

Our ref: PJJ/GZM/DB/06103.New
Your ref:

Ryanair Refund Campaign

CITYPOINT
ONE ROPEMAKER STREET
LONDON EC2Y 9HS
PHONE +44 (0)20 7628 3303
FAX +44 (0)20 7065 6650
DX 46620 BARBICAN
www.howrey.com

SOLICITORS
KOOS RASSER*
ISABEL DAVIES*
PETER FITZPATRICK*
GEOFFREY GAUCI*
JAMES IRVINE*
CHARLES PUGH*
RICHARD WILLOUGHBY*
REGISTERED EUROPEAN LAWYER
JEAN-BENOÎT BUSNEL*: AVOCAT A LA COUR DE PARIS
REGISTERED FOREIGN LAWYER
ROBERT RUYAK*: ATTORNEY AT LAW, WASHINGTON, DC, USA
*PARTNER

REGULATED BY THE LAW SOCIETY

29 November 2004

By email

Dear Sirs

Website www.ryanair.org.uk

We act for Ryanair Holdings plc and Ryanair Limited (together "Ryanair").

Our client has brought to our attention a website at the address <http://www.ryanair.org.uk>. That website contains material which is untrue, unfounded, malicious and deeply damaging to the good name and trading reputation of Ryanair. We consider that the website gives rise to claims for defamation and injurious falsehood against its author and those who have published it. We also consider that claims may exist in relation to passing-off and for abusive registration of a domain name under the Nominet Dispute Resolution Service Policy and Procedures.

We have carried out a Whois query in relation to the domain name [ryanair.org.uk](http://www.ryanair.org.uk). That query has revealed that you are the registrant for the website, although we note no other details have been provided as to who you are, or your address.

We do not propose setting out each and every item that gives rise to a claim by our client, however, by way of illustration, and further explanation we note the following:

1. Of the entire web page entitled "*Baggage*" the obvious and implicit innuendo is that Ryanair has a poor record of dealing with customers' baggage. This is false. Further, the words highlighted at the bottom of the page "... *that Ryanair would use their failure to put my baggage on two successive flights (24 hours apart) as a means of getting extra money ...*", both expressly and by implication suggests that Ryanair deliberately mishandles baggage in order to make money. This is false.

2. Of the web page headed "*Cancellation*" the overwhelming innuendo implicit in the words on that web page is that Ryanair deliberately earns money by cancelling passengers' seats and then charging passengers much more to fly on a later flight. Again, this is false.
3. Of the web page headed "*Telephoning Ryanair*" the overwhelming inference to be drawn from the words on that web page, including, inter alia, the words "*not responding to calls and of letting things go wrong in order to earn itself more money*" is that Ryanair deliberately and deceitfully creates problems for customers for its financial gain. This is false.
4. Further, and in addition, a number of the stories on the web page headed "*Other Stories/Forum*" are simply false, or contain statements that are false and which cause damage to Ryanair's reputation.
5. Taken as a whole, the obvious and overwhelming innuendo attributable to the website, and the ordinary meaning of the express words on the website, is to the effect that Ryanair engages in deliberate and deceitful conduct for improper financial gain. This is false.

By reason of the publication of the website, we believe that Ryanair will have been lowered in the estimation of right thinking members of society, and further, this has caused, and will continue to cause, damage to its business. In addition, it is quite clear from the nature of the website that it has been created and published maliciously and with the intention of causing both harm to Ryanair's reputation and damage to its business. We note also that publication has been widespread. As at today's date the website has had in excess of 9,500 visitors.

We also draw your attention to our client's registered trade marks which include, for example, United Kingdom registration number 2007358 for "*RYANAIR*".

Further, the general get up of the website is clearly designed to mimic Ryanair's own website (www.ryanair.com) – using the same colour scheme and format. This, together with the domain name ryanair.org.uk, is clearly designed to deceive would-be Ryanair customers.

In the circumstances, we request that your website be shut down immediately. Please respond, by 4pm tomorrow, 30 November 2004, confirming that this has been done.

For the avoidance of doubt, our client reserves all of its rights in relation to the material published on the website, including all of its rights against you, including the right, without further notice, to seek an immediate injunction preventing further publication of the website and/or use of the domain name ryanair.org.uk and/or a claim for damages.

We look forward to hearing from you.

Yours faithfully



Howrey Simon Arnold & White