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52 Bands/52 Weeks	LL Cool J - I Need Love	fanscapevideos
52 Bands/52 Weeks	LL Cool J - Baby	fanscapevideos
FNMTV	Hawthorne Heights - FNMTV Clips	fanscapevideos
FNMTV	All Time Low - Poppin' Sneak Peak	fanscapevideos
FNMTV	David Banner - Shawty Say Sneak Peak	fanscapevideos
American Mall	American Mall -- Madison's Presentation	fanscapevideos
American Mall	American Mall -- Get Your Rock On	fanscapevideos
Making the Band	Making The Band 4 -- Season 3 Trailer	fanscapevideos
FNMTV	Santogold on FNMTV	fanscapevideos
ABDC	ABDC -- Vote for SoRealCru or Super Cr3w	fanscapevideos
2008 VMAs	Britney Spears & Russell Brand -- Pinch Me -- 2008 VMAs Spot	fanscapevideos
2008 VMAs	Britney Spears & Russell Brand -- Name -- 2008 VMAs Spot	fanscapevideos
American Mall	American Mall -- Joey & Janitors Talk About Ally	fanscapevideos
American Mall	American Mall -- Dreaming Wide Awake (Ally & Joey)	fanscapevideos
American Mall	American Mall -- The New You (Madison & Joey)	fanscapevideos
American Mall	American Mall -- Survivor (Ally)	fanscapevideos
Making the Band	Diddy's Fit Club	fanscapevideos4u
Making the Band	Danity Kane Dance Practice	fanscapevideos4u
52 Bands/52 Weeks	Kid Rock -- Peace and Quiet	fanscapevideos4u
52 Bands/52 Weeks	Kid Rock -- You Hear That	fanscapevideos4u
52 Bands/52 Weeks	Kid Rock -- The Man	fanscapevideos4u
Busted	Busted - Drunk Driver	fanscapevideos4u
Busted	Busted - Hooker Mix-Up	fanscapevideos4u
Busted	Busted - Taser "OK!"	fanscapevideos4u
Busted	Busted Trailer	fanscapevideos4u
2008 VMAs	Britney Spears & Russell Brand -- Pinch Me -- 2008 VMAs Spot	fanscapevideos4u
2008 VMAs	Britney Spears & Russell Brand -- Name -- 2008 VMAs Spot	fanscapevideos4u
ABDC	ABDC Super Cr3w Flashback (Ep. 3)	fanscapevideos4u
ABDC	ABDC -- SoReal Cru Flashback (Ep. 6)	fanscapevideos4u
Busted	Busted -- "Hungry Store" Funny Moment	fanscapevideos4u
Busted	Busted -- "Hungry Store" Serious Moment	fanscapevideos4u
2008 VMAs	Russell "Bland" and LL Cool J - 2008 VMAs	fanscapemtv
Busted	Busted - "Pink Eye"	fanscapemtv
Busted	Busted - Brandon Clip 2	fanscapemtv
Busted	Busted - Brandon Clip 1	fanscapemtv

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2008 VMAs	Britney Spears & Russell Brand -- Pinch Me -- 2008 VMAs Spot	fanscapemtv
2008 VMAs	Britney Spears & Russell Brand -- Name -- 2008 VMAs Spot	fanscapemtv
2008 VMAs	2008 MTV VMAs Promo -- Be Connected	fanscapemtv
2008 VMAs	2008 MTV VMAs Promo -- Life Tips	fanscapemtv
2008 VMAs	2008 MTV VMAs Promo -- The One	fanscapemtv
2008 VMAs	2008 MTV VMAs Promo -- Morrissey	fanscapemtv
2008 VMAs	2008 MTV VMAs Promo -- Make Fun	fanscapemtv
2008 VMAs	2008 MTV VMAs Promo -- Unqualified Host	fanscapemtv
Making the Band	Making The Band 4 -- Episode 3 Trailer	fanscapemtv
FNMTV	Gym Class Heroes -- Cookie Jar Sneak Peak	fanscapevideos
ABDC	SoReal Cru -- Around The World -- ABDC Week 9	fanscapevideos
ABDC	SoReal Cru -- Craze -- ABDC Week 9	fanscapevideos
ABDC	SoReal Cru -- Last Word -- ABDC Week 9	fanscapevideos
ABDC	Super Cr3w -- Around The World -- ABDC Week 9	fanscapevideos
ABDC	Super Cr3w -- Craze -- ABDC Week 9	fanscapevideos
ABDC	Super Cr3w -- Last Word -- ABDC Week 9	fanscapevideos
FNMTV	The Game -- FNMTV	fanscapevideos
FNMTV	Gym Class Heroes -- FNMTV	fanscapevideos
Making the Band	Making The Band 4 -- Episode 3 Trailer	fanscapevideos
From G's To Gents	From G's To Gents - Shotta's Motivation	fanscapevideos
From G's To Gents	From G's to Gents - Helicopter Ride	fanscapevideos
Busted	Busted Sneak Peak - Stolen Items	fanscapevideos
Top Pop Group	Top Pop Group - Jazmin	fanscapevideos
Top Pop Group	Top Pop Group - Brian's Advice	fanscapevideos
Top Pop Group	Top Pop Group - Ju-Tuan	fanscapevideos
Sex... With Mom And Dad	"Sex... With Mom and Dad" Trailer	fanscapevideos
Paris BFF	Paris Hilton's My New BFF -- Trailer	fanscapevideos
Paris BFF	Paris Hilton's My New BFF -- Interrogation	fanscapevideos
Paris BFF	Paris Hilton's My New BFF -- Makeovers	fanscapevideos
Sex... With Mom And Dad	Sex... With Mom and Dad -- No Sex For Jasmin	fanscapevideos
Sex... With Mom And Dad	Sex... With Mom and Dad -- Jasmin's Dad & STDs	fanscapevideos
Man and Wife	Man and Wife Trailer	fanscapevideos
Making the Band	Making the Band 4 -- Season Finale Trailer	fanscapevideos
Celebrity Busts: Ranked	Celebrity Busts: Ranked	fanscapevideos
True Life	True Life: I'm Living Off The Grid	fanscapevideos

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Making the Band	Making The Band 4 -- Season 3 Finale	fanscapevideos
Paris BFF	Paris Hilton's My New BFF -- Man Polo	fanscapevideos
Paris BFF	Paris Hilton's My New BFF -- Toasts	fanscapevideos
Sex...With Mom And Dad	Sex... With Mom and Dad -- Tiara Icebreaker	fanscapevideos
Sex... With Mom And Dad	Sex... With Mom and Dad -- Chasen Intro	fanscapevideos
The Hills According To Me	The Hills According To Me -- Theme Song	fanscapevideos
The Hills According To Me	The Hills According To Me -- Sneak Peak	fanscapevideos
Making the Band	Live "Making The Band 4" Special	fanscapevideos
Man and Wife	Man and Wife -- Scoops List	fanscapevideos
Man and Wife	Man and Wife -- Scoop Shows How To Cook "Meat"	fanscapevideos
The Hills According To Me	The Hills According To Me -- Promo	fanscapevideos
The Hills According To Me	The Hills According To Me -- Stephanie Is A Main Character	fanscapevideos
The Hills According To Me	The Hills According To Me -- Momentary Tiff	fanscapevideos
The Money & The Power	50 Cent -- The Money & The Power Trailer	fanscapevideos
Paris BFF	Paris Hilton's My New BFF -- Perez and Paris	fanscapevideos
Paris BFF	Paris Hilton's My New BFF -- Catfight	fanscapevideos
The Hills	The Hills -- Double Date	fanscapevideos
The Hills	The Hills -- Awkwardness	fanscapevideos
The Hills	The Hills -- Justin Bobby and Audrina Fight	fanscapevideos
The Hills	The Hills -- Justin Bobby and Audrina Dinner	fanscapevideos
The City	"The City" -- Trailer	fanscapevideos
True Life	"True Life: I'm Getting Married 2"	fanscapevideos
Busted	Busted - House Party	fanscapevideos
Busted	Busted - The Smell of Alcohol	fanscapevideos
Busted	Busted - Medical Pot	fanscapevideos
Real World/Road Rules Challenge: The Island	"Real World/Road Rules Challenge: The Island"	fanscapevideos
Total Finale Live	"Total Finale Live" -- *NSYNC's First Performance on TRL	fanscapevideos
Total Finale Live	"Total Finale Live" -- Britney Spears on TRL	fanscapevideos
Total Finale Live	"Total Finale Live" -- Sumo Ryan Reynolds on TRL	fanscapevideos
Paris BFF	Paris Hilton's My New BFF -- Gameshow	fanscapevideos
Paris BFF	Paris Hilton's My New BFF -- Lady Killer	fanscapevideos
The Money & The Power	The Money and the Power -- Girl Fight	fanscapevideos
Total Finale Live	"Total Finale Live" -- Outkast	fanscapevideos
Total Finale Live	"Total Finale Live" -- Gwen in Vegas	fanscapevideos
Total Finale Live	"Total Finale Live" -- Jack Black Dance Off	fanscapevideos

