

FRESH

May 8, 2026

Via Certified Mail to:

Chris Luchini
121 La Senda Rd
White Rock, NM 87547

Via Email:

chair@lpnm.us

Re: **FINAL DEMAND TO CHRIS LUCHINI**

Mr. Luchini's Continued and Unauthorized Use of "Libertarian Party" and "New Mexico Libertarian Party" Constitutes Federal Trademark Infringement in Violation of the Lanham Act, 15 U.S.C. §§ 1051 *et seq.*

Mr. Luchini,

This firm represents the Libertarian National Committee (the Libertarian National Committee, Inc. and its predecessors-in-interest referred to as the "LNC" herein) in matters concerning infringement of its federally registered trademarks, false designation of origin, unfair competition, false advertisement, and other related claims all stemming from your continued use of "Libertarian Party" and "New Mexico Libertarian Party" in your self-identification, online organizations and operations, and other activities. This letter is a demand that you immediately cease and desist from using these terms, and any other intellectual property rights held by the LNC. If you do not comply with the terms of this letter, the LNC will utilize all available legal remedies to stop your knowing and willful infringement of the LNC's federally registered trademarks and related intellectual property rights.

The LNC is the owner of an incontestable federal trademark registration for the mark LIBERTARIAN PARTY (attached). Under 15 U.S.C. § 1115, this registration serves as conclusive evidence of the validity of the registered mark and of the LNC's exclusive right to use the registered mark in connection with the promotion of the interests of a political party and related activities.

This registration dates back to 2001 and claims first use of the LIBERTARIAN PARTY mark by the LNC at least as early as January of 1972. Immediately after its formation, the LNC began using its LIBERTARIAN PARTY mark nationwide and forming state affiliates. A Libertarian Party of New Mexico was not even registered with the state of New Mexico until

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July of 1972 and used the LIBERTARIAN PARTY mark only with the authorization of the LNC. The LNC's rights to the LIBERTARIAN PARTY mark are superior in time to any other organization.

On August 25, 2022 you sent the LNC a letter stating that "LPNM and the LNC are no longer, in any sense, part of the same political party. All connections between us whatsoever are now totally and completely severed." In response, on September 11, 2022, the LNC honored your wishes and disaffiliated your group from the LNC. On October 3, 2022, you were informed of this fact and told to cease and desist your use of the name "Libertarian Party of New Mexico":

In your August 25, 2022 letter, you stated, "LPNM and the LNC are no longer, in any sense, part of the same political party. All connections between us whatsoever are now totally and completely severed." Based on your statement and the LNC's formal disaffiliation, we're asking you to cease using the name, "Libertarian Party of New Mexico".

We wish you the best of luck in your political endeavors.

Nevertheless, in spite of your voluntary disaffiliation from the LNC and insistence that the LNC and your group were no longer in the same political party, you continued to unlawfully make use of the LNC's federally registered LIBERTARIAN PARTY trademark.

On July 9, 2023, the LNC renewed its request that you cease your unauthorized use of the LNC's LIBERTARIAN PARTY trademark:

We ask that you voluntarily change your name to something which is not the Libertarian Party or any other confusingly similar designation or to consider integrating with the Libertarian Party's recognized affiliate. We would be more than happy to facilitate discussions with them if you wish. I am sure all of us would like to avoid litigation, but that is the inevitable route if this continues, as already directed by the Libertarian National Committee. We hope that the passage of time has let cooler heads prevail and that a more amicable resolution can be reached; however, the unauthorized use of our trademark cannot continue.

And again on September 26, 2025:

The LNC has not authorized you to make use of its intellectual property, and any such use is hereby expressly prohibited. We are therefore sending you this letter in an attempt to resolve this matter without the need for legal action. We demand that you immediately cease and desist from making further unauthorized use of Libertarian Party intellectual property, including but not limited to the following:

To date, you have not complied with the LNC's demands, and you continue to willfully infringe the LNC's trademarks and related intellectual property. You continue to use Libertarian Party in conjunction with the "New Mexico Libertarian Party" at the New Mexico Secretary of State, in social media, blogs, news articles, and business entity registrations. You even used the LIBERTARIAN PARTY OF NEW MEXICO name to release a joint statement with the Democratic Party of New Mexico, causing widespread confusion among the citizens of New Mexico. Furthermore, you have used the LNC's LIBERTARIAN PARTY Trademark and the Libertarian Party of New Mexico name to convert tens of thousands of dollars from a private bequest directed to the LNC's New Mexico affiliate.

