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April 15, 2013

**Via Registered Mail & Email**

Tucows Inc.  
96 Mowat Avenue  
Toronto, ON M6K 3M1

**Copy email to [compliance@opensrs.org](mailto:compliance@opensrs.org)**

To whom it may concern:

**Re: Defamatory Statements Against Gwyn Morgan**  
**Domain Name: gwynmorgan.ca**

Please be advised that we are counsel for Mr. Gwyn Morgan.

It has come to our attention that defamatory statements and imagery have been published on a website registered to Tucows Inc. – gwynmorgan.ca.

These statements and the associated images are untrue, offensive and misleading and are easily accessible to the general public through a simple Internet search of Mr. Morgan's name.

It is apparent upon viewing this website that the author has made a targeted effort to defame Mr. Morgan. Upon opening this webpage, the viewer is immediately assaulted with a large and vivid image of a demon under the broad caption "Gwyn Morgan – The devil is in the details – ". This imagery alone constitutes a defamatory publication. It suggests that Mr. Morgan is demonic or analogous to a devil in hiding. Without question, this is a clear and calculated attack on Mr. Morgan's reputation in an effort to expose him to ridicule, fear, hatred or contempt.

As well, the rambling and disjointed content of the author's "unofficial compilation of news stories relating to Gwyn Morgan" amounts to a further defamatory publication. The heading of this webpage – "The devil is in the details – an unofficial compilation of news stories relating to Gwyn Morgan" clearly suggests that the over 300 pages of articles and commentary that follow relate to Mr. Morgan and that his devilishness will be revealed in the details of those articles.

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In particular, this crafted compilation and interspersed commentary suggest that Mr. Morgan is connected to or associated with various political and business scandals, including:

- secretly funding the Gadhafi family;
- belonging to a secret society of Canadian neoconservatives who are trying to control Canadian politics;
- charges of money laundering, corruption, bribery and fraud;
- illegal political donations;
- health-care scandals; and
- the comments of Professor Flanagan in characterizing the consumption of child pornography as a victimless crime to Aboriginal supporters of the *Idle No More* movement.

A review of these publications reveals quickly that the author's commentary and innuendos are inaccurate, misleading and derogatory and, therefore, defamatory. Despite the attempt to draw an illicit connection between the articles/commentaries and Mr. Morgan, the majority of the articles posted to this website do not even mention Mr. Morgan and the remaining generally only peripherally.

It is evident that this website contains defamatory statements which are targeted towards Mr. Morgan in a malicious and calculated effort to cause harm to Mr. Morgan's reputation and blemish his prominent status within the Canadian business and political spheres. Any damages to Mr. Morgan, which under the *Defamation Act* of Alberta will be presumed by the defamatory nature of these publications, will be further exacerbated by Mr. Morgan's public status and the boundless circulation of these materials through this website.

Additional links, publications and commentary are routinely and frequently added to this website. Each day these statements and images remain on this website amounts to another publication, increasing Mr. Morgan's exposure to harm and resulting damages.

These publications, aside from being defamatory, constitute an improper domain name use and a tort of passing off. Mr. Morgan has a common law trademark right to his name. He is a well-known political and business figure in Canada. The domain name – gwynmorgan.ca – is identical to and confusingly similar with his name. In fact, the very purpose of using this domain name is to confuse and redirect the public towards this website.

Tucows Inc. does not have Mr. Morgan's permission to use his name or his trademark in this or any other fashion. Similarly, Tucows Inc. does not have any right or legitimate interest in this domain name or the use of Mr. Morgan's name in this fashion. The sole purpose for this website is to slander Mr. Morgan's name and reputation.

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We hereby demand, pursuant to the *Defamation Act* of Alberta, that Tucows Inc. immediately comply with the following conditions:

1. permanently remove all materials from the gwynmorgan.ca website;
2. restrict any further use of the gwynmorgan.ca website and, specifically, refrain from posting any further materials of any sort on this website;
3. transfer the gwynmorgan.ca domain name to Mr. Morgan in exchange for reimbursement costs and reasonable related expenses; and
4. disclose the identity of the users of this website including the user's I.P. address.

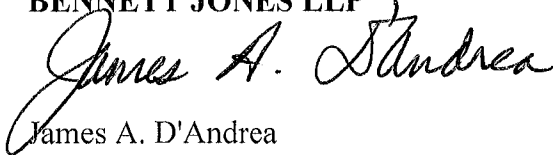
In the event we do not receive confirmation from Tucows Inc that it will immediately adhere to each of the foregoing conditions by April 30, 2013, we will be forced to commence legal proceedings against Tucows Inc. for enabling the defamation to continue. We will also seek an order to obtain the identity of the website author, obtain the foregoing relief and seek damages and costs against Tucows Inc. and those involved in these defamatory publications.

We will also bring concurrent proceedings to forcibly transfer the domain name -- gwynmorgan.ca -- to Mr. Morgan.

We trust you will govern yourself accordingly and look forward to your confirmation of the foregoing requests.

Yours truly,

**BENNETT JONES LLP**



James A. D'Andrea

JDA/II