

B A R R I S T E R S

Kane, Shannon & Weiler

S O L I C I T O R S

✓ SURREY - MAIN OFFICE

Suite 220 - 7565 - 132nd Street
Surrey, B.C.
V3W 1K5
(604) 591-7321
Fax: 591-7149
Conveyance Fax: 591-1408

□ WHITE ROCK

102 - 2055 152nd Street
Surrey, B.C.
V4A 4N7
(604) 535-8770
Fax: 535-8771

□ CHILLIWACK

#201 - 45935 Airport Road
Chilliwack, B.C.
V2P 1A3
(604) 792-2177
Fax: 792-2176

Reply to: Michael A. Givton
Our file: 046271-0004

Email: mag@ksw.bc.ca

September 14, 2009

**Frank Kurz doing business as
The Fire Technicians Network**

**BY E-MAIL: tech@firetechs.net
& BY FAX: 604-552-7909 (6 pages)**

Dear Sir:

Re: Active Fire & Safety Services Ltd.

We are lawyers for Active Fire & Safety Services Ltd. Our client has brought to our attention a certain page on your website at www.firetechs.net under the heading "News", a copy of which is attached for your reference. This page is entitled "Active Fire investigated for copyright infringement". The full website address is <http://www.firetechs.net/library/technews-0309.asp>.

In the page, you allege that our client was involved in breaching its competitors' copyright and "stealing" text from competitors' websites. The page states that "I wouldn't work for a company that stooped to this level, nor would I have any dealings with them.....all that they have managed to demonstrate is their *distinct lack of corporate citizenship, integrity, and ethics*. Their actions deserve nothing less than the harshest public censure."

The statements and allegations on your site are false, defamatory, and calculated to harm our client's business. Any potential customer encountering this page, with its harsh and unfounded allegations, may be discouraged from doing business with our client, thereby causing financial harm. It appears that you posted this "news" item in order to cause our client such financial harm.

We hereby demand that, by 5:00 p.m. on Tuesday, September 15, 2009, you delete the page in question and replace it with an apology in a form reasonably satisfactory to our client.

Your failure to comply with this demand will result in legal action being commenced against you in the Supreme Court of British Columbia. In addition to seeking an injunction ordering you to take down the page, we will apply to the Court for damages in defamation to compensate our client for lost business, punitive damages due to your harsh and unwarranted conduct, and court costs. We will also report this matter to the Applied Science Technologists & Technicians of British Columbia (ASTTBC).

Govern yourself accordingly.

Yours truly,

KANE, SHANNON & WEILER

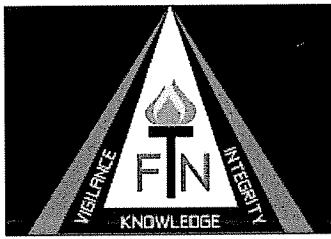
Per:



Michael A. Givton

/gac /Enclosure

cc: Active Fire & Safety Services Ltd.



The Fire Technicians Network

Tech - News & Views

September 2009

Your IP
Address is
24.86.64.125

[Home](#)[Library](#)[Members](#)[Editorials](#)[Forum](#)[FAQ's](#)[Glossary](#)[Links](#)[News](#)[Bulletins](#)[Tips](#)[Forms](#)[Tech Q & A](#)

Tech-News & Views

FIRELITE ANNOUNCES INTRODUCTION OF 9050UD

August 2009 - FireLite Alarms has introduced their latest addressable panel, the 9050UD. Its use is limited to smaller building upgrades with up to fifty (50) addressable points. You can read more about it [here](#)!

ACTIVE FIRE INVESTIGATED FOR COPYRIGHT INFRINGEMENT!

August 2009 - The latest company to obtain the City of Vancouver's approval as a *Fire Alarm Verification Agency* is Active Fire and Safety Services Ltd. of Surrey, British Columbia. This is the same company that got caught stealing the Intellectual Property of several fire alarm companies in the U.S., and had for several months "adopted" *Flynn Canada's* mission statement as their own. [More...](#)

PAUL'S FIRE PREVENTION CONTINUES TO ELUDE AUTHORITIES!

A number of local fire departments and *ASTTBC* are still engaged on a search similar to a version of the popular children's book series *Find Waldo™*. They would really like to *talk* to the individual responsible for incorrectly tagging off on several fire extinguishers and emergency lighting units that actually require service of one kind or another (six year maintenance, hydro-testing, new batteries, etc.). He's doing this work in jurisdictions requiring *ASTTBC* Registered Fire Protection Technicians. They're looking for the office and a valid telephone number for Paul's Fire Prevention and they're having little or no success. If you can help call us at 604-468-8324 (TECH).

His typical MO (that's Police terminology for *Modus Operandi*) involves "hitting up" tenants of a shopping mall or commercial/industrial complex and offering to service their extinguishers and emergency lights for a substantially reduced price because *he just happens to be in the area*. His tags don't provide an office address and the only contact information that's furnished is a telephone number that apparently isn't even his. Individuals that have employed his services are always dismayed to learn that he isn't properly certified and will have to have their equipment re-tested by a qualified technician at their additional expense. Has anyone bothered to file a complaint with the Better Business Bureau??