Critically, your use of the LIBERTARIAN PARTY mark at the New Mexico Secretary of State has barred the LNC's recognized affiliate from use of the mark in its name. Thus, your group, the recognized New Mexico affiliate of the Liberal Party, uses the name NEW MEXICO LIBERTARIAN PARTY, incorporating the LIBERTARIAN PARTY mark associated with the LNC and to which the LNC holds an incontestable federal trademark registration, while the LNC's affiliate must use the name FREE NEW MEXICO PARTY. Your group is an official affiliate of one political party, the Liberal Party, but masquerades as the official affiliate of another political party which you voluntarily disaffiliated from. Understandably, this has resulted in considerable confusion among New Mexico voters and candidates.

Simply put, you cannot lawfully use the LIBERTARIAN PARTY mark in competition with the LNC's recognized New Mexico affiliate. If you wish to use the mark and therefore be associated with the LNC, you must join the LNC's recognized affiliate. The LNC would welcome you and the other members of your group joining the recognized New Mexico affiliate of the LNC and pursuing your goals in a lawful manner that does not confuse the citizens of New Mexico.

Recently, the LNC was forced to litigate its trademark rights in Michigan against individuals who were unlawfully using the LNC's LIBERTARIAN PARTY trademark outside of the LNC's recognized affiliate. The LNC encouraged them for months to rejoin the recognized Michigan affiliate of the LNC and pursue their goals in that way, but all such proposals were refused. This Michigan group insisted that the LNC could not enforce its trademark rights and that the unaffiliated Michigan group had superior rights to the LIBERTARIAN PARTY mark, but these arguments were rejected in federal district court and a preliminary injunction was granted in favor of the LNC given its likelihood of success on the merits.

Again the LNC encouraged the Michigan group to cease its pointless legal battle and rejoin the recognized Libertarian Party of Michigan, but again the group chose to waste the precious time and money of countless liberty supporters on a frivolous appeal to the 6th Circuit Court of Appeals. Predictably, the 6th Circuit Court of Appeals ruled against the group, an order of judgment was entered against them, and the group gave up and rejoined the recognized Libertarian Party of Michigan. Now members of that group are officers of the recognized affiliate and pursuing their goals through that channel, just as the LNC suggested they do from the very beginning.

I urge you to take this lesson to heart, stop trampling on the LNC's legal rights, and either move on to the Liberal Party and its brand or return to the LNC's recognized New Mexico affiliate. You are to **immediately cease and desist** all communications, displays, publications, registrations, and other related business activities that use – in any way – “Libertarian Party” or “New Mexico Libertarian Party.” This includes changing the name of your group with the New Mexico Secretary of State and transferring control of your Facebook group and page, X account, and any other social media accounts with an account name incorporating LIBERTARIAN PARTY to the LNC – in addition to you no longer using “Libertarian Party” in your own personal identification or identification of groups that you are affiliated with.

The LNC's primary goal is to immediately and permanently stop the ongoing public confusion regarding the affiliation of your group with the LNC. Accordingly, the LNC will consider this matter resolved should you take the necessary steps to avoid infringement of the

LNC's intellectual property, including transferring the "New Mexico Libertarian Party" Facebook page and other social media accounts and ceasing use of all LNC trademarks and copyrighted materials both in your group meetings and with the media. The LNC does not object to your use of the term "libertarian" on its own.

You must immediately submit documentation to this firm verifying that you have completely ceased the use of "Libertarian Party" and all copyrighted LNC materials in any and all online or business-related publications or activities.

In the absence of your immediate compliance, the LNC will file suit against you in federal court at least for: trademark infringement under 15 U.S.C. § 1114; false designation of origin and false advertisement under 15 U.S.C. § 1125; unfair competition under 15 U.S.C. § 1125; and similar common law claims under New Mexico state law.

Truly yours, -



Clifford D. Hyra
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