



April 27, 2021

**By Certified Mail to:**

Robert Klor Dean  
1204 Shawn Drive  
Virginia Beach, VA, 23453-2312

**By Email to:**

RobertKDean@cox.net

Dear Mr. Dean:

It has come to our attention that you are holding yourself out to the public as the founder and/or representative of an entity called the “Tidewater Libertarian Party”. In connection therewith, you have: (1) registered that entity as a nonstock corporation in the Commonwealth of Virginia; (2) established a website at [www.tidewaterlp.com](http://www.tidewaterlp.com); (3) established a Facebook group at [www.facebook.com/tidewaterlibertarianparty/](https://www.facebook.com/tidewaterlibertarianparty/); and (4) organized public events hosted by the “Tidewater Libertarian Party”, among other activities. In pursuing these activities, you have made use, without authorization, of Libertarian Party intellectual property, including but not limited to the trademarked name “Libertarian Party”, the trademarked phrase “The Party of Principle” and the trademarked logo of the Libertarian Party, as well as text and images that are protected by copyright of the Libertarian National Committee (“LNC”) or the Libertarian Party of Virginia (“LPVA”).

Please be advised that neither the LNC nor the LPVA recognizes the “Tidewater Libertarian Party” as an affiliate of the Libertarian Party. Further, neither the LNC nor the LPVA has authorized you or the “Tidewater Libertarian Party” to make use of its intellectual property, and any such use is hereby expressly prohibited. We are therefore sending you this letter in an attempt to resolve this matter without the need for legal action. We demand that you immediately cease and desist from making further unauthorized use of Libertarian Party intellectual property.

In particular, the LNC has a registered trademark on the following:

- “Libertarian Party” (Reg. No. 2,423,459);
- “The Party of Principle” (Reg. No. 2,423,458);
- Libertarian Party Logo (Reg. No. 6,037,046).

As you know, your unauthorized use of Libertarian Party intellectual property is extensive and goes far beyond your unauthorized use of the “Libertarian Party” name. For example, the banner on the home page of your website incorporates the LNC’s trademarked phrase “The Party of Principle”. In addition, the “About” page of your website is a verbatim copy of the “About” page of the Libertarian Party website published by the LNC. (*Compare* <https://tidewaterlp.com/about.htm> with <https://www.lp.org/about/> (accessed April 20, 2021).)

**Robert Klor Dean**  
April 27, 2021  
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Your website also includes multiple uses of the trademarked Libertarian Party logo, which constitutes the primary if not exclusive visual representation by which the “Tidewater Libertarian Party” purports to identify itself. Furthermore, an image of a banner reading “Libertarian Party of Virginia” is prominently displayed on the home page of your website. Unauthorized uses of the Libertarian Party’s intellectual property similarly appear on the Facebook group that you established and in other materials that you have published.

You have also made unauthorized use of Libertarian Party intellectual property to promote public events hosted by the “Tidewater Libertarian Party”. Most recently, for instance, you published and circulated communications stating that the “Tidewater Libertarian Party” was hosting “their next breakfast meeting” – the latest, apparently, in an ongoing series – that was held on April 17, 2021. Republican Ken Cuccinelli was the featured guest.

Your unauthorized use of Libertarian Party intellectual property harms the LNC and LPVA by misleading members of the public into believing that the “Tidewater Libertarian Party” is affiliated with the Libertarian Party, when in fact no such affiliation exists. Consequently, to avoid legal action in this matter, we demand that you immediately take any and all actions necessary to prevent your further infringement on our legal rights and interests. This includes, without limitation, that you terminate the corporation registered as “Tidewater Libertarian Party” in Virginia, and that you cease and desist from using the trademarked name “Libertarian Party”, the trademarked phrase “The Party of Principle” and the trademarked Libertarian Party logo to identify your organization in any published materials, including online at [www.tidewaterlp.com](http://www.tidewaterlp.com) and [www.facebook.com/tidewaterlibertarianparty/](http://www.facebook.com/tidewaterlibertarianparty/) or any other electronic forum, as well as any other communications, whether electronic, print, audio or any other medium, including but not limited to campaign literature, brochures, advertisements, email or any other communication.