STAR SPRINKLERS STILL IN SERVICE!!

While performing a verification on a building in Vancouver, we discovered several "Star" dry sprinkler heads still in service in the parkade. These units were the subject of a recall several years ago but for some reason the ASTTBC RFPT whose stamp appears on the tag is unaware of the fact. There are several links to bulletins issued by several consumer protection agencies and UL. You can keep abreast of the latest bulletins *here* (and even subscribe to an RSS Feed!)

JOIN US!

Individual members will receive **Fire Technicians Network** shoulder patches which they can wear as a visible demonstration of their commitment to the *higher standard*. You'll also enjoy access to manuals and the resources you need to shift your career into high gear. Our goal is help you improve your knowledge and skillset and, ultimately, your own community's **LIFE SAFETY** standards. Remember:

We are not a professional union, but together, we are a union of
professionals!

ARCHIVED NEWSLETTERS:

March 2009
April 2009
May 2009

June 2009
July 2009
August 2009

Contact Information

24/7

Telephone: 604-468-8324 (TECH)

North America Toll Free: 1-888-340-3473 (FIRE)

email: tech@firetechs.net

[Terms of Use](#)

[Privacy](#)

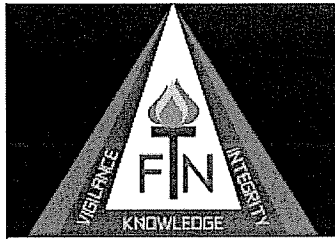
Copyright © 2008 - 2009 by The Fire Technicians Network

All Rights Reserved

E&OE

9/14/2009

The Fire Technicians Network - Te...



The Fire Technicians Network

Tech - News & Views

March 2009

Your IP
Address is:
24.86.64.125

[Home](#)

[Library](#)

[Members](#)

[Editorials](#)

[Forum](#)

[FAQ's](#)

[Glossary](#)

[Links](#)

[New s](#)

[Bulletins](#)

[Tips](#)

[Forms](#)

[Tech Q & A](#)

Tech-News & Views

ASTTBC RELEASES NEW PRACTICE GUIDELINE!

The new **Practice Guideline** has been released. We'll be reviewing it and commenting further

FORUMS ARE LIVE!

Hang on to your tool-belts The *Forums* are alive!

CAUGHT Red HANDED!

Would you work for (or with) a company with the knowledge that a version of their newly updated website consisted entirely of material stolen from other companies engaged in the same industry? *Stolen* is a harsh word, but *borrowed* (while much less harsh sounding) also implies that the material was provided through a process involving *contact*, *negotiation* and *agreement*, which is not the case here

A well respected, locally based marketing agency provided the html markup which, as most individuals now know, is the code which makes a website appear on your screen in a format that strives to be appealing, has visual impact, and is simple to navigate. I have no issues with either the appearance or the navigation on this particular website (I also won't provide a link to it directly). I can honestly state that most web designers don't have the specific knowledge or skill set to be able to present subjects like *real estate*, *financial management* or *rocket construction* (to name a few examples) in any meaningful manner, but rely instead on the honesty and integrity of the customer that employs them to provide the necessary information.

So how should an independent marketing consultant's role in all this figure? Should they have ensured that the material they were given to work with was uniquely created and was not the copyright or intellectual property of another? If your answer is *yes*, put yourself in their shoes for a minute. How would you go about confirming such an assertion? If the agency employs the use of a written contract with specific clauses covering the design and content to be used, then the company (or individual) that supplied the bogus content would be in breach of that agreement. One would hope that the marketing agency would respond to such a breach with a public press release disavowing any knowledge and making it clear that they are severing all present and future relations. What about the harm done to their reputation though?

And where does the offender's ISP figure? Most Internet Service Providers have a "Terms of Service" agreement (TOS) that specifically precludes the use of copyrighted material unless it is your own or you have clear rights to its use. I don't know how this will all play out in the legal arena if this issue even makes it that far (the offending material has been removed as of February 28, 2009 and the website displays an "under construction" banner), but I do know this: I wouldn't work for a company that stooped to this level, nor would I have any dealings with them regardless of what they offered in payment or services.

It is a sad day when the management of a business has to resort to this kind of chicanery to promote a set of corporate values that are *not even their own*. In fact,

9/14/2009

The Fire Technicians Network - Te...

all that they have managed to demonstrate is their *distinct lack of corporate citizenship, integrity, and ethics*. Their actions deserve nothing less than the harshest public censure.

TECH-NEWS & VIEWS (Main Page)

Contact Information

24/7

Telephone: 604-468-8324 (TECH)

North America Toll Free: 888-340-3473 (FIRE)

email: tech@firetechs.net

Terms of Use

Privacy

Copyright © 2008 - 2009 by The Fire Technicians Network

All Rights Reserved

E&OE

I