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OFFICE OF THE  
NATIONAL JUDGE ADVOCATE  
December 20, 2018

Commodore Bruce Batcheller  
American Legion Yacht Club  
215 E. 15<sup>th</sup> Street  
Newport Beach, CA 92663-4556

Via Email: [commodore@alyc.com](mailto:commodore@alyc.com)

RE: Continued Use of The American Legion's Trademark

Dear Commodore Batcheller,

It has come to the attention of the national organization of The American Legion that Newport Beach Post 291 (CA) has shut down operations of The American Legion Yacht Club, Inc. program (hereinafter "Club"). As stated in the attached April 10, 2018 letter from National Adjutant Wheeler, the Club was allowed to use the name "The American Legion" as "long as the post has control of the club as a program of the post."

For clarification purposes, the emblem of The American Legion is a registered trademark and the name "The American Legion" or "American Legion" is a tradename and both the emblem and name are protected by letters patent and under 36 U.S.C., Section 21701 et seq. Thus, the name and/or emblem of The American Legion may only be used when approved for appropriate American Legion business or when approved in writing in advance by the National Adjutant.

Additionally, I must advise you that the unauthorized use of an emblem of a federally chartered war veterans' organization is: (1) a crime pursuant to 18 U.S.C., Section 705 and (2) a violation of The American Legion's rights of trademark, tradename and letters patent.

Therefore The American Legion, as owners of all trademarks and emblems relating to the words "The American Legion" or "American Legion", formerly demands your immediate and complete terminated use of all of our trademarks as the national organization no longer grants to the Club any such permission for the use of our trademarks in any manner. All use of our trademarks/emblems by the Club are not permitted. You are directed to inform The American Legion, attention the undersigned, no later than the close of business on January 1, 2019, that the Club has complied with this letter and stop any further violations of The American Legion's rights.

Your failure to stop using the trademarks/emblems of "The American Legion" or "American Legion" will force The American Legion to take every legal step to preserve all of its legal rights.

Sincerely,



Kevin J. Bartlett, J.D.  
National Judge Advocate

CC: Daniel S. Wheeler, National Adjutant  
Bruce Thiesen, Past National Commander  
Department of California: Commander, NEC, Judge Advocate  
Douglas J. Nye, Post Commander, American Legion Newport Beach Post No. 291