Thank you for your attention to this matter.

Sincerely,



Joe Bishop-Henchman  
Chair  
Libertarian National Committee



Dominick Dunbar  
Chair  
Libertarian Party of Virginia

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

**LIBERTARIAN NAT'L COMMITTEE, INC.,**

**Plaintiff,**

**v.**

**ROBERT KLOR DEAN,**

**Defendant.**

**CIVIL ACTION NO.: 3:23-cv-155**

**FINAL ORDER**

THIS DAY CAME THE PARTIES, on their stipulation and joint motion that the Court enter an Order making certain findings and granting certain relief as set forth herein;

UPON CONSIDERATION WHEREOF, and finding it proper to do so, the Court hereby FINDS as follows:

1. Plaintiff, Libertarian National Committee, Inc. (the "LNC"), is the National Committee of the Libertarian Party as defined by 52 U.S.C. §30101(14) and manages the business of the Libertarian Party throughout the United States at the national level.

2. The LNC is authorized to charter affiliates throughout the United States who are then authorized to charter sub-affiliates. Properly chartered sub-affiliates are licensed to use the LNC's federally registered trademarks.

3. As part of the management of the Party, the LNC has registered three trademarks with the USPTO that are associated and identified with its national and local political activities and affiliations, including:

- "Libertarian Party" Reg. No. 2,423,459, and
  - "The Party of Principle" Reg. No. 2,423,459, and
  - the "Libertarian" logo Reg. No. 6,037,046.
- (collectively, the "LNC Registered Trademarks").

4. The LNC's trademarks and federal registrations are valid and subsisting and the LNC's "Libertarian Party" Reg. No. 2,423,459 and "The Party of Principle" Reg. No. 2,423,459 are incontestable.

5. Unauthorized use of the term "LIBERTARIAN PARTY," "THE PARTY OF PRINCIPLE," or the "Libertarian" logo, or any other name or mark or symbol that is likely to cause confusion as to association with the LNC, in connection with political activities or related services constitutes infringement of the trademark rights of the LNC.

6. Dean is the President of a Virginia non-stock, non-member corporation incorporated under the name "Tidewater Libertarian Party, Inc." (the "TLP Corporation").

IN CONSIDERATION WHEREOF, it is hereby ORDERED as follows:

1. Defendant is permanently enjoined from any and all use of any and all of the LNC Registered Trademarks, and marks confusingly similar thereto, without explicit written authorization of the LNC, including use as set forth above and any and all confusingly similar use.

2. Defendant shall dissolve or change the name of any and all corporate entities under his control that contain any of LNC Registered Trademarks in their name, including but not necessarily limited to the TLP Corporation. Defendant is likewise ordered to surrender, cancel, release, or otherwise discontinue any use or reservation of any fictitious name that includes any of the LNC Registered Trademarks.

3. To the extent that Defendant has ownership of any social media accounts or websites that include any of the LNC's registered trademarks in their name, Defendant shall (i) transfer ownership to the LNC's recognized sub-affiliate, the Libertarian Party of Hampton Roads, or (ii) change the name of such social media accounts and websites so as to eliminate LNC Registered Trademarks in their name, or (iii) deactivate such social media accounts and websites. To the extent that Defendant may be unable to exercise control over the current Facebook site

bearing the name, “Tidewater Libertarian Party”, Defendant and the LNC shall work together in good faith to cause such Facebook site to be terminated or such name removed. Nothing contained herein shall be construed to create any obligation with respect to the blog known as “Tidewater Liberty”, which is not owned by Defendant or by the TLP Corporation.

4. In order to avoid any confusion with the historic TLP Corporation, the LNC shall request that the LNC’s Virginia affiliate, the Libertarian Party of Virginia, not charter any subaffiliate (a) using the name “Tidewater” in conjunction with LNC’s trademark, “Libertarian Party”, or (b) representing itself as the organization responsible for any amicus briefs filed by the historic TLP Corporation.

