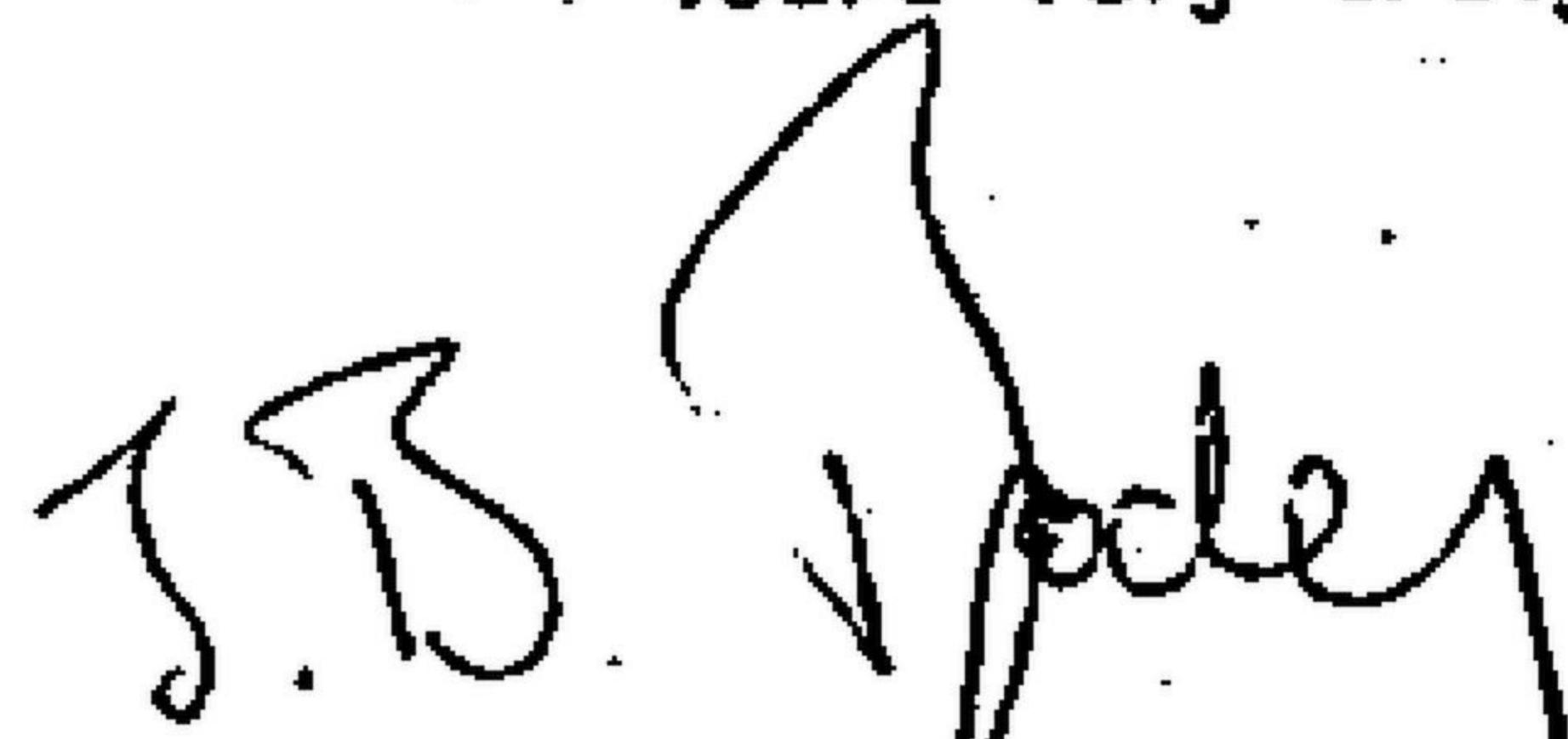


Please let me know if you have any changes for the proposed program.

