



**From:** Trystan Kosmynka ([REDACTED])  
**To:** Natalie Davila ([REDACTED])  
**CC:** Sean Brecker ([REDACTED])  
**BCC:**  
**Subject:** Re: Apple IP violations  
**Attachments:**  
**Sent:** 11/30/2016 05:04:05 PM 0000 (GMT)

Running couple minutes behind on the line in about five

On Nov 29, 2016, at 4:39 PM, Natalie Davila <[REDACTED]> wrote:

Thanks Trystan. I created a calendar invite with a dial in number. Cheers!

On Tue, Nov 29, 2016 at 4:10 PM Trystan Kosmynka <[REDACTED]> wrote:

I can meet at 9am, if you provide a number in the invite I'm happy to call that.

On Nov 29, 2016, at 3:57 PM, Natalie Davila <[REDACTED]> wrote:

Hi Trystan,

Just following up on my previous note. Can you please let me know if you are free to connect at 9am tomorrow morning, and if not, what times work for you tomorrow?

Thanks,  
Natalie

On Tue, Nov 29, 2016 at 1:45 PM Natalie Davila <[REDACTED]> wrote:

Trystan,

Are you free to connect with Sean at 9am tomorrow? If so, can you please send me your contact number and I will send out a calendar invite to confirm?

Thanks,  
Natalie

On Tue, Nov 29, 2016 at 7:38 AM Sean Brecker <[REDACTED]> wrote:

Hi Trystan -- I'd still appreciate the call please. Natalie will coordinate. Thanks

On Tue, Nov 29, 2016 at 7:19 AM Trystan Kosmynka <[REDACTED]> wrote:

Hi Sean,

I believe the team had a call scheduled for Monday. I will look into whether or not that call happened and get back to you. Regardless if you'd still like to discuss let's setup time Wednesday/Thursday morning if that works.

Thanks,  
Trystan

On Nov 29, 2016, at 6:14 AM, Sean Brecker <[REDACTED]> wrote:

Thanks a lot Matt (to bcc). Trystan can we set up some time to chat please? Natalie will help coordinate.

**Exhibit  
PX 364**

PX-0364.1

APL-APPSTORE\_05550259

Thanks

Sean

On Tue, Nov 29, 2016 at 3:47 AM Matt Fischer <[REDACTED]> wrote:

Hi Sean and Natalie,

Thanks for your notes. The best person for you to speak with is Trystan Kosmyнка who runs App Review - cc'd. Please feel free to connect with him directly.

Best,  
Matt

Sent from my iPad

On Nov 28, 2016, at 4:46 PM, Natalie Davila <[REDACTED]> wrote:

Hi Matt,

Please let me know what availability you have for a thirty minute call this week or early next week.

Best,  
Natalie

On Mon, Nov 28, 2016 at 11:29 AM Sean Brecker <[REDACTED]> wrote:

Hi Matt -- hope you had a good thanksgiving. Are you free for a brief chat this week please? I'd love to update you on our situation, which I know is affecting other devs.

Thanks

Sean

On Fri, Nov 18, 2016 at 3:23 PM Sean Brecker <[REDACTED]> wrote:

Thanks so much Robert and Michael (to bcc).

Matt can I please give you a quick call to brief you on this? You have a critical flaw in your app review process that is impacting us and many other apps, and it's not getting much attention from your dev relations / app store biz managers I'm afraid.

Thanks and all the best.

Sean

On Fri, Nov 18, 2016 at 3:19 PM Robert Kondrk <[REDACTED]> wrote:

Hi Sean,

Please meet Matt Fischer, who is the right person to talk to to.

Michael, good to hear from you and you and I are due for a lunch.

Robert

-----

It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat. | Theodore Roosevelt

Never, never, never give up. | Winston Churchill

On Nov 18, 2016, at 2:59 PM, Lynton, Michael <[REDACTED]> wrote:

Robert and Sean,

Introducing the two of you. Robert runs all of iTunes but obviously knows everyone at the App Store. Sean is the CEO of Headspace. Robert any guidance you can give here would be great.  
M

On Nov 18, 2016, at 2:56 PM, Sean Brecker <[REDACTED]> wrote:

Michael -- we need some help please. We are suffering from repeated egregious theft of our IP in the Apple App Store. Basically developers (we think based in Asia) are submitting paid apps to Apple called "Headspace" with imagery, description, branding etc identical to ours. Shockingly, Apple are approving these apps, and when the users buy the apps they are left with nothing but some scammy chat rooms in the background. This has now happened to us four separate times over the past month. We have proof that consumers are confused by this because users have left negative comments on our social channels as a result. We have filed complaints with Apple, but there is zero sense of urgency (let alone an apology) to address the core issue (which is with their review process) over there, so we'd like to speak to a more senior contact.

By the way, similar scam activity was reported by the New York Times a couple weeks ago, [here](#). Can you please introduce us to whoever you think might be best placed to help within Apple?

Thanks and best regards

Sean

--

Sean Brecker  
Chief Executive Officer  
Headspace  
[REDACTED]

--

Sean Brecker  
Chief Executive Officer  
Headspace  
[REDACTED]

--

Sean Brecker  
Chief Executive Officer  
Headspace

--

Sean Brecker  
Chief Executive Officer  
Headspace

--

Sean Brecker  
Chief Executive Officer  
Headspace