<a href="http://www.youtube.com/watch?v=wnyGqQAXAIA">http://www.youtube.com/watch?v=wnyGqQAXAIA</a>	10/6/2008
<a href="http://www.youtube.com/watch?v=h734pLVJ4zl">http://www.youtube.com/watch?v=h734pLVJ4zl</a>	10/6/2008
<a href="http://www.youtube.com/watch?v=FZzZ9aNlu6c">http://www.youtube.com/watch?v=FZzZ9aNlu6c</a>	10/6/2008
<a href="http://www.youtube.com/watch?v=lsxKIXFRqgE">http://www.youtube.com/watch?v=lsxKIXFRqgE</a>	10/7/2008
<a href="http://www.youtube.com/watch?v=RwIEyjKfPqS">http://www.youtube.com/watch?v=RwIEyjKfPqS</a>	10/7/2008
<a href="http://www.youtube.com/watch?v=7qVksru5ZKc">http://www.youtube.com/watch?v=7qVksru5ZKc</a>	10/8/2008
<a href="http://www.youtube.com/watch?v=SxqyMtSMYkk">http://www.youtube.com/watch?v=SxqyMtSMYkk</a>	10/8/2008
<a href="http://www.youtube.com/watch?v=kFGQ2tU1kNg">http://www.youtube.com/watch?v=kFGQ2tU1kNg</a>	10/10/2008
<a href="http://www.youtube.com/watch?v=0oG-FpAkVTU">http://www.youtube.com/watch?v=0oG-FpAkVTU</a>	10/10/2008
<a href="http://www.youtube.com/watch?v=bpOiitsHUnk">http://www.youtube.com/watch?v=bpOiitsHUnk</a>	10/10/2008
<a href="http://www.youtube.com/watch?v=CrPPzaDG1Xw">http://www.youtube.com/watch?v=CrPPzaDG1Xw</a>	10/13/2008
<a href="http://www.youtube.com/watch?v=7XmWj_uTQ54">http://www.youtube.com/watch?v=7XmWj_uTQ54</a>	10/13/2008
<a href="http://www.youtube.com/watch?v=NpDcljyEW6M">http://www.youtube.com/watch?v=NpDcljyEW6M</a>	10/15/2008
<a href="http://www.youtube.com/watch?v=Gkcd7IxBC7c">http://www.youtube.com/watch?v=Gkcd7IxBC7c</a>	10/15/2008
<a href="http://www.youtube.com/watch?v=lphA7Yed1HU">http://www.youtube.com/watch?v=lphA7Yed1HU</a>	10/20/2008
<a href="http://www.youtube.com/watch?v=Z02HhLJMMj0">http://www.youtube.com/watch?v=Z02HhLJMMj0</a>	10/20/2008
<a href="http://www.youtube.com/watch?v=AcdbgLrw82Lk">http://www.youtube.com/watch?v=AcdbgLrw82Lk</a>	10/20/2008
<a href="http://www.youtube.com/watch?v=eyz4j1-EbhA">http://www.youtube.com/watch?v=eyz4j1-EbhA</a>	10/20/2008
<a href="http://www.youtube.com/watch?v=_Gv9Ceha-Y0">http://www.youtube.com/watch?v=_Gv9Ceha-Y0</a>	10/20/2008
<a href="http://www.youtube.com/watch?v=074zQEJs0iA">http://www.youtube.com/watch?v=074zQEJs0iA</a>	10/20/2008
<a href="http://www.youtube.com/watch?v=Q27eqPxd_T8">http://www.youtube.com/watch?v=Q27eqPxd_T8</a>	10/21/2008
<a href="http://www.youtube.com/watch?v=ne1rO5Seokc">http://www.youtube.com/watch?v=ne1rO5Seokc</a>	10/23/2008
<a href="http://www.youtube.com/watch?v=34bXAYoiBGs">http://www.youtube.com/watch?v=34bXAYoiBGs</a>	10/23/2008
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<a href="http://www.youtube.com/watch?v=YO2ZPE6ALLo">http://www.youtube.com/watch?v=YO2ZPE6ALLo</a>	10/23/2008
<a href="http://www.youtube.com/watch?v=YT0Sj8Clw_c">http://www.youtube.com/watch?v=YT0Sj8Clw_c</a>	10/24/2008
<a href="http://www.youtube.com/watch?v=1kT7pVHgWu4">http://www.youtube.com/watch?v=1kT7pVHgWu4</a>	10/29/2008
<a href="http://www.youtube.com/watch?v=RgflOBU_l94">http://www.youtube.com/watch?v=RgflOBU_l94</a>	10/29/2008
<a href="http://www.youtube.com/watch?v=XK18oiehV7Q">http://www.youtube.com/watch?v=XK18oiehV7Q</a>	10/29/2008
<a href="http://www.youtube.com/watch?v=FQ5YbMPxoxQ">http://www.youtube.com/watch?v=FQ5YbMPxoxQ</a>	10/30/2008
<a href="http://www.youtube.com/watch?v=Hz1C3Mhyg3M">http://www.youtube.com/watch?v=Hz1C3Mhyg3M</a>	10/30/2008
<a href="http://www.youtube.com/watch?v=VhIzF_1gk8o">http://www.youtube.com/watch?v=VhIzF_1gk8o</a>	11/3/2008
<a href="http://www.youtube.com/watch?v=Ak2tl2ZDQxc">http://www.youtube.com/watch?v=Ak2tl2ZDQxc</a>	11/5/2008
<a href="http://www.youtube.com/watch?v=86C_462Q61w">http://www.youtube.com/watch?v=86C_462Q61w</a>	11/5/2008
<a href="http://www.youtube.com/watch?v=NBm2BsrdtMc">http://www.youtube.com/watch?v=NBm2BsrdtMc</a>	11/5/2008

YouTube	29540
YouTube	4
YouTube	24
YouTube	926
YouTube	1429
YouTube	617
YouTube	3368
YouTube	12807
YouTube	20
YouTube	119
YouTube	35
YouTube	119
YouTube	3667
YouTube	65127
YouTube	66
YouTube	51
YouTube	24
YouTube	15
YouTube	50
YouTube	37
YouTube	17315
YouTube	394
YouTube	157
YouTube	96
YouTube	160
YouTube	550
YouTube	181
YouTube	124
YouTube	110
YouTube	86
YouTube	371
YouTube	15302
YouTube	104
YouTube	48
YouTube	59

The Money & The Power  
My Super Sweet 16  
My Super Sweet 16  
Total Finale Live

The Money and the Power -- Sneak Peak  
"My Super Sweet 16" -- Christy Learns to DJ Salt-N-Pepa Style  
"My Super Sweet 16" -- Soulja Boy Tell'em  
TRL in 60 Seconds

fanscapevideos  
fanscapevideos  
fanscapevideos  
fanscapevideos

Making the Band  
Busted  
Busted  
Busted

Making the Band Studio Fight  
Busted - Sex At The Beach  
Busted - Public Urination  
Busted - Walk The Line

SnackBoard  
fanscapevids  
fanscapevids  
fanscapevids

Busted  
Making the Band

Busted -- Prom Party  
Making the Band 4 -- September 9 Trailer

fanscapevideos  
fanscapevideos

<a href="http://www.youtube.com/watch?v=BCIQbz7AnfQ">http://www.youtube.com/watch?v=BCIQbz7AnfQ</a>	11/5/2008
<a href="http://www.youtube.com/watch?v=AfX7ujANg7s">http://www.youtube.com/watch?v=AfX7ujANg7s</a>	11/14/2008
<a href="http://www.youtube.com/watch?v=glA16Z4bdE">http://www.youtube.com/watch?v=glA16Z4bdE</a>	11/13/2008
<a href="http://www.youtube.com/watch?v=lduXQjJlqpQ">http://www.youtube.com/watch?v=lduXQjJlqpQ</a>	11/14/2008

<a href="http://www.spike.com/profile/SnackBoard/video/2939932">http://www.spike.com/profile/SnackBoard/video/2939932</a>	2/6/2008
<a href="http://www.spike.com/video/busted-sex-at-beach/3031676">http://www.spike.com/video/busted-sex-at-beach/3031676</a>	9/9/2008
<a href="http://www.spike.com/video/busted-public/3031678">http://www.spike.com/video/busted-public/3031678</a>	9/9/2008
<a href="http://www.spike.com/video/busted-walk-line/3031684">http://www.spike.com/video/busted-walk-line/3031684</a>	9/9/2008

<a href="http://s429.photobucket.com/albums/qq20/fanscapevideos/?action=view&amp;current=EP113_VIRAL_09-10.flv">http://s429.photobucket.com/albums/qq20/fanscapevideos/?action=view&amp;current=EP113_VIRAL_09-10.flv</a>	NA
<a href="http://s429.photobucket.com/albums/qq20/fanscapevideos/?action=view&amp;current=Sept9Trailer.flv">http://s429.photobucket.com/albums/qq20/fanscapevideos/?action=view&amp;current=Sept9Trailer.flv</a>	NA

YouTube	592
YouTube	203
YouTube	2693
YouTube	1175
<b>YouTube Total Views</b>	<b>4,398,702</b>
Spike	103
Spike	108
Spike	19
Spike	9
<b>Spike Total Views</b>	<b>239</b>
Photobucket	NA
Photobucket	NA
<b>Photobucket Total Views</b>	<b>NA</b>

-----Original Message-----

From: Kang, Steve (NBC Universal) [mailto:Steve.Kang@nbcuni.com]

Sent: Wednesday, June 21, 2006 6:48 PM

To: heather gillette

Subject: Nobody's Watching clips

Heather,

You may have seen recent press coverage relating to an NBC-owned television pilot titled "Nobody's Watching" which is currently on YouTube. (The first of the three-part video is: <http://www.youtube.com/watch?v=uEYCN3hVTYI>.) In order to avoid any confusion or misunderstanding, I wanted to make sure you are aware that NBC is permitting YouTube to host this content, so that there is no need for you to remove it until NBC expressly requests its removal.

As always, feel free to contact me with any questions.

Regards,

Steve Kang

---



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Subject: RE:  
From: "Exarhos, Tina" <EX:/O=VIACOM/OU=MTVUSA/CN=RECIPIENTS/CN=EXAROST  
>  
To: DeBenedittis, Paul A. - Programming  
Cc: Date: Tue, 28 Nov 2006 03:23:43 +0000

We actually provide clips to YouTube quite aggressively. Though I was told that we might have to pull back at some point soon. I'll fill you in tmrw.

---

From: DeBenedittis, Paul A. - Programming  
Sent: Mon 11/27/2006 3:36 PM  
To: Exarhos, Tina  
Subject:

Should we discuss a more aggressive approach with our series clips, short-form, etc.  
How can I help?

---

CBS Scores 29.2 Mil. Total Views on YouTube Channel

Mike Shields

NOVEMBER 27, 2006 -

A fight between two comely women on CBS' NCIS has helped drive some early success for the network's new partnership with YouTube.

Roughly a month after the CBS Brand Channel debuted on YouTube, CBS said that the 300-plus video clips its has distributed on the video-sharing site has become some of its more popular content, delivering 29.2 million total views or an average of 857,000 streams a day since the channel went live on Oct. 18.

The most popular clip to date is NCIS/Cat Fight, a snippet from the Mark Harmon-starring drama featuring two female characters wrestling each other to the ground as several men gawk. NCIS/Cat Fight, one of three CBS clips to crack YouTube's top 25 for this month, has been viewed over 1.6 million times.

The other top clips from the first 17 days of November are tied to promotional appearances made by comic Sacha Baron Cohen, the star of the movie Borat: Cultural Learnings of America for Make Benefit Glorious Nation of Kazakhstan. Cohen's appearance on Late Show with David Letterman has been viewed on YouTube over a million times, while his visit to The Early Show has generated nearly 970,000 streams.

CBS says that more than 20,000 users have subscribed to its YouTube branded channel since last month. Newly installed CBS Interactive president Quincy Smith said that early on, the YouTube channel is providing the network with useful insight, while possibly even driving new viewers to CBS' shows. "What's most exciting here is the extent to which CBS is learning about its audience as never before," said Smith. "YouTube users are clearly being entertained by the CBS programming they're watching as evidenced by the sheer number of video views. Professional content seeds YouTube and allows an open dialogue between established media players and a new set of viewers."