5. Nothing contained herein shall be construed to preclude Defendant or any person acting in concert with Defendant from using the name “Tidewater Liberty Partners.”

6. Insofar as the requirements of this Order apply to the Defendant, the same requirements shall also apply to any person acting in concert with the Defendant, including but not necessarily limited to the TLP Corporation. By his signature below, Robert K. Dean, in his capacity as President of the TLP Corporation, acknowledges that the TLP Corporation shall be bound by the terms of this Order.

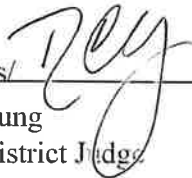
7. This Court shall retain jurisdiction of this case for the purpose of enabling any of the parties to apply to this Court at any time for further orders and directions as may be necessary or appropriate to carry out or construe this Order, to modify or terminate any of its provisions, to enforce compliance, and to punish violations of its provisions. If it shall be made to appear to the Court that there has been a violation of any of the terms of this Order, upon motion, this Court may enter an order to show cause why the allegedly violating party should not be found in contempt. Nothing in this Order shall bar either party from seeking, or the Court from imposing,

against any party or any other person any other relief available under any other applicable provision of law for violation of this Order, in addition to or in lieu of the civil penalties provided for above.

8. Subject to the foregoing, this case is DISMISSED with prejudice.

Let the Clerk file a copy of this Order electronically and mail a copy to all parties not represented by counsel.

IT IS SO ORDERED.

  
\_\_\_\_\_  
Roderick C. Young  
United States District Judge

Richmond, Virginia  
June 29, 2023



Joshua Chappel, Chair  
Fred Snoy, Second Vice-Chair  
Paul McKenney, Treasurer

July 9, 2023

Via Email: [Chair@LPNM.us](mailto:Chair@LPNM.us), [ViceChair2@LPNM.us](mailto:ViceChair2@LPNM.us), [Treasurer@LPNM.us](mailto:Treasurer@LPNM.us)

**Re: Trademark of the Libertarian Party**

Mssrs. Chappel, Snoy, and McKenney:

Attached please find our October 4, 2022, correspondence to your Executive Committee containing a “cease and desist” demand of the use of the Libertarian Party’s registered trademark “Libertarian Party” (USPTO Registration Number 2423459). We are contacting you in an effort to avoid impending litigation on this issue. We ask that you voluntarily change your name to something which is not the Libertarian Party or any other confusingly similar designation or to consider integrating with the Libertarian Party’s recognized affiliate. We would be more than happy to facilitate discussions with them if you wish. I am sure all of us would like to avoid litigation, but that is the inevitable route if this continues, as already directed by the Libertarian National Committee. We hope that the passage of time has let cooler heads prevail and that a more amicable resolution can be reached; however, the unauthorized use of our trademark cannot continue.

I look forward to hearing from you.

Very truly yours,

Angela McArdle, Chair

cc: Joseph Zito, Esquire (Stein IP), Cliff Hyra (FreshIP)



September 30, 2022

**By Certified Mail to:**

Don Graham  
Libertarian Association of Massachusetts  
PO Box 787  
Framingham, MA 01701

**By Email to:**

[chair@lpmass.org](mailto:chair@lpmass.org); [treasurer@lpmass.org](mailto:treasurer@lpmass.org); [political@lpmass.org](mailto:political@lpmass.org); [membership@lpmass.org](mailto:membership@lpmass.org);  
[communications@lpmass.org](mailto:communications@lpmass.org); [operations@lpmass.org](mailto:operations@lpmass.org); [technology@lpmass.org](mailto:technology@lpmass.org)

Dear Mr. Graham:

