

Consequently, we must ask that you immediately remove the Cisco Corporate Logo from your website and any other marketing or advertising collateral and refrain from making any further claims of partnership or other affiliation with Cisco, whether express or implied, **no later than noon on March 30, 2018.**

Please promptly confirm via return email your safe receipt of this letter and we look forward to receiving written confirmation by **March 23, 2018** of your intended compliance with the above requests by the specified deadline. Feel free to contact me in the meantime if you have any questions.

Sincerely,

FENWICK & WEST LLP



Linda M. Goldman

Attachment: Screenshot  
[G\_27937]

FW/10023548.3



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## Our Partners

We work with some of the best names in the business.

Our tactical and strategic partnerships provide a unique synergy, allowing us to provide the very highest level of service and products, for the lowest cost point. These relationships have been cultivated over the course of years, if not decades, with the result being that EHI is part of their early release programs (ERPs) and alpha/beta testing 24 X 7 X 365.

We are aware of changes and improvements in technology previous to the public and within the IT industry itself, which means EHI can be agile and provide a road map of continuous and never-ending improvement to all our clients worldwide. EHI has also aligned itself with the leaders in the IT industry. Each one of our various partners provides the best service and software available to meet our client's specific needs. We have developed these partnerships to ensure the services and consulting we provide will help to guarantee our client's success.



Contact us at: 1-855-OPEN-UIE

15227 Dickens Street, Suite 4 North  
Hollywood, CA 91403 USA

HPE Operations Bridge  
BMC Tivoli/Netcool  
EHI CSMARTS  
Log Matrix NerveCenter  
BMC Patrol ProactiveNet





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## Our Clients

Nothing says more than our clients experience with EHI.

We have had the pleasure of working with global leaders in various industries. Our ITIL approach to solving business problems with IT solutions is unique, which has allowed us to help our clients to become more successful in their efforts. Don't take our word for it.

Just take a look at what some of our clients have said.



"Thank you for all of your hard work and dedication over this past year. We and the client have been very happy and fortunate to have you with us since day one. Even if we do not have the opportunity to talk or meet regularly, we remain aware of and sincerely appreciate your significant contributions to our and our client's success. Thank you for that."

**Mark Cohen**  
President of Netstar LP