

## EXHIBIT D

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**Jeffrey Lindenbaum**

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**From:** Yee, Denise (Kuwabara) <yee@visa.com>  
**Sent:** Wednesday, January 09, 2013 5:21 PM  
**To:** Jeffrey Lindenbaum  
**Cc:** Govinda Davis; Inquiries  
**Subject:** RE: Counterfeit Websites - Omega SA Temporary Restraining Order

January 9, 2013

**VIA E-MAIL ONLY**

Mr. Jeffrey A. Lindenbaum  
 COLLEN IP  
 The Holyoke-Manhattan Building  
 80 South Highland Avenue  
 Ossining-on-Hudson, Westchester County, New York 10562

**RE: Counterfeit Websites - Omega SA Temporary Restraining Order**

Dear Jeffrey:

This letter is in response to your December 11, 2011 correspondence concerning 28 websites, and the subsequent Temporary Restraining Order sent to Visa on December 27, 2012 concerning the same 28 sites plus 1 new site. We have now investigated the 29 websites identified in the Order as infringing on Omega's IP rights. Please see below for details.

**IDENTIFIED ACQUIRERS**

We conducted successful test transactions and were able to identify the Merchant Account Name and the associated the Acquiring Bank for the merchant websites listed below.

<b>Acquirer Name</b>	<b>Merchant Name</b>	<b>Merchant URL</b>	<b>Status</b>
BANK OF COMMUNICATIONS	BTF E COMMERCE INC BESTPL	<a href="http://www.myfavomega.com">www.myfavomega.com</a>	Pending instructions from Omega SA to proceed to Acquirer notification
BANK OF COMMUNICATIONS	BTF E COMMERCE INC BESTPL	<a href="http://www.omegaonlineoutlet.com">www.omegaonlineoutlet.com</a>	Pending instructions from Omega SA to proceed to Acquirer notification
BANK OF COMMUNICATIONS	WUHAN NORTH POLE WORLD TR	<a href="http://www.omegaonlineoutlet.biz">www.omegaonlineoutlet.biz</a>	Pending instructions from Omega SA to proceed to Acquirer notification
BANK OF COMMUNICATIONS	WUHAN NORTH POLE WORLD TR	<a href="http://www.omegaonlineoutlet.net">www.omegaonlineoutlet.net</a>	Pending instructions from Omega SA to proceed to Acquirer notification
BANK OF COMMUNICATIONS	BTF E COMMERCE INC BESTPL	<a href="http://www.qualityreplica.biz">www.qualityreplica.biz</a>	Pending instructions from Omega SA to proceed to Acquirer notification

BANK OF COMMUNICATIONS	BTF E COMMERCE INC BESTPL	<a href="http://www.qualityreplica.info">www.qualityreplica.info</a>	Pending instructions from Omega SA to proceed to Acquirer notification
BANK OF COMMUNICATIONS	WUHAN NORTH POLE WORLD TR	<a href="http://www.qualityreplica.us">www.qualityreplica.us</a>	Pending instructions from Omega SA to proceed to Acquirer notification
AGRICULTURAL BANK OF CHINA	PES*17074001035UNITECH	replicavip.org	Pending instructions from Omega SA to proceed to Acquirer notification

Concerning the column entitled "Status," as you know, Visa's standard process is to notify the Acquiring Bank of your complaint and ask for the Acquirer's resolution of the matter. Would Omega like Visa to proceed to do that here, or does Omega wish to serve the order on the Acquiring Banks directly? Some IP owners prefer to do the latter because Visa has no contractual relationship with the merchant websites at issue. We will wait for your further written instructions in this regard before we take any action.

#### **INACTIVE WEBSITE/MERCHANT**

As for the remaining websites, we attempted to conduct test transactions at the following sites and concluded that the merchants are either 1) inactive, i.e., a test transaction was conducted but the merchant failed to submit the sale into the payment system to permit identification or 2) the merchant website was not functioning properly and a test transaction could not be completed.

<b>Acquirer Name</b>	<b>Merchant Name</b>	<b>Merchant URL</b>	<b>Status</b>
N/A	N/A	<a href="http://www.watches-vogue.com">www.watches-vogue.com</a>	Inactive as of 12/19/2012
N/A	N/A	<a href="http://www.watchdear.com">www.watchdear.com</a>	Inactive as of 12/19/2012
N/A	N/A	<a href="http://www.queenofwatches.com">www.queenofwatches.com</a>	Inactive as of 1/2/2013
N/A	N/A	<a href="http://www.replicaup.com">www.replicaup.com</a>	Inactive as of 4/25/2012 and 12/19/12
N/A	N/A	<a href="http://www.watchmimic.com">www.watchmimic.com</a>	Inactive as of 4/25/2012
N/A	N/A	<a href="http://www.watchkind.com">www.watchkind.com</a>	Inactive as of 4/25/2012 and 12/19/12
N/A	N/A	<a href="http://www.bestreplicawatchesok.com">www.bestreplicawatchesok.com</a>	Inactive as of 12/19/2012
N/A	N/A	<a href="http://www.swisskiss.net">www.swisskiss.net</a>	Inactive as of 12/19/2012
N/A	N/A	<a href="http://www.salesswiss.com">www.salesswiss.com</a>	Inactive as of 12/19/2012
N/A	N/A	watchesyes.net	Inactive as of 12/19/2012