It has come to our attention that you continue to hold yourself out to the public as the Chair of the Libertarian Association of Massachusetts (“LAMA”). In connection therewith, you and your associates: (1) maintain a website at [www.lpmass.org](http://www.lpmass.org); (2) maintain email addresses using the lpmass.org domain, including those listed above; (3) maintain a public Facebook group at [www.facebook.com/LPMassachusetts](https://www.facebook.com/LPMassachusetts); (4) maintain a Twitter account under the name @LPMassachusetts; (5) maintain a Youtube channel at <https://www.youtube.com/user/LPMassachusetts>; (6) on information and belief, registered the domain [www.lpofma.com](http://www.lpofma.com) after the Libertarian Party of Massachusetts (“LPMA”) – the recognized affiliate of the national Libertarian Party – registered its domain [www.lpofma.org](http://www.lpofma.org); and (7) issue public statements and written communications that give the false and misleading impression that LAMA is the Massachusetts state affiliate of the Libertarian Party. In pursuing these activities, you have made use, without authorization, of Libertarian Party intellectual property, including but not limited to the trademarked name “Libertarian Party” and the trademarked logo of the Libertarian Party.

As you know, the Libertarian National Committee (“LNC”) does not recognize LAMA as its affiliate. The LNC recognizes LPMA as its Massachusetts state affiliate. Further, the LNC has not authorized you and your associates or LAMA to make use of its intellectual property, and any such use is hereby expressly prohibited. We are therefore sending you this letter in an attempt to resolve this matter without the need for legal action. We demand that you immediately cease and desist from making further unauthorized use of Libertarian Party intellectual property.

In particular, the LNC has a registered trademark on the following:

- “Libertarian Party” (Reg. No. 2,423,459);
- “The Party of Principle” (Reg. No. 2,423,458);
- Libertarian Party Logo (Reg. No. 6,037,046).

Don Graham  
September 30, 2022  
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Your unauthorized use and infringement of Libertarian Party intellectual property is extensive and goes far beyond your unauthorized use of the “Libertarian Party” name. For example, the banner on the home page of your website at [www.lpmass.org](http://www.lpmass.org) incorporates a black and gold torch that closely resembles the LNC’s trademarked logo. The home page of that website also states that it is “the home of the original state affiliate of the Libertarian Party - America's Third Largest Political Party! Join the Libertarians, the party of freedom, peace, and opportunity,” without clarifying that LAMA is not in fact affiliated with the Libertarian Party. On the contrary, a blog post on the website dated March 6, 2022 asserts that LAMA is “the legally-recognized Massachusetts state affiliate for the Libertarian Party.” Multiple other blog posts state that they were posted by the “Libertarian Party of Massachusetts” and reference “Libertarian” candidates and efforts to place them on the ballot by means of a petition drive.

Unauthorized uses of the Libertarian Party’s intellectual property similarly appear on the Facebook group that you established and in other materials that you have published. For instance, your Facebook page, available at <https://www.facebook.com/LPMassachusetts>, is identified as that of the “Libertarian Party of Massachusetts”. The same is true of the Youtube channel that you maintain at <https://www.youtube.com/user/LPMassachusetts>.

You have also made unauthorized use of Libertarian Party intellectual property to promote LAMA and its activities. On or about June 28, 2022, for example, you sent an email using the LNC’s trademarked logo, under the subject line “Petitioning is happening now!”, which stated, “We have ONE MONTH left to collect enough signatures to get our great slate of candidates on the ballot.”

Each of the foregoing instances constitutes a separate and actionable violation of the LNC’s intellectual property rights. Taken together, they establish a pattern of conduct that has the purpose and effect of misleading the public by creating the false impression that LAMA is affiliated with the Libertarian Party. This conclusion is buttressed by the fact that, on May 6, 2022 – after LPMA registered the domain [www.lpofma.org](http://www.lpofma.org) – an anonymous registrant registered the identical domain but under the “.com” suffix, [www.lpofma.com](http://www.lpofma.com). On information and belief, this constitutes a deliberate attempt by you and your associates to sow further confusion among the public as to whether LPMA is the genuine and only Massachusetts state affiliate of the national Libertarian Party.

