



# DUCHARME LAW, P.L.L.C.

## Condominium Law

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August 16, 2022

Robert Engle  
Tideview Estates Condominiums  
7 Tideview Drive  
Dover, NH 03820

Re: Tideview Estates Condominium Association  
Trademark Infringement

Dear Mr. Engle:

As you may remember I represent the Tideview Estates Condominium Association. It has come to the attention of the Board of Directors that you have created a Facebook page, a Twitter handle and have used a domain name that all contain the Tideview name.

Please note the Tideview Estates Condominium Association trademarked the Tideview Estates name earlier this year, as other condominium associations have trademarked their Association names, prohibiting others from using the Association's name, or any similar derivative of it, without the permission of the Board of Directors.

As such, I would ask that you cease and desist within one (1) week of the date of this letter from further using the Tideview name. I also ask that you submit proof to me in writing within seven (7) days of the date of this letter, email being the best way to reach me, that you have discontinued use of the Tideview name, and dismantled the social media feeds you are using with the name.

If you would like to be part of a committee that will, with the permission of the Board of Directors, use those outlets, and perhaps act as the site administrator, please let me know as the Association would be happy to work with you, but cannot allow you to simply take and use the Tideview name without its permission.

If you choose not to stop using the Tideview name without permission, please note that for such a violation of the Declaration the Board of Directors has the right to terminate your common area privileges. This would mean the Board has the right to place Jersey barriers in front of your driveway preventing you or your tenants from using the driveway. If you or your

guests parked elsewhere on the Property, they would then also be subject to towing without further notice.

The violation of any rule or regulations adopted by the Board of Directors, or the breach of any By-Laws contained herein, or the breach of any provision of the Declaration, shall give the Board of Directors or the Manager the right, in addition to any other rights set forth in these By-Laws: ... to suspend or limit the right of the Owner committing the violation to use any part of the Common Area during the continuance of such violation.

Bylaws, Art. XII, Para. 1, f, (iii).

To date, the Board of Directors has chosen not to terminate your common area privileges in the hope you will willingly cease using the Tideview name without the prior, written permission of the Board.

Further still, the Board of Directors has the right to impose fines upon owners for violations of the terms of the Declaration or Bylaws. It may well be able to fine you up to \$1,000.00 for each day you continue to use the name without written permissions of the Board of Directors.

In light of all of this, I hope you understand the seriousness of the situation; you will stop using the Tideview name immediately; you will deconstruct the social media outlets you use with the Tideview name; you will dismantle the [tideview.org](http://tideview.org) site you are using; and you will work with the Board of Directors to address any concerns you have and, as noted, perhaps work to create such sites with the permission of the Board.

Very truly yours,



Robert E. Ducharme, Esq.

cc: Board of Directors  
Evergreen Harvard Group  
File