Since the CBS Brand Channel launched, CBS reports that, while directly attributable or not, Late Show with David Letterman has added 200,000 new viewers while The Late Late Show with Craig Ferguson is up 100,000 viewers.

paul a debenedittis  
executive vice president  
multiplatform programming  
mtv-mtv2-overdrive-mtv vod-mtvu-mtv pr-mtv tres

---

1515 broadway, ny, ny 10036-5797  
212-846-4790  
paul@mtvstaff.com

**Selected Documents Regarding Mistaken Takedown  
Requests Viacom Sent to YouTube Targeting its Own Content**

Ex. No. (Bates No.)	Date	Description
Ex. No. 43 (BAYTSP 002775849-52)	May 10, 2006	Viacom agent BayTSP to Viacom: “We have not been sending taker [sic] down notices for trailers since we got yelled at by Paramount Marketing for taking down trailers that they posted on youtube.”
Ex. No. 44 (GOO001- 00867454-58)	Jul. 25, 2006	YouTube responding to Paramount employee’s question “How does this happen?” after Paramount content was taken down by a DMCA notice: “It was taken down due to an infringement notification that we received from baytsp.”
Ex. No. 45 (GOO001- 02693638 -40)	Aug. 2-9, 2006	WiredSet to YouTube in response to MTV’s takedown of WiredSet-posted videos of MTV’s The Hills: “We were hired by MTV to do online marketing around the show with a key tool being uploading and syndicating clips from each show via YouTube. We were authorized by MTV to use their videos on YouTube.”
Ex. Nos. 46 - 48 (GOO001- 08200963 -69; BAYTSP 001125285-88; BAYTSP 004343298)	Feb. 3-17, 2007	Series of documents starting with BayTSP takedown notice to YouTube requesting removal of a video posted by the user “tesderiw” and ending with email from BayTSP to Viacom: “this video belongs to WiredSet – approved account.” All documents refer to the same YouTube video: UT6kmddYa_A.

A-320

Ex. No. (Bates No.)	Date	Description
Ex. Nos. 49 - 52 (BAYTSP 003722950-92; BAYTSP 001124869-70; BAYTSP 003733804; BAYTSP 001124846-48)	May. 1-8, 2007	Series of documents showing Viacom’s takedown request for dozens of videos from YouTube account bullrunvideo, Viacom’s retraction of those takedown requests because it “was under the impression that this user was on the ‘protected, do not takedown list,’” and its eventual decision to “reinstate the takedown” after “some discussion” at Viacom “regarding the Bullrun takedown retraction.”
Ex. No. 53 (GOO001- 00859183-87)	Dec. 22, 2006	Viacom marketer ICED Media to YouTube in email entitled “Thatsfunny YouTube Account”: “Our Youtube profile was recently mistakenly closed due to a copyright infringement issue with one of my clients (Comedy Central).”
Ex. Nos. 54 - 55 (GOO001- 00953476; BAYTSP 003726370-71)	Feb. 4-5, 2007	Viacom to YouTube in email titled “Please put SpikeTV back up”: “I know you’re removing Viacom material, but you’ve suspended our account [m]istakenly. We entered into an agreement last year with YouTube for an [o]fficial Spike channel. All of those clips were legal.” Employee of Viacom agent BayTSP who caused the account to be suspended: “This is my ‘oh shit’ for the day.”
Ex. Nos. 56 - 57 (GOO001- 00519038-41; BAYTSP 003720658)	Mar. 16-17, 2007	Documents reflecting that “[a]n authorized Paramount account on YouTube: Paraccount” was terminated due to takedown notices sent by Viacom’s agent BayTSP: “The first 2 strikes against paraccount came from the major notice on 2/2/07. The third strike was received by YouTube on March 2, for a Norbit infringement.”

## A-321

Ex. No. (Bates No.)	Date	Description
Ex. Nos. 58 - 59 (VIA01244062-64; VIA11786564-65)	Oct. 5-19, 2007	Documents reflecting that the YouTube account of Paramount's "LAST KISS soundtrack partner" Lakeshore Entertainment was suspended because Viacom "wrongfully identified as a copyright infringement" a video uploaded to that account.
Ex. Nos. 60 & 61 (FS022201-02; FS037079-80)	Feb. 13, 2008	Documents starting with Viacom marketer Fanscape to MTV noting that "Viacom is cease-and-desisting the content from MTV off YouTube and has caused our account to be disabled, making all of the MTV videos we have on that account inaccessible," and showing, in a response by MTV, that this occurred even though MTV had "steps in place to alert our legal team when a 3rd party is posting [sic] our behalf."
Ex. No. 62 (BAYTSP 001090016)	Feb. 14, 2008	Viacom to BayTSP regarding mistaken takedown: "Can you reach out to youtube to accelerate the reinstatement of this account, our marketing vendor is freaking out as this is down for two days now."
Ex. No. 63 (FS000089)	Aug. 18, 2008	Viacom marketer Fanscape to YouTube: "For some reason our Fanscape YouTube Channel/Account was permanently disabled today. We work with MTV (Viacom) on several of their shows and upload A LOT of their content (clips from shows, promo clips, trailers, teasers, etc.). We've had this problem before with some of our videos getting flagged by Viacom not realizing we are an MTV agency . . . Everything on our channel has been legally provided for us by our clients . . ."

Ex. No. (Bates No.)	Date	Description
Ex. No. 64 (FS000029)	Sep. 9, 2008	Viacom marketer Fanscape to YouTube: “This is the second time in as many months that our channels have been disabled. I do understand that YouTube is not to blame for these disruptions and instead it [sic] more systemic of what occurs in big companies like our clients where one department isn’t aware of what another department is doing . . .”
Ex. No. 65 (FS045726–29)	Sep. 9, 2008	Viacom marketer Fanscape to Viacom: “All three of our Fanscape YouTube Channels have been disabled. We have copyright infringements from Viacom or MTV related companies (i.e. record labels) that we need to take care of as soon as possible. If we can’t keep a YouTube channel live then it makes it very difficult to blast out the MTV videos provided by you to promote new/existing shows. We of course are currently working around the problem and using alternative UGC sites – but as I’m sure you are aware, they simply aren’t as popular as YouTube.”
Ex. No. 66 (FS045676–79)	Sep. 16, 2008	Viacom marketer Fanscape to Viacom: “I just received this copyright violation from Viacom. It is very old content, but we need to get it cleared up so our channel isn’t pulled down again. Is there anyway [sic] we can make sure legal doesn’t pull down any videos on the fanscapevideos channel? This is happening quite often now . . .”

## A-323

Ex. No. (Bates No.)	Date	Description
Ex. No. 67 (FS044880-84)	Oct. 14, 2008	Viacom marketer Fanscape to Viacom: "Viacom has filed copyright claims against three of our videos on the 'fanscapevideos' channel." A Viacom employee responded: "I'm on it. I'm not sure why this keeps happening because my legal contact says that they are aware of the channel."
Ex. No. 68 (FS003325-26; FS003335-44)	Jan. 6, 2009	Fanscape email attaching "the wrap report for 'A Double Shot at Love,'" and noting "you will not see links to all of the YouTube videos in the attached recap because unfortunately Viacom legal yanked 4 out of 5."

# A-324

To: Sara\_Bordo@paramount.com <Sara\_Bordo@paramount.com>  
From: heather gillette <heather@youtube.com>  
Cc: David\_Toth@paramount.com <David\_Toth@paramount.com>; 'Kevin Donahue' <kevin@youtube.com>; Kristina\_Tipton@paramount.com <Kristina\_Tipton@paramount.com>; Megan\_Wahtera@paramount.com <Megan\_Wahtera@paramount.com>; mshaw@youtube.com <mshaw@youtube.com>; Stephanie\_Simard@paramount.com <Stephanie\_Simard@paramount.com>  
Bcc:  
Received Date: 2006-07-25 19:23:30 CST  
Subject: RE: Video Rejected: Copyright Infringement

---

Sara,

I have restored the one video that was taken down. It was taken down due to an infringement notification that we received from baytsp.

Thank you everyone!

Heather

---

From: Sara\_Bordo@paramount.com [mailto:Sara\_Bordo@paramount.com]  
Sent: Tuesday, July 25, 2006 2:20 PM  
To: heather gillette  
Cc: David\_Toth@paramount.com; 'Kevin Donahue'; Kristina\_Tipton@paramount.com; Megan\_Wahtera@paramount.com; mshaw@youtube.com; Stephanie\_Simard@paramount.com  
Subject: RE: Video Rejected: Copyright Infringement

Thank you all!

Sara Bordo  
Director, Interactive Marketing  
Paramount Pictures  
323-956-8499

----- Replied by Sara Bordo on 7/25/2006 2:19:30 PM -----

From: "heather gillette"

07/25/2006 02:18 PM

To: , "Kevin Donahue"



cc: , , , ,

Subject: RE: Video Rejected: Copyright Infringement

Great, looking at it now and restoring whatever was removed. I will confirm once it is done.

Heather

---

From: Megan\_Wahtera@paramount.com [mailto:Megan\_Wahtera@paramount.com]  
Sent: Tuesday, August 01, 2006 2:15 PM  
To: Kevin Donahue  
Cc: 'heather gillette'; Kristina\_Tipton@paramount.com; mshaw@youtube.com; Sara\_Bordo@paramount.com;  
David\_Toht@paramount.com; Stephanie\_Simard@paramount.com  
Subject: RE: Video Rejected: Copyright Infringement

U: zachbraffdotcom  
P: [REDACTED]

Megan Wahtera  
Director, Motion Picture Interactive Marketing  
Paramount Pictures  
P: 323.956.8516 | F: 323.862.1107

----- Replied by Megan Wahtera on 7/25/2006 2:12:04 PM -----  
-----

From: "Kevin Donahue"

07/25/2006 01:15 PM

To: ,

cc: , , "heather gillette"

Subject: RE: Video Rejected: Copyright Infringement

Hi Sara,

I'm ccing our head of Customer Service and copyright agent, Heather Gillette. She can look into this for you. We'll get you an answer asap. Heather, please see email at bottom of this email string. I've asked the Paramount folks what the user name is for the account in question - they're going to get us that info soon.

Best,  
Kevin

---

From: Sara\_Bordo@paramount.com [mailto:Sara\_Bordo@paramount.com]  
Sent: Tuesday, July 25, 2006 12:47 PM  
To: kevin@youtube.com; mshaw@youtube.com  
Cc: Megan\_Wahtera@paramount.com; Kristina\_Tipton@paramount.com  
Subject: Fw: Video Rejected: Copyright Infringement

Hi guys-  
We need your help with something. All of the Last Kiss content that we uploaded has somehow been removed- not per our approval. How can we get this back up? How does this happen?

Sara Bordo  
Director, Interactive Marketing  
Paramount Pictures  
323-956-8499

----- Forwarded by Sara Bordo/Marketing/MP/Paramount\_Pictures on 07/25/2006 12:44 PM -----

From: Megan Wahtera

07/25/2006 12:42 PM

To: Sara Bordo

cc:

Subject: Fw: Video Rejected: Copyright Infringement

Megan Wahtera  
Director, Motion Picture Interactive Marketing  
Paramount Pictures  
P: 323.956.8516 | F: 323.862.1107

----- Forwarded by Megan Wahtera/Marketing/MP/Paramount\_Pictures on 07/25/2006 12:42 PM -----

From: "Real Pie Media"

07/25/2006 10:48 AM

To:

cc: , "Rob Flemming"

Subject: FW: Video Rejected: Copyright Infringement

Hi Megan,

I got this notice from YouTube just now... Looks like you told them to take the teaser down ;~))

It seems to only be for the Teaser and not the full Trailer, which is still up there.