Your unauthorized use of Libertarian Party intellectual property harms the LNC and LPMA by misleading members of the public into believing that the LAMA is affiliated with the Libertarian Party, when in fact no such affiliation exists. Consequently, to avoid legal action in this matter, we demand that you immediately take any and all actions necessary to prevent your further infringement on our legal rights and interests. This includes, without limitation, that you cease and desist from using the trademarked name “Libertarian Party”, the trademarked phrase “The Party of Principle” and the trademarked Libertarian Party logo to identify your organization in any published materials, including online at [www.lpofma.org](http://www.lpofma.org), <https://twitter.com/LPMassachusetts>, <https://www.youtube.com/user/LPMassachusetts>, and [www.facebook.com/LPMassachusetts](https://www.facebook.com/LPMassachusetts) or any other electronic forum, as well as any other communications, whether electronic, print, audio or any other medium, including but not limited to campaign literature, brochures, advertisements, email or any other communication.

Don Graham  
September 30, 2022  
Page 3 of 3

Thank you for your attention to this matter.

Sincerely,

/s/Angela McArdle

Angela McArdle  
Chair  
Libertarian National Committee

george l. whitfield  
wallson g. knack  
charles e. mcCallum  
jerome m. smith  
william k. holmes  
i. john snider, ii  
jack b. combs  
joseph f. martin  
john r. marquis  
john h. martin  
james h. bresay  
robert h. skilton iii  
ernest m. sharpe  
vernon p. saper  
hugh h. makens  
gordon r. lewis  
robert j. chovanec  
peter l. gustafson  
j.a. cragwall, jr.  
stephen r. kretschman  
w. michael van haren  
michael l. robinson  
eugene e. smary  
douglas e. wagner  
robert w. sikkel  
jeffrey o. birchhold  
timothy hilllegonds  
john g. cameron, jr.  
john h. mckendry, jr.  
paul t. sorensen  
carl w. dufendach  
stephen c. waterbury  
rodney d. martin  
richard e. cassard  
alex j. deyonker  
charles e. burpee  
john d. dunn  
william w. hall  
bruce c. young  
shane b. hansen  
f. william mckee  
louis c. rabaut  
paul r. jackson  
douglas a. dozeman  
john v. byl  
janet p. knaus  
kathleen m. hanenburg

william r. jansen  
craig n. meurlin  
tracy t. larsen  
sue o. conway  
cameron s. delong  
jeffrey b. power  
scott d. hubbard  
stephen b. grow  
richard l. bouma  
daniel r. gravelyn  
robert j. jonker  
devin s. schindler  
michael h. schubert  
valerie p. simmons  
william c. fulkerson  
anthony j. kolenic, jr.  
james moskal  
mark k. harder  
jeffrey s. battershall  
jeffrey a. oitt  
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judith lowitz adler  
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timothy l. horner  
r. paul guerre  
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gordon j. toering  
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kenneth w. vermeulen  
norbert f. kugele  
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dennis j. donohue  
william p. dani  
andrew d. hakken  
andrea j. bernard  
lori l. gibson  
michael p. lunt  
daniel k. dewitt  
melissa n. collar  
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g. charles goode iv  
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richard d. damstra  
troy m. cumings  
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roger m. clark  
donald j. veldman  
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john h. logie

david a. warner  
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george s. norcross  
1889-1960  
siegel w. judd  
1895-1982

\* licensed in georgia  
\*\* licensed in wisconsin

May 14, 2002

E-mail address: hallww@wnj.com

Direct Dial No. (616) 752-2143

Secretary of State and Other Election Officials, State of New Jersey  
P.O. Box 300  
Trenton, NJ 08625-0300

Re: **Libertarian Party® Candidates**

Dear Ladies and Gentlemen:

We are general counsel to the Libertarian National Committee, Inc., the governing body of the national Libertarian Party®. I am writing this letter on its behalf.