Looking forward to seeing you again,

Yours very truly,



J.B. Boder

cc: Messrs. B. Kuhn  
E. Stoop

Encl.: mentioned

1000035625

## WACHTELL, LIPTON, ROSEN &amp; KATZ

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October 31, 1997

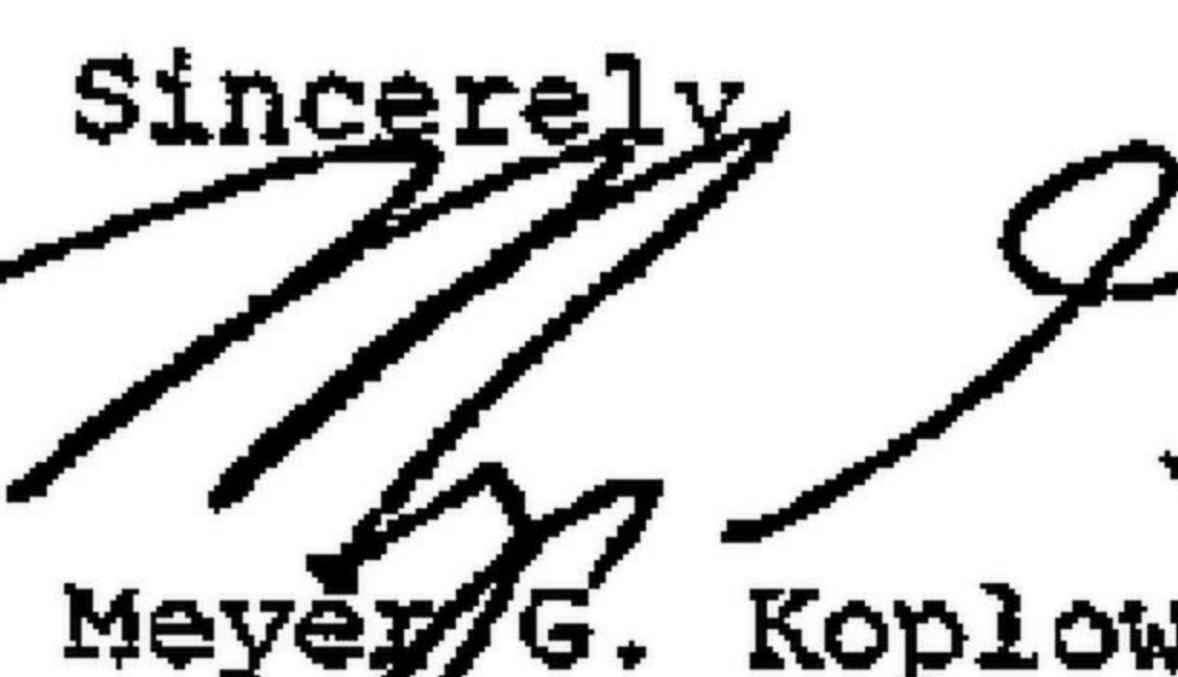
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JAMES H. FOGLERSON (1987-1990)  
  
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NORMAN REDLICH  
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AMY R. WOLF

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WAYNE W. YU

The Honorable Orrin G. Hatch  
United States Senator  
Chairman, Committee on the Judiciary  
United States Senate  
Washington, D.C. 10610-6275

Dear Senator Hatch:

I am enclosing the answers to the written questions posed to me by Senator Grassley. Some additional information which he sought with respect to smokeless tobacco products will be provided directly by U.S. Tobacco Company.