Pls advise.

Thx-KIRK

---

From: DMCA Complaints [mailto:copyright\_counternotice@youtube.com]  
Sent: Tuesday, July 25, 2006 10:37 AM  
To: zachbraffdotcom  
Subject: Video Rejected: Copyright Infringement

YouTube

Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification by Paramount Pictures claiming that this material is infringing:

The Last Kiss Teaser: <http://www.youtube.com/watch?v=2mjTCXMWsf8>

Please Note: Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the Copyright Tips guide.

If you elect to send us a counter notice, to be effective it must be a written communication provided to our designated agent that includes substantially the following (please consult your legal counsel or see 17 U.S.C. Section 512(g)(3) to confirm these requirements):

(A) A physical or electronic signature of the subscriber.

(B) Identification of the material that has been removed or to which access has been disabled and the location at which the material appeared before it was removed or access to it was disabled.

(C) A statement under penalty of perjury that the subscriber has a good faith belief that the material was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled.

(D) The subscriber's name, address, and telephone number, and a statement that the subscriber consents to the jurisdiction of Federal District Court for the judicial district in which the address is located, or if the subscriber's address is outside of the United States, for any judicial district in which the service provider may be found, and that the subscriber will accept service of process from the person who provided notification under subsection (c)(1)(C) or an agent of such person.

Such written notice should be sent to our designated agent as follows:

DMCA Complaints  
YouTube, Inc.  
PO Box 2053  
San Mateo, CA 94401  
Email: [copyright@youtube.com](mailto:copyright@youtube.com)

Please note that under Section 512(f) of the Copyright Act, any person who knowingly materially misrepresents that material or activity was removed or disabled by mistake or misidentification may be subject to liability.

Sincerely,  
YouTube, Inc.

Copyright C 2006 YouTube, Inc.

---

# A-329

To: "Kauffman, Stuart" <Stuart.Kauffman@mtvstaff.com>  
From: "Micah Schaffer" <micah@youtube.com>  
Cc:  
Bcc:  
Sent Date: 2006-08-09 02:05:26 CST  
Subject: Re: INFRINGEMENT OF MTV Networks Intellectual Property YOUTUBE

---

Dear Mr. Kauffman,

We have received the following counter notification with regards to videos removed in response to your infringement notification.

Please review it and let us know if you have any objection to the videos being reinstated.

Thank you,

Micah Schaffer  
YouTube, Inc.

----- Original Message -----

Subject: FW: Video Rejected: Copyright Infringement  
Date: Fri, 4 Aug 2006 13:55:07 -0400  
From: Grant Johmann <grant@wiredset.com>  
To: <copyright@youtube.com>

To Whom It May Concern:

We received the email below in response to 7 videos we have on YouTube for the MTV show – The Hills. We were hired by MTV to do online marketing around the show with a key tool being uploading and syndicating clips from each show via YouTube. We were authorized by MTV to use their videos on YouTube.

I called MTV to let them know about these emails and how someone contacted YouTube to say we are infringing on their copyright material.

I was assured that they would call their lawyers to let them know that we are legit and what we are doing has been authorized by MTV.

What do I need to provide or have MTV provide to settle this matter?

FYI – our YouTube user name is our company name - Wiredset

Thank you,

Grant

-----

Kauffman, Stuart wrote:

>  
> August 2, 2006  
>  
> \_Via Email (\_\_\_copyright@youtube.com\_ <mailto:copyright@youtube.com>)\_

>  
> DMCA Complaints and/or Heather Gillette  
> Youtube.com  
> 71 E. Third Avenue  
> 2nd Floor  
> San Mateo CA 94401  
>  
> \*Re: URGENT – Notice of Infringement\*  
> \* \*\* \_ "The Hills \_ \*  
>  
> To Whom It May Concern:  
>  
> I write to notify you of an infringement of MTV Networks' ("MTVN")  
> intellectual property rights on/ youtube.com/, and to insist that you  
> take immediate action to cease such infringement.  
>  
> MTVN owns and operates the television programming service MTV, and is  
> the owner of exclusive rights protected under copyright law and other  
> intellectual property rights in the MTV television series "The Hills"  
> (the "Series"). /  
>  
> We have become aware that unauthorized versions of recent episodes of  
> the Series are available on your website at the following links:  
> \_http://www.youtube.com/results?search=mtv+the+hills+&search\_type=search\_videos\_  
> <http://www.youtube.com/results?search=mtv+the+hills+&search\_type=search\_videos>;  
> \_http://www.youtube.com/profile?user=Raze71\_. For example, in two parts,  
> the entire episode 109 is presented. We believe that the entire last  
> episode of the first season (No. 110) is also currently available on  
> youtube, and was available even before that episode aired on television.  
>  
> MTVN did not authorize the distribution and/or copying of this material,  
> and as a result, such uses are unlawful infringements. Moreover, by no  
> stretch of the law are these fair uses. Taking nearly one-half (in  
> several instances) of 22 minute episodes or taking entire episodes, as  
> outlined above, and/or doing so before MTVN's airing thereof (scooping)  
> is egregious infringement for which neither fair use nor any other  
> defense is applicable. / See//// Harper & Row v. Nation Enters./, 471  
> U.S. 539 (1985). I note that this is the second take down notice sent to  
> youtube for nearly the exact infringement in the course of two months.  
>  
> MTVN insists that you immediately remove and disable access to the  
> above-referenced material – whether at the above referenced links or  
> elsewhere. MTVN further insists that you immediately destroy any and  
> all unauthorized reproductions of such within your possession, custody  
> or control. We insist also that you take steps necessary to cease  
> future such infringements. Please confirm your compliance with these  
> demands within one day of your receipt of this correspondence.  
>  
> The undersigned has a good faith belief that use of the material in the  
> manner described herein is not authorized by MTVN, its agents or the  
> law. The information in this notice is accurate. And, under penalty of  
> perjury, the undersigned is authorized to act on behalf of MTVN with  
> respect to this matter.  
>  
> Please note that this letter is not intended as a full statement of the  
> facts, and is without waiver of any rights and remedies – all of which  
> are expressly reserved.  
>

> Very truly yours,  
>  
> /s/  
>  
>  
> Stuart Kauffman  
> Senior Counsel, Intellectual Property  
> & Litigation  
> MTV Networks  
> 1515 Broadway, 34-55  
> New York, NY 10036  
> T. 212.846-3543  
> F. 646.688.6849  
> E. stuart.kauffman@mtvstaff.com  
>  
> Privileged & Confidential Attorney Client Communication. Do Not  
> Disclose.\*\*  
>  

---

  
> Click to add my contact info to your organizer:  
> [\\_http://my.infotriever.com/vh6gt1sl\\_](http://my.infotriever.com/vh6gt1sl_)  
>  

---

---

**From:** Copyright Service [copyright@support.youtube.com]  
**Sent:** Thursday, February 15, 2007 7:10 AM  
**To:** Courtney Nieman  
**Subject:** Re: [C#111024308] DMCA Counter Notification - from Wiredset, LLC - re: Viacom

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Attachments:** cb7cc011.pdf



cb7cc011.pdf (60  
KB)

Dear Courtney,

We received the attached counter-notification in response to the complaint you filed with us. As described in the United States Digital Millennium Copyright Act (DMCA) 17 U.S.C. 512, by this email, we are providing you with the counter-notification and await your notice (in not more than 10 days) that you have filed an action seeking a court order to restrain the counter-notifier's allegedly infringing activity. If we do not receive such notice from you, we will reinstate the material to YouTube.

Sincerely,

Jacob  
The YouTube Team



## A-333

As per a conversation today with Heather Gillette, YouTube's Designated Copyright Agent, I, Bryan Munson, am sending this counter notification in response to the copyright infringement placed on our series of videos by VIACOM. We have two copyright strikes on our account, one for the Xtina Test (included in this sheet) and an additional one for a Hills Trailer, for which I do not currently have the link. I would ask that you contact the individual listed at the bottom of the page, Todd Apmann, for verification of our MTV/VIACOM postings.

Counter Notification re: YouTube DMCA Copyright infringement from VIACOM

1. Xtina Test: [http://www.youtube.com/watch?v=UT6kmdY\\_a](http://www.youtube.com/watch?v=UT6kmdY_a) Username: Tesderiw

2. Pertinent info -

Wiredset, LLC  
 Bryan Munson  
 425 W. 13th Street  
 Suite 504  
 New York, NY 10014  
 bryanm@wiredset.com

I consent to the jurisdiction of Federal District Court for the judicial district in which my address is and I will accept service of process from the person who provided notification under subsection (c)(1)(C) or an agent of such person.

3. "I swear, under penalty of perjury, that I have a good faith belief that each search result or message identified above was removed or disabled as a result of a mistake or misidentification of the material to be removed or disabled."

4. Bryan D. Munson



5. FAXED TO: (650) 872-8518, Attn: YouTube DMCA Counter Notification

Please Contact Todd Apmann at MTV with any and all inquiries on Wiredset's behalf as it pertains to these violations:

Todd Apmann  
 Director, Program Promotion  
 MTV: Music Television  
 212.846.6942  
 todd.apmann@mtvstaff.com

A-334

As per a conversation today with Heather Gillette, YouTube's Designated Copyright Agent, I, Bryan Munson, am sending this counter notification in response to the copyright infringement placed on our series of videos by VIACOM. We have two copyright strikes on our account, one for the Xtina Test and one for a Hills Trailer (included in this sheet), for which I do not currently have the link. I would ask that you contact the individual listed at the bottom of the page, Todd Apmann, for verification of our MTV/VIACOM postings.

Counter Notification re: YouTube DMCA Copyright infringement from VIACOM

1. Hills Trailer: [link unknown] Username: wiredset

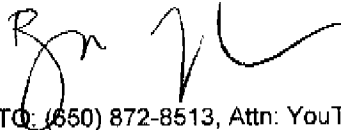
2. Pertinent info -

Wiredset, LLC  
 Bryan Munson  
 425 W. 13th Street  
 Suite 504  
 New York, NY 10014  
 bryanm@wiredset.com

I consent to the jurisdiction of Federal District Court for the judicial district in which my address is and I will accept service of process from the person who provided notification under subsection (c)(1)(C) or an agent of such person.

3. "I swear, under penalty of perjury, that I have a good faith belief that each search result or message identified above was removed or disabled as a result of a mistake or misidentification of the material to be removed or disabled."

