

DATED 11 JANUARY 2017

TCYK LLC
AND
ROBERT KEMBLE

SETTLEMENT AGREEMENT

Lawdit Solicitors Limited
4 Brunswick Place
Southampton
SO15 2AN
Tel 02380 230979
Ref NJC.TMRK1/1

THIS AGREEMENT is made this 11th day of January 2017

BETWEEN:

(1) TCYK LLC whose registered office is C/O H & B Administration LLP, 43 Berkeley Square, London, W1J 5AP

AND

(2) Robert Kemble, Thomas Holten and William Holten who are domiciled at Bayview House, St Brides Lane, Saundersfoot, Pembrokeshire, SA69 9HL

RECITALS

1. Court proceedings were commenced on 23 March 2016 in the Intellectual Property Enterprise Court Small Claims Track, (Claim number: IP16S00036) (the 'Proceedings') by TCYK LLC against Robert Kemble in relation to an allegation of copyright infringement as claimed in the Proceedings (the 'Claim').
2. The parties have settled their differences and have agreed terms for the full and final settlement of the Claim and wish to record those terms of settlement, on a binding basis, in this Agreement.

IT IS AGREED AS FOLLOWS:

1. EFFECT OF AGREEMENT

1.1 The parties hereby agree that this agreement ('the Agreement') shall immediately be fully and effectively binding on them.

1.2 This Agreement has been entered into on the date listed above.

1.3 This Agreement is made with no admission of liability of any of the parties.

1.4 In consideration of the payment of the sum of £1,000, TCYK LLC agrees to stay the Proceedings (as referred to in clause 3 below) and agrees not to take any claim against Thomas Holten and William Holten in relation to the Claim.

1.5 Robert Kemble, Thomas Holten and William Holten agree not to exploit, distribute, publish or otherwise use the Work known as 'The Company You Keep' without licence from TCYK LLC

2. PAYMENT

2.1 Robert Kemble shall pay TCYK LLC the sum of £1,000.00 within 7 days of receipt of the date of this agreement.

3. STAY OF THE PROCEEDINGS

3.1 The parties hereby consent to, and shall take all necessary steps to obtain an Order the form of the draft Order in Annex A.


4. RELEASE

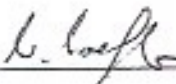
4.1 This Agreement is in full and final settlement of the Proceedings on receipt of payment by the Claimant subject to the terms outlined in Clause 2.1 of this Agreement

5. GOVERNING LAW AND JURISDICTION

5.1 This agreement shall be governed by, and construed in accordance with, the law of England and Wales.

5.2 Any dispute arising out of or in connection with, or concerning the carrying into effect of, this agreement shall be subject to the exclusive jurisdiction of the courts of England and Wales, and the parties hereby submit to the exclusive jurisdiction of those courts for these purposes.

Signed by )
Nicolas Chartier)
Director of TCYK LLC)
_____)

Signed by )
Lawdit Solicitors)
Solicitors for Robert Kemble, Thomas Holten and)
William Holten)
_____)

Michael Coyle
Director

IN THE INTELLECTUAL PROPERTY ENTERPRISE COURT
SMALL CLAIMS TRACK

CLAIM NO. IP16S00036

BETWEEN:

TCYK LLC

Claimant

-and-

ROBERT KEMBLE

Defendant

CONSENT ORDER

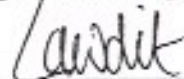
UPON reading the Consent Order of the parties endorsed hereon
AND UPON the parties having agreed terms of settlement
BY CONSENT IT IS ORDERED THAT:

1. All proceedings in this matter are stayed, save that there be permission to apply for the purposes of enforcing this Order and the terms of the attached Schedule.
2. Each party shall have permission to apply to the Court to enforce those terms without the need to bring a new claim.
3. This agreement and the terms set out in this Order, which is entered into by the parties without any admission on any party's behalf as to the liability or at all, is in full and final settlement of all matters described in the Claim and Particulars of Claim.
4. There shall be no Order as to costs.

DATED this day of January 2017

We hereby agree to the making of the above order.

Signed:



Lawdit Solicitors Limited
Solicitors for the Defendant

Signed:



TCYK LLC
Claimant

IN THE INTELLECTUAL PROPERTY
ENTERPRISE COURT

SMALL CLAIMS TRACK

CLAIM NO. IP16S00036

BETWEEN:

TCYK LLC

Claimant

-and-

ROBERT KEMBLE

Defendant

CONSENT ORDER

Lawdit Solicitors
4 Brunswick Place
Southampton
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Tel: +44 (0)23 8023 5970
Fax: +44 (0)23 8063 2849
Ref: MJC.TM.RK1/1