



LANGLOIS

AVOCATS - LAWYERS

November 9, 2020

Jean-François De Rico  
T +1 418 650-7923  
[jean-francois.derico@langlois.ca](mailto:jean-francois.derico@langlois.ca)

**Sarah Krowicki**  
**New Jersey State Funeral Directors Association**  
1977 Highway 34 South  
Wall Township NJ 07719

**WITHOUT PREJUDICE**  
**BY EMAIL**  
**skrowicki@njsfda.org**

**Subject:** *Echovita & New Jersey State Funeral Directors Association & National Funeral Directors Association*  
Our file: 341737.0006

---

Ms Krowicki,

We are following up on your recent message sent through Echovita's web site in order to clarify our practices and approach.

The content of the site accessible at Echovita.com (the "**Site**"):

- Does not contain any reproduction of all or substantial portions of obituaries or of any other work within the meaning of copyright legislation that may be owned by either you're the above mentioned organisations or their members;
- Does not contain any false or misleading statements that would tend to discredit your member's business, products or services;
- Does not contain any mention of any nature that could be misleading or cause confusion between Echovita's products and services and those of your members;
- Does not contain any use of your member's marks or names that could likely cause confusion as to the party offering the products or services or otherwise likely to lead to the belief that the Site is operated by the above mentioned organisations of their members.

The information published on the Site is a consolidation of raw data pertaining to deceased individuals which does not infringe on proprietary or copyright interests or any third party including your organisations or its members. In light of the foregoing, it is clear that Echovita's practices are neither infringing, false or misleading or otherwise have the effect of falsely suggesting to the public that Echovita's services or products are those of your client or that Echovita is in any way associated with them.

Echovita operates its business in good faith, and in a loyal and respectful manner, and with a constant concern for the importance of funeral services in the process of honouring the memory of the deceased and in the mourning process of their loved ones. Our client has no interest or intention of lending himself or herself to acts of competition of an unfair nature.



Our efforts and services are aimed at providing as much support as possible for families and loved ones. More specifically, the Echovita's solidarity program can be described as follows:

- Obituaries and death notices are sorted by city, so that people can see who passed away daily in selected cities of their choice with a free subscription;
- People can share their condolences for free with the family via email or social media;
- Families and funeral directors can post full obituaries on our website for free or submit the full obituary to be shared by us and replace the notices we publish;
- Families can claim the obituary with proper proof within 60 days, such as a photo of the death certificate to receive 10% of the revenues generated from related sales;
- Pictures can be posted to create a memorial page for free by friends and family.
- If the original obituary suggests donations to a specified charity or organization, Echovita will reflect it and provide the necessary means of making a donation for visitors;
- Any modifications, corrections, or requests for removal by the family or their representative are processed immediately upon receiving notification.

We are familiar and know how it feels to lose a loved one, and our efforts are all aimed at providing support to individuals and families mourning their loved ones. We believe our goal, which is surely shared by your members, could be more efficiently achieved with co-operation. Echovita has approached many funeral homes to join and partner in helping families with a free obituary service that gives back to families over the years. We offered monetary compensation in way of a share of our portion of revenues without reducing the portion that can be claimed by families. To our surprise many funeral homes simply thought of it as a loss of income on their end. Our unsuccessful attempts might be attributable to our inability to reach the right people in order to be properly heard.

Echovita is proven to work and is an innovator in an industry that is rather traditional and has mostly been unchallenged in the last decades (at least prior to the current pandemic). We believe that an evolution is required and unavoidable and the testimonials or our users support our belief. We reach a greater population and demographic, which enables users to reconnect with old friends, colleagues, neighbors, and distant relatives. We receive plenty of acknowledgements, gratitude and thanks for the services we provide.

We invite you to indicate whether your organisation or its members have an interest in the program. We would be happy to discuss any proposals with open minds and open hearts.

Best regards,

**Langlois lawyers, LLP**

**Jean-Francois De Rico**  
2020.11.09 17:20:16 -  
05'00'

Jean-François De Rico  
JFD/ct