Sincerely,  
  
 Meyer G. Koplow

MGK/tv

83622846

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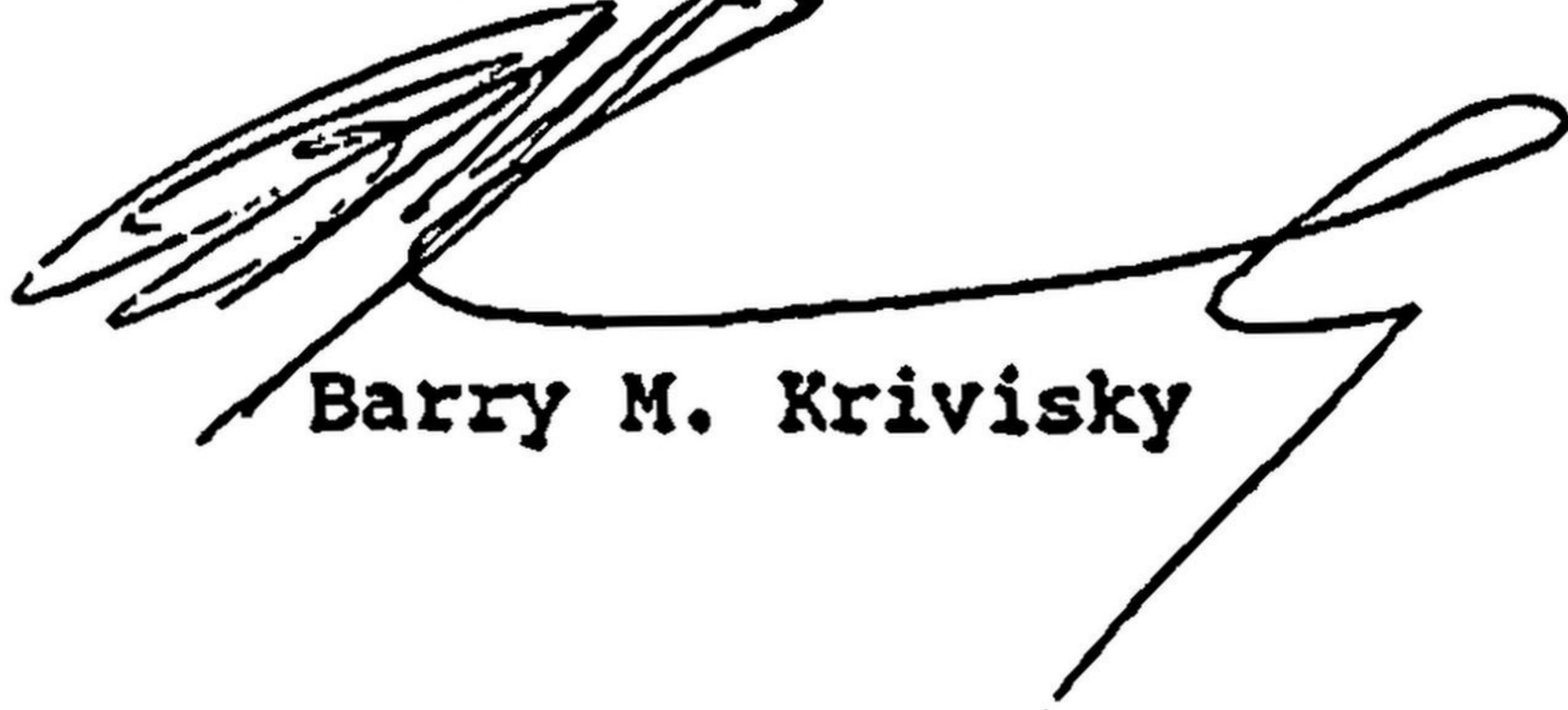
As you are no doubt aware, MARLBORO is the world's leading cigarette and one of the most famous of all American trademarks. Moreover, while cigarettes are our major product, substantial business is done in several areas and, as you are also, no doubt, aware, MARLBORO sponsors several race cars and racing teams around the world, including the world champion MARLBORO-McLaren racing team.

MARLBORO, the MARLBORO Roof Design, and the combination thereof are all trademarks owned by Philip Morris. In addition, we also own United States Registration No. 1400689 for MARLBORO WORLD CHAMPIONSHIP TEAM (& racing car), (& Red Roof Design), which covers "entertainment services, namely conducting car racing events." Similar rights are in existence in almost every country world-wide. Accordingly, the usage of our trademarks and those confusingly similar therewith infringe our trademark rights under federal and state laws, our common law trademark and state unfair competition rights, and our rights under national and international laws in other countries.

In the circumstances, we must demand that you cease all such usage and that you recall all games currently existing in the marketplace. It will be appreciated, that as long as these games remain in the marketplace, they constitute continuing infringements of our rights in and to the MARLBORO, MARLBORO Roof Device, and MARLBORO & Roof Device trademarks and tradename. Moreover, this demand should be considered as one also for your parent company, to the extent that such games are in the marketplace in other countries.