4. Bryan D. Munson



5. FAXED TO: (650) 872-8513, Attn: YouTube DMCA Counter Notification

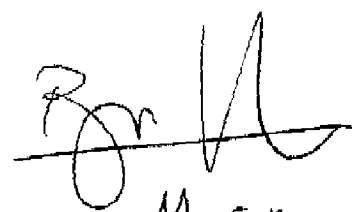
Please Contact Todd Apmann at MTV with any and all inquiries on Wiredset's behalf as it pertains to these violations:

Todd Apmann  
 Director, Program Promotion  
 MTV: Music Television  
 212.846.6942  
 todd.apmann@mtvstaff.com

A-335

Hfn: Youtube DMCA Counter Notification  
 To: Heather Gillette  
 From: Bryan Munson, Wiredset  
212.242.3464

RE = Counter Notification of  
 Wiredset Youtube account regarding  
 VIACOM copyright strikes.

  
 Bryan Munson



---

**From:** andrew duncan [andrew@bullrun.com]  
**Sent:** Tuesday, May 01, 2007 3:30 PM  
**To:** Solow, Warren  
**Subject:** FW: Video Removed: Copyright Infringement

---

**From:** DMCA Notice [mailto:no\_reply@support.youtube.com]  
**Sent:** Friday, April 27, 2007 11:43 PM  
**To:** bullrunvideo  
**Subject:** Video Removed: Copyright Infringement

YouTube | Broadcast Yourself™

Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification by Viacom claiming that this material is infringing:

**Bullrun 2006 - Cash or Jail?:** <http://www.youtube.com/watch?v=WgE9yL7hQW8>

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

If you elect to send us a counter notice, please go to our [Help Center](#) to access the instructions.

Please note that under Section 512(f) of the Copyright Act, any person who knowingly materially misrepresents that material or activity was removed or disabled by mistake or misidentification may be subject to liability.

Sincerely,  
YouTube, Inc.

Copyright © 2007 YouTube, Inc.

6/11/2008

---

**From:** andrew duncan [andrew@bullrun.com]  
**Sent:** Tuesday, May 01, 2007 3:22 PM  
**To:** Solow, Warren  
**Subject:** FW: Video Removed: Copyright Infringement

---

**From:** DMCA Notice [mailto:no\_reply@support.youtube.com]  
**Sent:** Sunday, April 29, 2007 8:18 AM  
**To:** bullrunvideo  
**Subject:** Video Removed: Copyright Infringement

**YouTube** | Broadcast Yourself™

Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification claiming that this material is infringing:

**Bullrun 2006 - The Race Begins:** <http://www.youtube.com/watch?v=cthI13PIKjY>

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

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Dear Member:

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**Bullrun 2006 - Border Crossing:** <http://www.youtube.com/watch?v=XC0kcEObuq8>

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

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Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification claiming that this material is infringing:

**Bullrun 2004 - Paris Drops the Flag:** <http://www.youtube.com/watch?v=53unScrUfqM>

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

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Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification claiming that this material is infringing:

**Bullrun 2006 - Denied Entry to Canada:** <http://www.youtube.com/watch?v=5fY2KwgR-8Q>

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Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification claiming that this material is infringing:

**Bullrun 2005 - Roadwork Problems?:** [http://www.youtube.com/watch?v=2sSWp49\\_qzA](http://www.youtube.com/watch?v=2sSWp49_qzA)

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

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Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification claiming that this material is infringing:

**Bullrun 2006 - Man vs Machine:** <http://www.youtube.com/watch?v=4QMDOidSKoM>

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

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Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification claiming that this material is infringing:

**Bullrun 2006 - Drive Fast, He Can't Catch Up:** <http://www.youtube.com/watch?v=O-OaGm16PUQ>

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

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**Bullrun 2004 - Omar Doughnut:** <http://www.youtube.com/watch?v=lb980E1v8x0>

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

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Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification claiming that this material is infringing:

**Bullrun 2006 - These Cars Are Really Cool:** <http://www.youtube.com/watch?v=zJBXo8HwVM0>

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

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Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification claiming that this material is infringing:

**Bullrun 2006 - Open Highway:** <http://www.youtube.com/watch?v=421Vz-j14FQ>

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**YouTube** | Broadcast Yourself™

Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification claiming that this material is infringing:

**Bullrun 2006 - The Starting Line:** <http://www.youtube.com/watch?v=CrEeafAR6yU>

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

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Please note that under Section 512(f) of the Copyright Act, any person who knowingly materially misrepresents that material or activity was removed or disabled by mistake or misidentification may be subject to liability.

Sincerely,  
YouTube, Inc.

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**From:** andrew duncan [andrew@bullrun.com]  
**Sent:** Tuesday, May 01, 2007 3:22 PM  
**To:** Solow, Warren  
**Subject:** FW: Video Removed: Copyright Infringement

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**From:** DMCA Notice [mailto:no\_reply@support.youtube.com]  
**Sent:** Sunday, April 29, 2007 8:18 AM  
**To:** bullrunvideo  
**Subject:** Video Removed: Copyright Infringement

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Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification claiming that this material is infringing:

**Bullrun 2006 - The Finish Line:** <http://www.youtube.com/watch?v=AnLEi4K7csc>

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Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification by Viacom claiming that this material is infringing:

**Bullrun 2005 - Mustang vs Lamborghini:** [http://www.youtube.com/watch?v=tl01\\_su0-Ow](http://www.youtube.com/watch?v=tl01_su0-Ow)

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**Bullrun 2005 - Rodman Gets No Love In Utah:** <http://www.youtube.com/watch?v=UEbzU79jyCU>

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**Busted in Utah:** <http://www.youtube.com/watch?v=p96Q0ik4MXU>

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**Bullrun 2004 - Alex Roy in Jail:** <http://www.youtube.com/watch?v=5jJJpY2Rdyc>

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**Bullrun 2004 - Page 3 Girls Pulled Over:** [http://www.youtube.com/watch?v=1e1fwoOzX\\_Q](http://www.youtube.com/watch?v=1e1fwoOzX_Q)

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This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification claiming that this material is infringing:

**Bullrun 2006 - Closing Time Square:** [http://www.youtube.com/watch?v=IEnCr\\_ZVRHg](http://www.youtube.com/watch?v=IEnCr_ZVRHg)

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Dear Member:

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**Gas Monkey Parking Enforcement:** <http://www.youtube.com/watch?v=ZanWW7Cdck8>

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**Bullrun 2005 - Models Lost On the Reservation:** <http://www.youtube.com/watch?v=EfYVmlZqGAo>

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**Bullrun 2005 - Never Travel Without 10 G's:** [http://www.youtube.com/watch?v=\\_HHoiTE7Ino](http://www.youtube.com/watch?v=_HHoiTE7Ino)

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**Bullrun 2005 - Stars Arrive in Reno:** <http://www.youtube.com/watch?v=HerhNKVTJq8>

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**Bullrun Joe Macari Doughnut:** <http://www.youtube.com/watch?v=zcb8ryqVgwE>

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**Bullrun Joe Macari Gets Busted:** <http://www.youtube.com/watch?v=4bztAh5BKkg>

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**Bullrun 2005 - Cops, Cars & Superstars II:** <http://www.youtube.com/watch?v=MBIqumSYpac>

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This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification by Viacom claiming that this material is infringing:

**Polizei Rental Car Beef:** <http://www.youtube.com/watch?v=ueqIUuCntcM>

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

If you elect to send us a counter notice, please go to our [Help Center](#) to access the instructions.

Please note that under Section 512(f) of the Copyright Act, any person who knowingly materially misrepresents that material or activity was removed or disabled by mistake or misidentification may be subject to liability.

Sincerely,  
YouTube, Inc.

Copyright © 2007 YouTube, Inc.

6/11/2008

---

**From:** andrew duncan [andrew@bullrun.com]  
**Sent:** Tuesday, May 01, 2007 3:22 PM  
**To:** Solow, Warren  
**Subject:** FW: Video Removed: Copyright Infringement

---

**From:** DMCA Notice [mailto:no\_reply@support.youtube.com]  
**Sent:** Friday, April 27, 2007 11:43 PM  
**To:** bullrunvideo  
**Subject:** Video Removed: Copyright Infringement

**YouTube** | Broadcast Yourself™

Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification by Viacom claiming that this material is infringing:

**Bullrun 2006 - Border Crossing:** <http://www.youtube.com/watch?v=XC0kcEObuq8>

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

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Dear Member:

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**Bullrun 2005 - A Close Call:** <http://www.youtube.com/watch?v=8GM70HruNag>

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

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**From:** DMCA Notice [mailto:no\_reply@support.youtube.com]  
**Sent:** Sunday, April 29, 2007 8:18 AM  
**To:** bullrunvideo  
**Subject:** Video Removed: Copyright Infringement

**YouTube** | Broadcast Yourself™

Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification claiming that this material is infringing:

**Bullrun 2005 - Rodman as a Sacrifice:** [http://www.youtube.com/watch?v=jC\\_PNO8HCTY](http://www.youtube.com/watch?v=jC_PNO8HCTY)

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

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Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification claiming that this material is infringing:

**Bullrun 2005 - The Gravel Shuffle:** <http://www.youtube.com/watch?v=h0wUJGDKTA0>

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

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Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification by Viacom claiming that this material is infringing:

**Bullrun 2005 - Welcome to San Fransisco:** <http://www.youtube.com/watch?v=TbXIPyIGq4Q>

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

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Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification claiming that this material is infringing:

**Bullrun 2005 - Pacific Coast Highway:** <http://www.youtube.com/watch?v=SNMqUVftkwA>

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

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Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification by Viacom claiming that this material is infringing:

**Bullrun 2006 - Cash or Jail?:** <http://www.youtube.com/watch?v=WgE9yL7hQW8>

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

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Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification claiming that this material is infringing:

**Bullrun 2005 - Corvette vs Jet:** <http://www.youtube.com/watch?v=fvKs2LANor0>

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

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Dear Member:

This is to notify you that we have removed or disabled access to the following material as a result of a third-party notification claiming that this material is infringing:

**Bullrun 2005 - New Cars & Missing Cars:** <http://www.youtube.com/watch?v=zs7DoPlqwZ4>

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**Bullrun 2006 - Open Highway 2:** <http://www.youtube.com/watch?v=Eai3CGI3a1s>

**Please Note:** Repeat incidents of copyright infringement will result in the deletion of your account and all videos uploaded to that account. In order to avoid future strikes against your account, please delete any videos to which you do not own the rights, and refrain from uploading additional videos that infringe on the copyrights of others. For more information about YouTube's copyright policy, please read the [Copyright Tips](#) guide.

