



WARNER BROS.  
ENTERTAINMENT INC.

Wayne M. Smith  
Vice President  
Senior Litigation and  
Chief Patent Counsel

December 2, 2009

Kevin R. Hall  
Business Consultant to Eliot Bernstein  
Iviewit Technologies  
Kinderhook, NY 12106

**Re: Iviewit**

Dear Mr. Hall:

Following our phone call and receipt of your email, I retrieved my file relating to this matter from our offsite storage facility, where it had reposed for many years, largely forgotten.

In reviewing the file, I found that my last communications with Iviewit were in early 2002, over seven and a half years ago. Moreover, I also found that the communications I was having with Iviewit back in early 2002 appear to involve the very same issues that are now being raised. The only difference appears to be that you have replaced Stephen Lamont as Iviewit's spokesman.

Two letters to Stephen Lamont from early 2002 are attached. The positions we expressed in those letters were unequivocal, and have not changed in the many years of intervening silence. If there were any merit, then or now, in Iviewit's claims that Warner Bros. made unauthorized use of Iviewit technologies (whatever those might be), those claims would have been pursued long ago. They weren't, and that speaks volumes. Thus, having Mr. Bernstein present a licensing proposal to Warner Bros. would serve no purpose, whether made under a baseless threat of "costly adversarial litigation," or otherwise.

I do not intend to detail here the many other inaccuracies in your letter. Suffice it to say that nothing herein shall be interpreted as a waiver or relinquishment of Warner Bros.' rights, all of which are hereby reserved.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Wayne M. Smith', written over a printed name.

Wayne M. Smith

WMS:wb

A Time Warner Company

**WARNER BROS.**4000 Warner Boulevard  
Burbank, California 91522  
(818) 954-6000

February 20, 2002

P. Stephen Lamont  
Chief Executive Officer, Director  
Iviewit Technologies, Inc.  
10 Mela  
Rancho Palos Verdes, CA 90275

Dear Stephen:

I have your e-mail of February 18. I did not respond to your e-mail of February 8 given that I considered your requests to be already answered in my correspondence to you of February 7. However, given that you seem determined to create a misleading record regarding this matter, I will reiterate our position: Warner has made no prior unauthorized uses of Iviewit "techniques," nor are any such uses either in progress or planned for the future. Further, and as you have already been advised, in view of the foregoing there is no basis for discussing any licensing arrangement between Warner and Iviewit.

Very truly yours,

A handwritten signature in black ink, appearing to read 'John Calkins', with a long horizontal flourish extending to the right.

John Calkins  
Senior Vice President  
New Media, Business Development

JC/vc



Wayne M. Smith  
Vice President  
Senior Litigation and  
Patent Counsel

March 5, 2002

WARNER BROS.

4000 Warner Boulevard  
Building 156 S., Room 5158  
Burbank, California 91522  
(818) 954-6007 Fax: (818) 954-5434  
E-Mail: wayne.smith@warnerbros.com

P. Stephen Lamont  
CEO & Director  
Iviewit Technologies, Inc.  
10 Mela  
Rancho Palos Verdes, CA 90275

**Re: Proposed License**

Dear Mr. Lamont:

Your letter of February 27, 2002 to John Calkins has been referred to me for response.

I have reviewed your letter, as well as the prior correspondence between Warner and Iviewit. As we have previously advised, your claims that Warner violated the NDA and engaged in "unauthorized use" of Iviewit's intellectual property are completely without substance or support. Your letter is notable only for its failure to specify even one instance of anything remotely approaching improper conduct by Warner. Indeed, the sheer generality of your assertions speaks volumes regarding their total lack of merit.

From our perspective, nothing remains to be discussed between the parties. We trust that Iviewit will share this view and govern itself accordingly.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Wayne M. Smith', written over the typed name.

Wayne M. Smith

WMS:wb  
cc: John Calkins