This is an extremely serious matter to us, and we therefore must have your favorable reply without delay, in the hopes that we can yet resolve the matter amicably, and without resort to litigation.

Sincerely,



Barry M. Krivisky

BMK:imz

C:11-172.LTR

000002

2046606989

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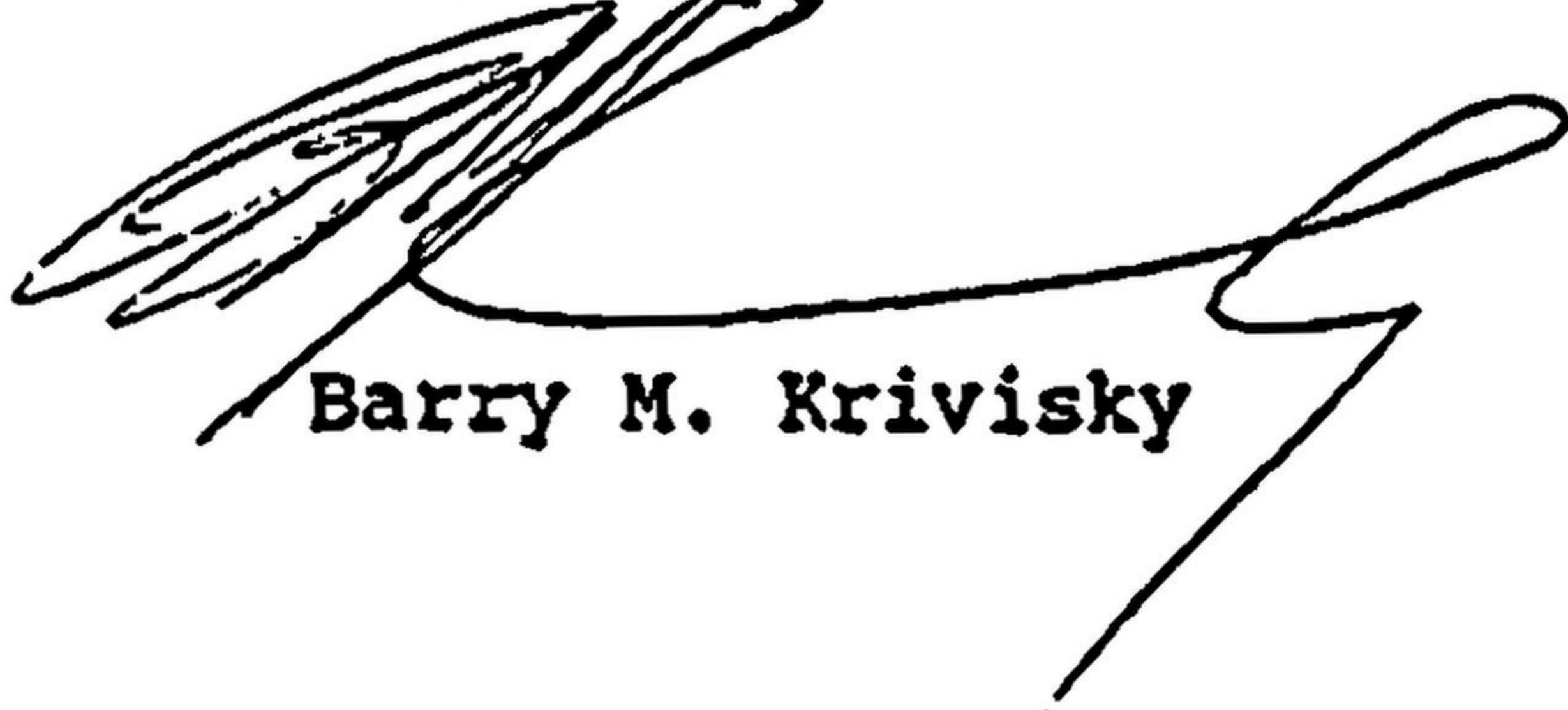
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