“Ms. Oprah Winfrey has never endorsed or approved AcaiPure.”

“Ms. Oprah Winfrey has never endorsed any acai berry supplement or acai berry related product by name.”

“Ms. Oprah Winfrey has never approved or agreed to have her image or name used in conjunction with the sale and marketing of any acai berry related product.”

- Declaration of Douglas J. Pattison
  Chief Financial Officer, Oprah Winfrey’s Harpo, Inc.
DECLARATION OF DOUGLAS J. PATTISON
PURSUANT TO 28 U.S.C. § 1746

I, Douglas J. Pattison, have personal knowledge of the facts and matters discussed in this declaration, and, if called as a witness, could and would testify as follows:

1. I am over the age of twenty-one (21) and am competent to give this testimony.

2. I am employed as Chief Financial Officer of Harpo, Inc. I am also the Vice President and Treasurer for OW Licensing Company, LLC.


4. OPRAH is a registered trademark of Harpo, Inc. O, the Oprah Magazine is a registered trademark of Harpo Print, LLC., a division of Harpo, Inc. OW Licensing Company, LLC is the holder of rights of publicity and related rights to Ms. Oprah Winfrey.

5. Ms. Oprah Winfrey is an individual residing in the State of Illinois. She is the host of “The Oprah Winfrey Show,” a nationally syndicated television program and the founder of O, The Oprah Magazine.

6. I have reviewed the two page document attached to this declaration as Pattison Att. A. I have been told that Pattison Att. A is a printout of the home page of website www.healthyberrycleanse.com, as it appeared on April 8, 2010, which is a website marketing and selling a product called AcaiPure. I have been informed that this is one of numerous websites that sells the product AcaiPure.

7. Among other things, as part of the marketing of AcaiPure, the home page depicted in Pattison Att. A contains a photograph of Ms. Oprah Winfrey on the cover of an issue of O, the Oprah Magazine. Next to the photograph, the following text appears “Superfoods for the New
Year! Studies have shown that this little berry is one of the most nutritious and powerful foods in the world! Acai is the high-energy berry of a special Amazon palm tree. Hidden within its royal purple pigment is the magic that makes it nature’s perfect energy fruit. A synergy of monounsaturated (healthy) fats, dietary fiber and phytosterols to help promote cardiovascular and digestive health.” (emphasis in original).

8. Ms. Oprah Winfrey has never endorsed or approved AcaiPure.

9. Ms. Oprah Winfrey has never endorsed any acai berry supplement or acai berry related product by name.

10. Ms. Oprah Winfrey has never approved or agreed to have her image or name used in conjunction with the sale and marketing of any acai berry related product.

11. Harpo, Inc. has never approved or agreed to have the OPRAH or O, the Oprah Magazine trademarks used in conjunction with the sale and marketing of AcaiPure or any acai berry related product.

12. In fact, on August 19, 2009, Harpo, Inc., along with Dr. Mehmet Oz, the host of “The Dr. Oz Show,” filed a trademark infringement complaint against 40 internet marketers of dietary supplements, including acai berry products among others. Harpo, Inc. filed this lawsuit to let consumers know that these internet marketers are willfully using the names of well-known figures such as Ms. Oprah Winfrey and Dr. Oz to deceive the public.

I declare under penalty of perjury that the foregoing is true and correct. Executed on 6/24/2010, within the United States.

[Signature]
Douglas J. Pattison
Pure
The World's Finest and Most Effective Acai Cleanse
Flush pounds from your system with the power of Acai!
✓ Look Great, Feel Great, Purify, Detoxify!
✓ Break Up Waste and Eliminate Toxins!
✓ Reduce Fatigue, Gas, and Bloating!
✓ Experience increased energy!
✓ Flush Out Excess Pounds!

Limited Time FREE Trial

Unfortunately due to overwhelming demand supplies are limited!

What Is the Secret to Acai berry's Weight Loss Effects?

Superfood from the Brazilian Jungles
Acai berry is one of the most nutritious and powerful foods in the world. Acai is the high-energy berry of a special Amazon palm tree. Hidden within the royal purple rind is the magic that makes it nature's perfect energy boost. A superfood of monounsaturated (healthy) fats, dietary fiber and phytochemicals to help promote cardiovascular and immune health.

Free Trial Program

First Name: 
Last Name: 
Address: 
Phone: 
City: 
State: 
Zip: 
Email: 

Celebrities use Acai!

Secret Celebrity Diets Include Acai!

Acai antioxidant cleansing is all the rage right now! The popularity of Acai is steadily increasing thanks to many high-profile stars in Hollywood.

Why use AcaiPure?

Boost energy levels

Shed that unwanted pounds!

Neutralize free radical damage

Improve mental clarity and focus

AcaiPure's Weight Loss Benefits:

Do you suffer from the following?

✓ Weight Gain
✓ Insomnia
✓ Low Energy Levels
✓ Constipation

If you suffer from the following, then AcaiPure is just right for you. Acquire the power and start losing those unwanted pounds. This is now available to the marketplace. For only 99 cents plus shipping and handling, you can now start enjoying the health benefits of AcaiPure. Call now while supplies last and order your AcaiPure today!