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---

**From:** Courtney Nieman  
**Sent:** Tuesday, May 01, 2007 4:53 PM  
**To:** 'Copyright Service'  
**Cc:** Courtney Nieman; Evelyn Espinosa  
**Subject:** Retraction Notice

Dear Sir or Madam,

We recently became aware that a takedown notice was sent in error and hereby withdraw the takedown of these URLs:

[http://www.youtube.com/watch?v=jC\\_PNO8HCTY](http://www.youtube.com/watch?v=jC_PNO8HCTY)  
<http://www.youtube.com/watch?v=HerhNKVTJq8>  
<http://www.youtube.com/watch?v=CrEeafAR6yU>  
<http://www.youtube.com/watch?v=5jJpY2Rdyc>  
<http://www.youtube.com/watch?v=5fY2KwgR-8Q>  
<http://www.youtube.com/watch?v=AnLEi4K7csc>  
[http://www.youtube.com/watch?v=2sSWp49\\_qzA](http://www.youtube.com/watch?v=2sSWp49_qzA)  
<http://www.youtube.com/watch?v=SNMqUVftkWA>  
<http://www.youtube.com/watch?v=fvKs2LANor0>  
<http://www.youtube.com/watch?v=p96Q0ik4MXU>  
<http://www.youtube.com/watch?v=421Vz-j14FQ>  
<http://www.youtube.com/watch?v=Eai3CGL3a1s>  
[http://www.youtube.com/watch?v=IEnCr\\_ZVRHg](http://www.youtube.com/watch?v=IEnCr_ZVRHg)  
[http://www.youtube.com/watch?v=1e1fw0zX\\_Q](http://www.youtube.com/watch?v=1e1fw0zX_Q)  
<http://www.youtube.com/watch?v=cthI13PlKjY>  
<http://www.youtube.com/watch?v=53unScrUfqM>  
<http://www.youtube.com/watch?v=h0wUJGDkTA0>  
<http://www.youtube.com/watch?v=UEbzU79jyCU>  
<http://www.youtube.com/watch?v=O-OaGml6PUQ>  
<http://www.youtube.com/watch?v=4bzAh5BKkg>  
<http://www.youtube.com/watch?v=zJBXo8HwVM0>  
<http://www.youtube.com/watch?v=4QMDoidSKoM>  
<http://www.youtube.com/watch?v=ZanWW7Cdck8>  
<http://www.youtube.com/watch?v=zs7DoPlqwZ4>  
<http://www.youtube.com/watch?v=Ib980E1v8x0>  
<http://www.youtube.com/watch?v=EfYVmlZqGAo>  
[http://www.youtube.com/watch?v=OBmq\\_deLu7k](http://www.youtube.com/watch?v=OBmq_deLu7k)  
<http://www.youtube.com/watch?v=YJN-nbubS0Q>  
<http://www.youtube.com/watch?v=TbXlPylGq4Q>  
<http://www.youtube.com/watch?v=ueqlUuCntcM>  
<http://www.youtube.com/watch?v=WgE9yL7hQW8>  
<http://www.youtube.com/watch?v=8GM70HruNag>  
<http://www.youtube.com/watch?v=40GvThPuxf0>  
<http://www.youtube.com/watch?v=tzMWEoMYZrs>  
<http://www.youtube.com/watch?v=MBIqumSYpac>  
<http://www.youtube.com/watch?v=XC0kcEObuq8>  
[http://www.youtube.com/watch?v=\\_HHoiTE7Ino](http://www.youtube.com/watch?v=_HHoiTE7Ino)  
[http://www.youtube.com/watch?v=tl01\\_su0-Ow](http://www.youtube.com/watch?v=tl01_su0-Ow)

This retraction includes the restoration, if necessary, of YouTube User Account: bullrunvideo. Please call me if you have any questions.

We take the integrity of our data seriously, and have procedures designed to provide reasonable assurance that our takedown notices are accurate. However, no procedure is 100% accurate. We apologize for any inconvenience this may have caused and appreciate the cooperation of your organization. If there is an issue of a similar problem in the future, or you would like to provide feedback, please contact us at the following address:

BayTSP, Inc. (copyright-compliance@baytsp.com) ISP-Compliance Feedback PO Box 1314 Los Gatos, California USA 95031

# A-380

Fax: 1.408.341.2399  
Email: VIACOM@baytsp.com  
Email: copyright-compliance@baytsp.com.

Best regards,

Compliance Team :: BayTSP Inc.  
PO Box 1314 Los Gatos, CA 95031  
www.baytsp.com  
408-341-2300 - Main      408-341-2399 - Fax

NOTE: The information contained in this email message may be confidential and is intended only for the parties to whom it is addressed. If you are not the intended recipient or an agent of same, please notify us of the mistake by telephone or email and delete the message from your system. Please do not copy the message or distribute it to anyone.



---

From: "Warren Kim" <warrenk@baytsp.com>  
Date: Fri, 19 Oct 2007 14:50:59 -0700  
To: "Al Perry" <alfred\_perry@paramount.com>, "Amy Powell" <[REDACTED]>, "Scott Martin" <scott\_martin@paramount.com>  
Cc: "Teifeld, Tamar - Paramount" <Tamar\_Teifeld@paramount.com>, "Megan Wahtera" <megan\_wahtera@paramount.com>, "RADAR" <RADAR@baytsp.com>, "Andrea Cordone" <andreac@baytsp.com>, "Solow, Warren" <Warren.Solow@viacom.com>, "Pierre-Louis, Stanley" <Stanley.Pierre-Louis@viacom.com>  
Subject: RE: Need Your Help with a LAST KISS Claim

The videos and user accounts for Lakeshore Entertainment have been reinstated.

All of the following have been confirmed as active:

<<http://www.youtube.com/watch?v=O6ykhnYgmR0>> <http://www.youtube.com/watch?v=O6ykhnYgmR0>

<<http://www.youtube.com/watch?v=jYgZ-jNhi1U>> <http://www.youtube.com/watch?v=jYgZ-jNhi1U>

<<http://www.youtube.com/watch?v=xHVqXaC-NIA>> <http://www.youtube.com/watch?v=xHVqXaC-NIA>

Thank you,  
Warren Kim

---

From: Al Perry  
Sent: Wednesday, October 17, 2007 4:08 PM  
To: Warren Kim; Amy Powell; Scott Martin  
Cc: Teifeld, Tamar - Paramount; Megan Wahtera; Sarah Cruz; Andrea Cordone; Solow, Warren; Pierre-Louis, Stanley  
Subject: RE: Need Your Help with a LAST KISS Claim

Warren Kim, you should also speak with Warren Solow to discuss/update him on changes that you/Bay implement. Thanks.

---

From: Warren Kim [mailto:warrenk@baytsp.com]  
Sent: Wednesday, October 17, 2007 4:06 PM  
To: Perry, Alfred - Paramount; Powell, Amy - Paramount; Martin, Scott - Paramount  
Cc: Teifeld, Tamar - Paramount; Wahtera, Megan - Paramount; Sarah Cruz; Andrea Cordone  
Subject: RE: Need Your Help with a LAST KISS Claim

Hello,

At this moment, we are submitting an urgent retraction request to YouTube regarding this matter. Also, we have spoken with Brendan at Lakeshore and assured him that we are on top of this. Upon further investigation, YouTube has suspended the account(s) in question, so we are working to reinstate them in addition to the specified content.

Further, we have added filters to our systems to prevent any future issues with YouTube content submitted by Lakeshore Entertainment.

We are using a direct contact at YouTube and hope to catch him before he has left today. Regardless, I will follow-up tomorrow morning to ensure that the matter is taken care of.

Thank you,

Warren

From: Al Perry  
Sent: Wednesday, October 17, 2007 3:04 PM  
To: Amy Powell; Scott Martin; Warren Kim  
Cc: Teifeld, Tamar - Paramount; Megan Wahtera  
Subject: RE: Need Your Help with a LAST KISS Claim

Warren Kim, please have whatever below is claimed by Paramount reinstated, thanks.

From: Powell, Amy - Paramount  
Sent: Wednesday, October 17, 2007 3:00 PM  
To: Perry, Alfred - Paramount; Martin, Scott - Paramount; 'Warren Kim'  
Cc: Teifeld, Tamar - Paramount; Wahtera, Megan - Paramount  
Subject: Need Your Help with a LAST KISS Claim

Our LAST KISS soundtrack partner, LakeShore has brought to our attention that a clip has been wrongfully identified as a copyright infringement on YouTube and has been removed... Can you pls help us rectify this situation and re-instate the clip?

Thanks.

<<http://www.youtube.com/watch?v=O6ykhYgmR0>> <http://www.youtube.com/watch?v=O6ykhYgmR0>  
Claimant: Paramount Pictures Corporation on 10.04.2007

Thanks!

Brendan Kane

9268 W. Third St.

Beverly Hills, CA 90210

Work: 310-867-8028

Cell: 310-435-4492

[bkane@lakeshoreentertainment.com](mailto:bkane@lakeshoreentertainment.com)

**John Eddow**

---

**From:** Christy Wise  
**Sent:** Monday, August 18, 2008 1:46 PM  
**To:** Kevin Donahue (kevin@youtube.com)  
**Subject:** Fanscape YouTube Channel

Hey Kevin,

It's been a while since we've spoken! Thanks for accepting the LinkedIn invite – I wanted to make sure we stay in touch. As luck would have it – a YouTube issue arose today that I would love your help with if you can point me in the right direction...

For some reason our Fanscape YouTube Channel/Account was permanently disabled today. We work with MTV (Viacom) on several of their shows and upload A LOT of their content (clips from shows, promo clips, trailers, teasers, etc.). We've had this problem before with some of our videos getting flagged by Viacom not realizing we are an MTV agency– however this time, MTV legal claims that they have no record of requesting that our videos or channel be removed. Is there someone I can speak with there to get to the bottom of this? Everything on our channel has been legally provided for us by our clients, so I want to find out if there is another issue that I am unaware of. Do I need to just email the customer service contact listed on YouTube.com or is there something else I should be doing?

Let me know.

Thanks in advance for your help!

-Christy

**YouTube Channel Info**

User Name: fanscapevideos

[www.youtube.com/fanscapevideos](http://www.youtube.com/fanscapevideos)

Message: Your Account Has Been Permanently Disabled/This Account is Suspended

-----  
Christy Wise

Sr. Director, Partnership Marketing  
Fanscape, Inc. - <http://fanscape.com/>

**\*\*New Address\*\***

350 N. La Cienega Blvd., 3rd FL

Los Angeles, CA 90048

T: 323.785.7789

F: 323.785.7101

[Christyw@fanscape.com](mailto:Christyw@fanscape.com)

IM: og glitter

This email and any attached files contain confidential information and are intended only for the individual or entity named. If you are not the named addressee, you are notified to not disseminate, disclose, print, distribute or copy this e-mail and any such action in reliance upon the information contained herein is strictly prohibited. Please notify the sender immediately by e-mail if you have received this e-mail in error and delete this e-mail from your system.

CONFIDENTIAL

FS000089

10/27/2008

**Selected Documents Regarding Mistaken  
Takedown Requests Other Companies Sent to YouTube**

Ex. No. (Bates No.)	Date	Description
Ex. No. 70 (GOO001-01650239-40)	Sep. 1, 2006	CBS to YouTube in email entitled "URGENT Request to Reinstate User due to Mistake in Notice of Infringement": "Our Notices of Infringement were prepared without the knowledge that these videos were uploaded by Electric Artists, an agency acting on behalf of CBS, which has user account TXCANY."
Ex. No. 71 (GOO001-08542946-50)	May 8, 2007	Belgian non-profit company CuttingEdge.be to YouTube after receiving notice that the video "Linkin Park, 'What I've Done,'" had been removed due to a takedown notice by Warner Music Group: "there's no infringement here, as we received the videos from the local office of the record label, with the kind permission to embed them in our site ( <a href="http://www.cuttingedge.be">http://www.cuttingedge.be</a> ). That's what we use YouTube for."
Ex. No. 72 (GOO001-08587393)	May 21, 2007	Warner Brothers to YouTube: "Can you please reinstate the YouTube account warnerbrosonline? I believe we sent notices to YouTube regarding warnerbrosonline and we would like to retract the notices."

