

## EXHIBIT B

--- On Tue, 8/10/10, Copyright Service <copyright@youtube.com> wrote:

From: Copyright Service <copyright@youtube.com>  
Subject: Re: [C#678014709] YouTube Copyright counternotification, from: Abdoellibie  
To: sami\_1030@yahoo.com  
Date: Tuesday, August 10, 2010, 4:39 PM

Hi there,

We received the attached counter-notification in response to a 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're providing you with the counter-notification and await your notice (in not more than 10 days) that you've filed an action seeking a court order to restrain the counter-notifier's allegedly infringing activity. Such notice should be submitted by replying to this email. If we don't receive notice from you, we will reinstate the material to YouTube.

If you have any questions, please contact [copyright@youtube.com](mailto:copyright@youtube.com).

Sincerely,

The YouTube Team  
Original Message Follows:

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From: [abdoellibie@yahoo.com](mailto:abdoellibie@yahoo.com)  
Subject: DMCA counter notification

To: YouTube, LLC  
c/o Copyright Agent for Counter Notification

Re: DMCA Notices Submitted by OSAMA ELWEFAT as a representative of LJBC received from YouTube on April 30, May 24 and July 14, 2010.

Dear Youtube LLC,

The claimant alleges that my videos are infringing because they contain a copyrighted materials owned by LJBC although he did not specify any of the claimed materials except stating "video only". I have obtained permissions from the original owners of most of the contents included in my videos. I believe the claims of copyright infringement by LJBC are inaccurate and should be rejected.

I have to draw the attention of YouTube administration to the following

important general notes before going through the detail of each video claimed.

1-The materials in question are not copyrighted because none of the posted clips in my videos showed "LJBC" logo as shown below which is usually shown on their own broadcasted TV materials.

2- The complainant has provided no copyright registration information or other tangible evidence that the videos in question are in fact copyrighted and therefore lacks standing to assert that my use of the video clips is a violation of any of the owner's rights. I have a good faith belief that they are not. The allegations of copyright violation is therefore in dispute, and at present unsupported.

3- The complaint does not follow the prescribed form for notification of an alleged copyright violation as set forth in the Digital Millennium Copyright Act, 17 USC 512(c)(3). Specifically, the complainant has failed to identify the specific copyrighted work claimed to be infringed.

4- It's important to note that some of the video clips about gaddafi crimes were old archived news clips from tape recording by the National Front For The Salvation Of Libya (NFSL) <http://www.libyanfsl.com/> and foreign media from TV broadcasting, as published, for example, by US TV (<http://www.youtube.com/watch?v=Mhf9hvSfmNA>) and <http://www.youtube.com/watch?v=6vojaCObizA> during the 70's and 80's, long before LJBC was created in 2002. Therefore, since those segments were considered important world news items documenting crime scenes and were published with no copyright notice in many foreign media sources by reporters such as Vince Wade and David Sells, they are therefore in the public domains as archived news that are about 30 years old and may be reproduced by anyone. Certainly, these clips do not compete with the original because these clips are reporting news about a tyrant regime. As well, none of the images were a property of LJBC, some were scanned from contemporary newspaper or obtained from Corbis and other giant web media sources acknowledged at the end of the video (part 7). Very few images were screen shots of videos from foreign media posted on the internet.

5- Furthermore, all of my videos were informative and educational documentaries, non-commercial, non-profitable (not for revenue sharing), for the purpose of news reporting, research and criticism of the gaddafi regime and exposing national and international heinous crimes committed by the gaddafi tyrant regime ruling Libya.

Therefore, based on the consideration of all of the above clarifications, I declare that the contents of all my documentary videos that were removed by

YouTube, 2 years after their initial publication, reflect my political views and expressions and are newsworthy information of public interest to those seeking information about the gaddafi regime. There was no commercial use of the videos removed nor there was any market harm and no infringement of any copyrighted works owned by LJBC. Therefore, my use of the video clips is legally protected because it falls within the "fair use" provision of the copyright regulations, as defined in 17 USC 107 of US copyright law (Limitations on exclusive rights: Fair use), which make any copyright claim by LJBC invalid.

Based on the false claims made specifically on part 7 and 5 (see below), it is my opinion that the LJBC representative has misrepresented their claim of copyright infringement for all my videos removed by YouTube and is attempting to use a complaint of copyright infringement to suppress and censor free speech information and political expression and conceal documented evidence about heinous crimes committed by the gaddafi regime because they reflect negatively on his reputation. I believe that YouTube is under no obligation to restrict my speech at the behest of this complainant.

I hereby consent to the jurisdiction of the Federal District Court for the district in which I reside (or if my address is outside of the United States, the judicial district in which YouTube is located, and will accept service of process from the claimant. I swear, under penalty of perjury, that I have a good faith belief that the materials were removed or disabled as a result of a mistaken information or misidentification or deliberate misreading of the law.

