

Open Source Media

15 Mount Auburn Street
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617-497-8091

BY E-MAIL AND FEDERAL EXPRESS

Mr. Roger L. Simon
Charles Johnson
OSM Los Angeles Headquarters
100 N. Sepulveda Blvd., Suite 275

Re: OSM OPEN SOURCE MEDIA

Gentlemen:

I'm writing in reference to the name of your new venture, Open Source Media.

Chris Lydon and I launched a radio program called "Open Source" and a non-profit independent production company called Open Source Media, Inc. in May. We produce our show in association with WGBH radio in Boston and the University of Massachusetts at Lowell. It's distributed to public radio stations across the country and throughout North America on XM satellite radio by Public Radio International.

We've established a sizeable audience for the program both on radio and on the Web. We feel that the name of the program is very much attached to the identity of the show on the radio as well as online.

Much of the life of our show takes place on our website, <http://www.radioopensource.org>, which itself is produced like a blog and runs on blogging software. To produce our site and our four hours of talk a week, we work with a lot of bloggers, many of whom -- Glenn Reynolds, Daniel Drezner, Balloon Juice, Volokh Conspiracy -- are listed on your site.

We're concerned that your new venture, Open Source Media, sounds very similar to ours and is likely to confuse people who read blogs and who listen to our radio program. We believe this may cause a serious

problem and we would like to request that you change your name to something that doesn't include Open Source.

Please respond to this letter as soon as possible or call to discuss this matter with us. We'd like to resolve this matter in a friendly manner and avoid the necessity of legal action. I look forward to hearing from you.

Yours very respectfully,

Mary McGrath
Executive Producer, Open Source

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