The Libertarian National Committee, Inc., owns the trademark Libertarian Party®. Attached is a copy of its trademark registration, on file with the United States Patent Office.

Under the national bylaws of the Libertarian Party®, the Libertarian National Committee's recognized affiliate in each state is permitted the use of the trademark Libertarian Party® for its political operations, and for use by its designated candidates. The Libertarian National Committee has not granted to any other person within the State of New Jersey the right to use the trademark Libertarian Party®. Hence, if any candidate, other than those designated by

Secretary of State and Other Election Officials, State of New Jersey  
May 14, 2002  
Page 2

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the Libertarian National Committee or New Jersey Libertarian Party (of whom Emerson Ellett is the current Chairman and Dan Karlan is the current Secretary) requests a listing on a New Jersey ballot with the designation "Libertarian Party", then that candidate's request should be denied. The Libertarian National Committee has not granted the right to use its trademark to other candidates.

Please feel free to contact me if you have any questions concerning this matter.

Very truly yours,

William W. Hall

WWH/md

Cc: Mr. Daniel Karlan  
Mr. Stephen L. Dasbach

756589-1

george l. whitfield  
wallson g. knack  
charles e. mcCallum  
jerome m. smith  
william k. holmes  
i. john snider, ii  
jack b. combs  
joseph f. martin  
john r. marquis  
john h. maytin  
james h. breay  
robert h. skilton iii  
ernest m. sharpe  
vernon p. saper  
hugh h. makens  
gordon r. lewis  
robert j. chovanec  
peter l. gustafson  
j.a. cragwall, jr.  
stephen r. krstschman  
w. michael van haren  
michael l. robinson  
eugene e. smary  
douglas e. wagner  
robert w. sikkel  
jeffrey o. birkhold  
timothy hillegons  
john g. cameron, jr.  
john h. mckendry, jr.  
paul t. sorensen  
carl w. dufendach  
stephen c. waterbury  
rodney d. martin  
richard e. cassard  
alex j. deyonker  
charles e. burpee  
john d. dunn  
william w. hall  
bruce c. young  
shane b. hanzen  
f. william mckee  
louis c. rabaut  
paul r. jackson  
douglas a. dozeman  
john v. byl  
janet p. knaus  
kathleen m. hanenburg

william r. jansen  
craig n. meurlin  
tracy t. larsen  
sue o. conway  
cameron s. delong  
jeffrey b. power  
scott d. hubbard  
stephen b. grow  
richard l. bouma  
daniel r. gravelyn  
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devin s. schindler  
michael h. schubert  
valerie p. simmons  
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jeffrey a. ott  
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rodrick w. lewis  
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April 15, 2002

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1903 West Magnolia Blvd.  
Burbank, California 91506

ATTN: [Webmaster@cagop.org](mailto:Webmaster@cagop.org)

Re: **Use of Libertarian Party® As A Metatag On Your Website**

Dear Sir/Madam:

We are the general counsel to the Libertarian National Committee, Inc., the governing body of the National Libertarian Party. I am writing this letter on its behalf.

Recently, we were notified that you are using as metatags on your website, [www.cagop.org](http://www.cagop.org), the phrase "Libertarian Party." We were very surprised to hear this in that we never licensed use of the "Libertarian Party" trademark to you.

"Libertarian Party" is a trademark of the Libertarian National Committee, Inc. Attached is a copy of our certified trademark registration filed with the United States Patent

California Republican Party  
April 15, 2002  
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Office. Libertarian Party® has been in continuous use by the Libertarian National Committee since January 1972.

We demand that you immediately cease use of our trademark. Advise us in writing within ten (10) days from today of the actions you have taken in this respect.

If you do not, we will take legal action against you under the Lanham Act and other applicable federal and state laws, to enjoin the use of our mark. We will also seek to recover any revenues derived from our trademark, actual and exemplary damages, and our attorneys fees in prosecuting the action against you.

Very truly yours,

William W. Hall

WWH/md

Cc: Mr. James W. Lark III  
Mr. Stephen L. Dasbach

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