Having complied with the requirements of Section 512(g)(3), I ask YouTube administration, upon receipt of this counter-notification, to restore the blocked or removed videos and cease disabling access to them and restore my suspended YouTube account within fourteen business days of your receipt of this notice. Please notify me when this has been done.

My name, address, and telephone number are:

Abdalla Saleh

20 Shallmar Blvd, Toronto, ON

Tel.: 6476286321

E-mail: [abdoellibie@yahoo.com](mailto:abdoellibie@yahoo.com)

YouTube user Account Name: Abdoellibie

YouTube Account Link: <http://www.youtube.com/abdoellibie>

Best regards,

My electronic signature follows:

Abdalla Saleh

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The following is a list of URLs of the videos removed by YouTube due to an alleged copyright claim by LJBC -LIBYAN JAMAHIRIYA BROADCASTING CENTER:

Gaddafi Crimes Against Humanity 7/7

[http://www.youtube.com/watch?v=M6D3DwwAn\\_U](http://www.youtube.com/watch?v=M6D3DwwAn_U) (Removed April 30, 2010).

Gaddafi Crimes Against Humanity 5/7

<http://www.youtube.com/watch?v=5doe-sRKK4g> (Removed April 30, 2010).

Gaddafi Crimes Against Humanity 4/7

<http://www.youtube.com/watch?v=JU1t9HdSw58> (Removed April 30, 2010).

Gaddafi Crimes Against Humanity 3/7

<http://www.youtube.com/watch?v=4cdc--8SSOs> (Removed May 24, 2010).

Gaddafi Crimes Against Humanity 1/7

<http://www.youtube.com/watch?v=JyvJSmwhSf4> (Removed May 24, 2010).

Gaddafi Crimes Against Humanity 6/7

<http://www.youtube.com/watch?v=Wsdr7brLXyI> (Removed July 14, 2010).

The following are specific detailed explanations against each alleged claim of each video removed to prove that I did not infringe on any copyrighted materials as claimed by the LJBC. Since no specifications were made about which clips were allegedly infringing, I have to go throw all clips included in each of the claimed videos. These include:

1- DMCA notification by LJBC representative Mr. OSAMA ELWEFATI:

URL of allegedly infringed video: [http://www.youtube.com/watch?v=M6D3DwwAn\\_U](http://www.youtube.com/watch?v=M6D3DwwAn_U)

Description: LIBYAN TV - LIBYAN NIGHTS CANNES URL

Where is the content at issue? Video only.

DMCA Counter-notification:

I testify to the best of my knowledge that this claim is absolutely false and none of the contents included in this video is from "LIBYAN NIGHTS CANNES" as claimed by the LJBC representative. The LIBYAN NIGHTS CANNES is a lavish party hosted by gaddafi's sons in Cannes France as shown in the following original clip owned and posted by "Fashion TV"

<http://www.youtube.com/watch?v=6of2D2wAb6Y> and it is very obvious that it is not even from LJBC. This is again a solid proof that they are forging their claims and abusing your policies. Please review my video and compare it with fashion TV video and see for yourself that it contains no clips from "LIBYAN TV - LIBYAN NIGHTS CANNES URL" as claimed by Mr. ELWEFATI. What's more cynical is that Mr. ELWEFATI is also claiming a copyright by LJBC for another video originally filmed and posted by a French party goer then was removed from his channel and later reposted in another Libyan YouTube channel showing a lavish Champaign party hosted by gaddafi's son in Cannes France! By these claims, he is suggesting that these videos were broadcasted on Libyan TV which is impossible for LJBC to show such a scandal about gaddafi's family on national TV and therefore raise suspicions of the legitimacy of Mr. ELWEFATI's claims as representative of LJBC and hence represent a serious deception and abuse of YouTube policies.

My video is documentary about gaddafi crimes; so how could it include a party

clip?! It is clear that LJBC representative is making a false allegation since the only clip in my video is showing hanging of Libyan by the gaddafi regime which is obtained with permission from NFSL and not parties. Therefore, pursuant to 17 U.S.C., section 512(f), which states that any misrepresentation of material fact (falsities) in a written notification automatically subjects the complaining party to liability for any damages in connection with the allegation of copyright infringement, I do not waive any other rights, including the ability to pursue an action against the claimant for the removal or disabling of access to this video, if they insist on their bogus claim.

2- DMCA notification by LJBC representative Mr. OSAMA ELWEFATI:

URL of allegedly infringed video: <http://www.youtube.com/watch?v=5doe-sRKK4g>

Description: LIBYAN TV URL

Where is the content at issue? Video only.