# A-385

Ex. No. (Bates No.)	Date	Description
Ex. No. 73 (GOO001-08615773-78)	May 31, 2007 - Jun. 1, 2007	BayTSP, on behalf of MGM, writing to YouTube to retract takedown notices directed to YouTube account "beachpartyboi," which was "part of two viral video contests/marketing campaigns," also attaching a spreadsheet "that has the usernames, filenames and URLs that I would like to retract."
Ex. No. 74 (GOO001-08587390)	Jun. 4, 2007	Warner Brothers to YouTube: "Can you please reinstate the YouTube account warnerbrosonline? I believe we sent a notice to YouTube regarding warnerbrosonline and we would like to retract the notice. Additionally can you please restore the Tex Avery Droopy video listed below for this account."
Ex. No. 75 (GOO001-08844484)	Jul. 27, 2007	Roadrunner Records to YouTube in email entitled "Accidental Takedown Notice": "We accidentally sent notice for a video one of our bands has on their own account," and asking if YouTube could "please reinstate it?"
Ex. No. 76 (GOO001-08884398-400)	Aug. 1, 2007	Letter from Digital Media Everywhere to YouTube in response to removal of "Gumby on the Moon" by Warner Brothers: "Despite Warner's assertion of ownership to the rights to Gumby on the Moon, Premavision signed an agreement with Warner ending Warner's control of the Gumby content."

## A-386

Ex. No. (Bates No.)	Date	Description
Ex. No. 77 (GOO001-09107557)	Sep. 19, 2007	Concord Music Group to YouTube in email entitled "Would like reinstatement of an account 'GregBass'": "we directed our Independent Online Marketing Company Special Ops Media Group [sic] post the video under their account 'GregBass.' This morning I have learned that their account was deactivated due to their posting this video. PLEASE reinstate their account 'GregBass.'"
Ex. No. 78 (GOO001-09208713-14)	Oct. 9, 2007	SONY BMG to YouTube: "We inadvertently added this to a take-down request we were working on this morning. This is our licensed SONY BMG content living in one of our owned [sic] channels."
Ex. No. 79 (GOO001-09213404-05)	Oct. 10, 2007	SONY BMG to YouTube: "We did it again! We inadvertently sent a take-down request on behalf of our own content."
Ex. No. 80 (GOO001-09227585)	Oct. 12, 2007	SONY BMG to YouTube: "We did it again! We sent a take-down on behalf of our own content living in one of our channels!"
Ex. No. 81 (GOO001-09255302-03)	Oct. 19, 2007	JibJab Media to YouTube: "I have a bit of an embarrassing situation that I hope you can help us resolve. Due to lack of internal communication, our very own Operations Department filed copyright complaints against the video content in our very own YouTube channel ( <a href="http://youtube.com/jibjab">http://youtube.com/jibjab</a> )."
Ex. No. 82 (GOO001-09268595-96)	Oct. 23, 2007	SONY BMG to YouTube: "We did it yet again! We issued a take-down on a video that was living in one of our channels."

# A-387

Ex. No. (Bates No.)	Date	Description
Ex. No. 83 (GOO001- 09293652)	Oct. 30, 2007	SONY BMG to YouTube: "We took down another one of our own videos."

---

**From:** Courtney Nieman  
**Sent:** Friday, March 16, 2007 11:23 PM  
**To:** Martin Dare  
**Cc:** Evelyn Espinosa; Mark M. Ishikawa; Travis Hill  
**Subject:** Names to be filtered out of "still online" for the daily report for MTVN

**Attachments:** Filtered\_YouTube\_Names.txt



Filtered\_YouTube\_Names.txt (4 ...

Martin,

As requested here are the current names we are filtering out for YouTube on 158 MTVN

irenemariemodels  
thesparksfly  
BadBoyRecords  
reaction2006  
Vlogging  
FutureWorld77  
shishka  
ladyfragment  
bpfrecrods  
LiveralViewer  
vhlstaff  
Wiredset  
jerseymouth1  
laurenceegibbs  
Snackboard  
Damonjohnson  
Isitfridayyet  
SpikeTV  
bestweekevertv  
reno9112miami  
TNAWrestling  
TXCANY  
powermadeak47dotcom  
PinkStrawberry1  
PinkStrawberry  
BroadwayJoe415  
ParkMyVibethemoviemonkey  
Paramount  
FiveChemical  
Paramount Pictures  
ParamountPictures  
Paraccount  
Thatsfunny  
BroadwayJoe  
Thatsnotfunny  
Thatisalsofunny  
Freeforlife112

Please use these to filter out the "still online" report. Thanks

Courtney Nieman  
Manager Client Services  
BayTSP, Inc.  
408-341-2314



# A-389

AIM: BayTSPCanne

Have you checked out BayTSP's Piracy news web log? <http://www.baytsp.com/weblog>

---

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---

**Subject:** RE: FW - YouTube Videos  
**From:** Tipton, Kristina - Paramount <EX:/O=VIACOM/OU=PARAMOUNT/CN=RECIPIENTS/CN=TIPTONKR>  
**To:** Simard, Stephanie - Paramount, Wahtera, Megan - Paramount  
**Cc:** Date: Thu, 04 Jan 2007 01:17:13 +0000

This message has been archived. View the original item  
<http://EVArchive01/EnterpriseVault/ViewMessage.asp?VaultId=1763998681C466546BE9799A68B65C1591110000ParamountEVSite&SavesetId=13650000000000~200701040>

Looks good to me too – here are mine:

<http://www.youtube.com/watch?v=graNRN122wY>

<http://www.youtube.com/watch?v=PosMtueJ9LE>

Kristina Tipton

Paramount Pictures

Interactive Coordinator, Promotions & Publicity

323-956-8453

---

**From:** Simard, Stephanie - Paramount  
**Sent:** Wednesday, January 03, 2007 4:30 PM  
**To:** Tipton, Kristina - Paramount; Wahtera, Megan - Paramount  
**Subject:** FW - YouTube Videos

Here are the links to the kid's videos I posted, can you please let me know if anything should change in regards to the description before I join the group? I kept it really simple.

<http://www.youtube.com/watch?v=UZjIUb-oZQk>

<http://www.youtube.com/watch?v=YClvtk2JrcA>

<http://www.youtube.com/watch?v=xuHwuUqHb2Q>

It might be a moment before they show up.

Thanks!

Stephanie Simard

Producer, Motion Picture Interactive Marketing

Paramount Pictures

P: 323.956.2540 | F: 323.862.1107

## Housley, Michael

---

**From:** Andrea Cordone [andreas@baytsp.com]  
**Sent:** Wednesday, April 16, 2008 7:23 PM  
**To:** Housley, Michael  
**Cc:** Sean Ray; Evelyn Espinosa; Elliott Kohtz  
**Subject:** RE: Whitelist

Mike,

All of the following usernames are on the white-list in BVM and in the CIMS filters:

BAAFamily  
BadBoyRecords  
barelypolitical  
BdubEtv  
bestweekevertv  
blacktreemedia  
bpfrecords  
bravenewfilms  
BroadwayJoe  
BroadwayJoe415  
bullrunvideo  
CBS  
ChannelFrederator  
cimatics  
Damonjohnson  
fanscapevideos  
FanscapeVideos4U  
FiveChemical  
freeforlife112  
FreshTakes  
FutureWorld77  
HGiantVid  
irenemariemodels  
Isitfridayyet  
JackassWorldMTV  
jerseymouth1  
ladyfragment  
Lakeshore Records  
laurenceegibbs  
LiberalViewer  
Menudo  
OfficialReno911  
Paraccount  
Paramount  
Paramount Pictures  
ParamountPictures  
ParentsConnect  
ParkMyVibe  
PinkStrawberry  
PinkStrawberry1  
powermadeak47dotcom  
powmadeak47  
reaction2006  
reno911miami  
rollingoutTELEVISION  
RunsHouseVideos  
shishka  
Snackboard

SpikeTV  
TDSwriters  
thatisalsofunny  
thatsfunny  
Thatsnotfunny  
themoviemonkey  
thesparksfly  
TNAWrestling  
tomato808  
TVgasmdotcom  
TXCANY  
vh1staff  
Victorweb  
virtualmtv  
VLogging  
Wiredset

These usernames appear only in CIMS:

ArtisanNewsService  
Digitalfilmmaker  
MyDamnChannel  
universalmusicgroup

Please let me know if you have any questions or if there any changes that should be made.

Best Regards,

Andrea Cordone  
Client Services Manager  
BayTSP, Inc.  
408.341.2365  
[andreac@baytsp.com](mailto:andreac@baytsp.com)

**Save the date! Join us for "One World 2008: Managing Piracy in the Global Village" -  
BayTSP's 5<sup>th</sup> Annual Anti-Piracy Conference September 15-17<sup>th</sup>! Join us!**

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---

**From:** Housley, Michael [<mailto:Michael.Housley@viacom.com>]  
**Sent:** Wednesday, April 16, 2008 2:13 PM  
**To:** Andrea Cordone  
**Cc:** Sean Ray; Evelyn Espinosa; Elliott Kohtz  
**Subject:** RE: Whitelist

Thanks, Andrea. Can you send me a list of all white-listed usernames?

---

**From:** Andrea Cordone [<mailto:andreac@baytsp.com>]  
**Sent:** Wednesday, April 16, 2008 5:06 PM  
**To:** Housley, Michael  
**Cc:** Sean Ray; Evelyn Espinosa; Elliott Kohtz  
**Subject:** RE: Whitelist

Mike,

The username "BAAFfamily" has been added to the BVM white-list and the filters in CIMS.

Best Regards,

HIGHLY CONFIDENTIAL

VIA-SUPP000002

Andrea Cordone  
Client Services Manager  
BayTSP, Inc.  
408.341.2365  
andreac@baytsp.com

**Save the date! Join us for "One World 2008: Managing Piracy in the Global Village" -  
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---

**From:** Housley, Michael [mailto:Michael.Housley@viacom.com]  
**Sent:** Wednesday, April 16, 2008 1:55 PM  
**To:** Andrea Cordone  
**Cc:** Sean Ray  
**Subject:** Whitelist

Hello Andrea,

Please white-list the username, BAAFfamily.

Thanks,

Mike

---

**From:** Courtney Nieman  
**Sent:** Monday, March 19, 2007 4:17 PM  
**To:** 'Solow, Warren'  
**Cc:** Evelyn Espinosa; Courtney Nieman; Mark M. Ishikawa  
**Subject:** RE: Time sensitive

Warren,

Can you get me the account name, and I'll add it to the filter list. Also let me know if there are other links, and I will send a retraction notice.

Courtney Nieman

-----Original Message-----

From: Solow, Warren [mailto:Warren.Solow@viacom.com]  
Sent: Monday, March 19, 2007 8:57 AM  
To: Courtney Nieman  
Cc: Housley, Michael; O'Shea, Ashley; Gurney, Michelle  
Subject: Time sensitive

Courtney, please see string below and handle -----Original Message-----

From: Hallie, Michelena  
Sent: Monday, March 19, 2007 10:45 AM  
To: Solow, Warren  
Cc: Kim, Clara  
Subject: FW: Video Removed: Copyright Infringement

Can we pull Bay off the uploads of Bullrun since they're being uploaded by our production partner?

-----Original Message-----

From: Kim, Clara  
Sent: Monday, March 19, 2007 11:12 AM  
To: Hallie, Michelena  
Cc: Ladd, Jonathan  
Subject: FW: Video Removed: Copyright Infringement

Michelena, Can you check to see if we have been sending takedown notices for clips from BULLRUN, a new Spike original, from Youtube? If so, can we stop sending the notices because our production partner has been officially uploading them. See below. Thanks.  
CLARA

-----Original Message-----

From: Ladd, Jonathan  
Sent: Sunday, March 18, 2007 9:09 PM  
To: Kim, Clara  
Subject: Fw: Video Removed: Copyright Infringement

Please see below.

----- Original Message -----

From: andrew duncan <andrew@bullrun.com>  
To: Johnson, Melissa; Ladd, Jonathan; Levy, Sharon  
Cc: 'Keith Hunter' <keith@alohafilms.com>  
Sent: Sun Mar 18 14:40:41 2007  
Subject: FW: Video Removed: Copyright Infringement

Hey guys,

# A-395

I realize VIACOM is in the middle of a legal battle with YouTube but they are having all the Spike TV show stuff removed that we're advertising on our site.

Can you help us out here?

We're getting great traffic and buzz about the show through our website so to not be able to show this stuff to them is crazy.

Cheers,

Andy

---

From: Keith Hunter [mailto:jahpablo77@yahoo.com]  
Sent: Saturday, March 17, 2007 8:18 PM  
To: andrew@bullrun.com  
Subject: Fwd: Video Removed: Copyright Infringement

Hey Andy,

Keith here. This is the email I registered the YouTube account with. It seems that Viacom is removing some of the videos I've uploaded as copyright infringement. It would be good if someone let's them know that this account is officially uploading videos for Bullrun, and therefore not violating any copyright laws. I'll forward you the email notice for the other video they removed as well.

--keith

Note: forwarded message attached.

---

Now that's room service! Choose from over 150,000 hotels in 45,000 destinations on Yahoo! Travel <[http://travel.yahoo.com/hotelsearchpage;\\_ylc=X3oDMTFftaTizNXVjBF9TAzk3NDA3NTg5BF9zAzI3MTk0ODEEcG9zAzIEc2VjA21haWx0YWdsaW5lBHNsawNxMS0wNw--%0d%0a](http://travel.yahoo.com/hotelsearchpage;_ylc=X3oDMTFftaTizNXVjBF9TAzk3NDA3NTg5BF9zAzI3MTk0ODEEcG9zAzIEc2VjA21haWx0YWdsaW5lBHNsawNxMS0wNw--%0d%0a)> to find your fit.

---

Subject: RE: disturbia / paris  
From: "Tipton, Kristina - Paramount" <EX:/O=VIACOM/OU=PARAMOUNT/CN=RECIPIENTS/CN=TIPTONKR>  
To: Powell, Amy - Paramount  
Cc: Teifeld, Tamar - Paramount; Wahtera, Megan - Paramount; Simard, Stephanie - Paramount; Chiang, Cat - Paramount; Bonnici, Kyle - Paramount  
Date: Tue, 12 Jun 2007 00:08:37 +0000

Hi Amy,

Kyle has uploaded and fostered the Paris Hilton Disturbia video on a handful of viral video sites (using email & account that can't be traced back to Paramount) by posting comments and video responses on existing, popular Paris Hilton videos ranging from around 100K views to 2.5M views.

The video on YouTube has over 250 views, but has a poor rating (1 star). I'll rally internal support to get the rating up higher.

Paris Hilton Disturbia Video Outreach:

Links:

YouTube

[www.YouTube.com/watch?v=c-A8i73IIOA](http://www.YouTube.com/watch?v=c-A8i73IIOA)

Revver

<http://one.revver.com/watch/298190>

Break

(still uploading)

Clevver

<http://viralvideo.clevver.com/video/928f120b-92aa-496e-99e1-994a013182d2.htm>

AtomFilms.com

<http://uploads.atomfilms.com/clip.aspx?key=ECCCEE9BD8798697>

Veoh

<http://www.veoh.com/videoDetails.html?v=v614725NJYFwAsM>

In 2 Hours time, the video received more than 200 views.

Promotion of video on numerous other highly rated Paris Hilton jail videos through text comments such as the following:

CHECK OUT THIS HOT PARIS HOUSE ARREST VIDEO AT [YouTube\(dot\)com/watch?v=c-A8i73IIOA](http://YouTube(dot)com/watch?v=c-A8i73IIOA)

Links to Other Paris Hilton Videos:

<http://www.youtube.com/watch?v=k66epna2Sss>

[http://www.youtube.com/watch?v=CJ-J\\_v69304](http://www.youtube.com/watch?v=CJ-J_v69304)

<http://youtube.com/watch?v=4yjRLrZfln8>



---

<http://youtube.com/watch?v=l4nMdS0Jrt0>

<http://youtube.com/watch?v=NM-h6Df3KmE>

<http://youtube.com/watch?v=lKJzFTptbyY>

<http://youtube.com/watch?v=FHKAsjDHpPM>

Let us know if you have any questions.

Thanks!

Kristina Tipton

Interactive Marketing

Paramount Pictures

323-956-8453

---

From: Teifeld, Tamar - Paramount  
Sent: Monday, June 11, 2007 9:58 AM  
To: Tipton, Kristina - Paramount  
Subject: FW: disturbia / paris

---

From: Powell, Amy - Paramount  
Sent: Monday, June 11, 2007 8:25 AM  
To: Wahtera, Megan - Paramount; Simard, Stephanie - Paramount; Chiang, Cat - Paramount; Teifeld, Tamar - Paramount  
Subject: RE: disturbia / paris

should definitely not be associated with the studio- should appear as if a fan created and posted it.

---

From: Wahtera, Megan - Paramount  
Sent: Mon 6/11/2007 7:34 AM  
To: Powell, Amy - Paramount; Simard, Stephanie - Paramount; Chiang, Cat - Paramount; Teifeld, Tamar - Paramount  
Subject: RE: disturbia / paris

hi amy -

we will definitely get this posted.  
we assume you want kt/tt to go out to webmasters, plus for us to upload to viral video sites.

for viral video sites - can you confirm you want us to post from random accnts that are not paramount related?

thanks!  
megan

-----Original Message-----  
From: Powell, Amy - Paramount  
Sent: Sun 6/10/2007 4:56 PM

---

To: Simard, Stephanie - Paramount; Wahtera, Megan - Paramount; Chiang, Cat - Paramount; Teifeld, Tamar - Paramount  
Subject: disturbia / paris

see below... can you guys get this posted? it's funny.

---

From: Sauter, Jeremy - Paramount  
Sent: Fri 6/8/2007 7:00 PM  
To: Powell, Amy - Paramount; Rich, Gerry - Paramount; Waldman, David - Paramount; Vollman, Michael - Paramount  
Subject: Fw: Posted

Amy -  
Want to post this?  
J-

Jeremy Sauter  
Paramount Pictures

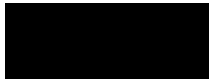
----- Original Message -----  
From: Mark Lipsky <markl@buddhajonestrailer.com>  
To: Sauter, Jeremy - Paramount  
Sent: Fri Jun 08 18:56:45 2007  
Subject: Posted

Jeremy,  
We have posted Disturbia "Paris" :30 V.1 to our website. I have listed log in information below.

Once you log in you will come to a page with a Disturbia Icon on it and it will bring you to another page with a file tree on the left hand side. Click the top file that will say Disturbia. This will bring you to another page with a thumbnail in the center of the page. To download the spot option click the download icon below the thumbnail. If you want to watch the spot on the website click the thumbnail then click the click here to play icon and wait for them to load. Give me a call with any questions.

Mark

link:  
<http://secure.wiredrive.com/clients/buddhajonestrailer/wd/folder/55341/list>



## Housley, Michael

---

**From:** Sean Ray [seanr@baytsp.com]  
**Sent:** Monday, June 16, 2008 9:24 PM  
**To:** Housley, Michael  
**Cc:** Andrea Cordone; Elliott Kohtz; Evelyn Espinosa; Tim Methenitis  
**Subject:** MTVN white-list  
**Follow Up Flag:** Follow up  
**Flag Status:** Red  
**Attachments:** MTVN white-list.pdf

Attached is a complete list of usernames white-listed for MTVN

The following usernames were in CIMS before Andrea started in a rule called VIRAL PLACEMENT:

Wiredset  
thatisalsofunny  
thatsfunny

Since then we have added these:

Blunty3000  
2008classicawards

The following usernames were in CIMS before Andrea in a rule called MTVN Partners:

# A-400

BadBoyRecords  
bestweekevertv  
blacktreemedia  
bpfrecords  
bravenewfilms  
bullrunvideo  
CBS  
DamonJohnson  
digitalfilmmaker  
FutureWorld77  
irenemariemodels  
Isitfridayyet  
jerseymouth1  
ladyfragment  
laurenceegibbs  
LiberalViewer  
reaction2006  
reno911miami  
shishka  
Snackboard  
SpikeTV  
thesparksfly  
TNAWrestling  
TXCANY  
universalmusicgroup  
vh1staff  
Victorweb  
Vlogging  
Wiredset

If you have any questions or need any further assistance please let us know.

Regards,

Sean Ray  
Client Services  
BayTSP, Inc.  
408-341-2300 (Main)  
408-341-2399 (Fax)  
AIM Handle: seanray13  
[seanr@baytsp.com](mailto:seanr@baytsp.com)  
[www.baytsp.com](http://www.baytsp.com)

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---

**From:** Elliott Kohtz  
**Sent:** Monday, June 16, 2008 5:28 PM  
**To:** paramount\_dailies  
**Cc:** Paramount\_dailies\_cc; Bryan Mejia; Timothy Methenitis  
**Subject:** Spiderwick Chronicles Daily Report 06-16-08

### **Tracking and Enforcement Update**

**This report reflects data gathered yesterday.**

#### **RADAR Alerts:**

HIGHLY CONFIDENTIAL

VIA-SUPP000009

1/22/2010