DMCA Counter-notification:

I testify to the best of my knowledge that this claim is absolutely false and none of the contents in this video is a copyrighted material from LJBC for the following reasons:

a- Video clip posted at 0:40 – 1:57 (17 sec) is from Al-Alam TV station and Mr. Balloot is documenting Libyans demonstration in Paris against gaddafi's visit to France.

b- Clip 1:58 – 2:07 (9 sec) is from a French Journalist Mr. Rezki Mammari documenting Libyan demonstration in Paris against gaddafi's visit to France and is referenced.

c- Clip 3:54 – 4:14 (20 sec) from a French media (FHDR) documenting gaddafi's visit to France and is narrated in French. The clip was taken from a hidden camera by a French journalist called Claire.

d- Clip 8:04 – 8:38 (34 sec) from a Spanish media documenting gaddafi's visit to Spain in December 2007. In addition, all pictures were taken from Corbis images, French media, Spanish media, Daylife images, Libya-al-mostakbal.info and members of the Libyan opposition groups, etc.

Therefore, the use of these video clips and pictures are legitimate with permission from original copyright owners mentioned above and that the claim of copyright infringement by LJBC is absolutely false and is considered forgery against the YouTube rules. I challenge the LJBC representative to provide the original URLs of those video clips with their logos which he claims from the Libyan TV. However, by this counter notification, I do not waive any other rights, including the ability to pursue an action against the claimant for the removal or disabling of access to this material, if they insist on their bogus claim.

3- DMCA notification by LJBC representative Mr. OSAMA ELWEFATI:

URL of allegedly infringed video: <http://www.youtube.com/watch?v=JU1t9HdSw58>

Description: LIBYAN TV URL

Where is the content at issue? Video only.

DMCA Counter-notification:

I testify to the best of my knowledge that this claim is absolutely false and none of the contents in the video is a copyrighted material from LJBC for the following reasons:

a- Video clip posted at 1:05 – 3:07 (2:02 min) is produced, narrated and owned by the NFSL. It shows a late member of NFSL (Mr. Ali Abu-Zaid) which an opposition group against gaddafi based in the USA talking about his arrest and torture in a Libyan prison during the 70's before he fled the country and settled in UK then he was murdered in 1995 by the gaddafi sent death squads in London. I testify that this clip is not from Libyan TV URL and that LJBC has absolutely nothing to do what so ever with this clip.

b- Video clip posted at 3:08 – 3:51 (43 sec) is smuggled by members of the NFSL through a hidden camera showing a notorious prison and tortured prisoners. It is very clear that this clip is not from LJBC for they will never show any material exposing gaddafi crimes and that the representative of this media is absolutely making a false illegitimate claim. I testify that this clip is not from Libyan TV URL and that LJBC has absolutely nothing to do what so ever with this clip.

c- Video clip posted at 3:56 – 4:31 (35 sec) is from the BBC entitled “The Libyan Seige” showing shooting from the Libyan embassy in London of a British police officer Yvonne Fletcher and of Libyan demonstrators protesting against gaddafi crimes. I testify that this clip is not from Libyan TV URL and that LJBC has absolutely nothing to do with it.

d- Video clip posted at 6:26 – 6:46 (20 sec) is from a Chadian YouTube channel taken with their permission, which shows Chadian troops taking Libyan PW during the Libyan –Chadian war in the 1980's. I testify that this clip is not from Libyan TV URL and that LJBC has absolutely nothing to do with it and that Mr. ELWEFATI is making a false claim.

Therefore, the use of these video clips are legitimate with permission from original copyright owners mentioned above and that the claim of copyright infringement by LJBC is totally false and is considered forgery against the YouTube rules. However, by this counter notification, I do not waive any other rights, including the ability to pursue an action against the claimant for the removal or disabling of access to this material, if they insist on their bogus claim.

4- DMCA notification by LJBC representative Mr. OSAMA ELWEFATI:  
URL of allegedly infringed video: <http://www.youtube.com/watch?v=4cdc--8SSOs>  
Description: LIBYAN TV URL  
Where is the content at issue? Video only.

DMCA Counter-notification:

I testify to the best of my knowledge that none of the contents included in the video is a copyrighted material from LJBC for the following reasons:

a- Video clip posted at 3:32 – 4:23 (51 sec.) are from almanara.com with their permission, although I do not know the source where they got it from. However, later I have found that another copy was posted in the following YouTube channel <http://www.youtube.com/user/rawod555>, which is not from LJBC since none of its logos were pasted on those clips. Nevertheless, those clips were showing family members of victims of a prison massacre committed by the gaddafi regime pleading for information about their loved ones and they want their voices to be heard. I believe that those clips should be considered in the public domains and should not be censored for the world to witness. Therefore, the use of this video clip is a fair use because it is (1) highly informative in exposing a crime (2) non-commercial and non-profitable in nature; and (3) only uses a small fraction of the original.

b- Video clip posted at 7:37 – 7:46 (9 sec.) is from a foreign media source during gaddafi's visit to Europe Dec 2007. I testify that LJBC has absolutely nothing to do with this clip and I challenge them to produce the URL of this video.

5- DMCA notification by LJBC representative Mr. OSAMA ELWEFATI:  
URL of allegedly infringed video: <http://www.youtube.com/watch?v=JyvJSmwhSf4>  
Where is the content at issue? Video only.

DMCA Counter-notification:

I testify to the best of my knowledge that this claim is false and none of the contents included in the video is a copyrighted material from LJBC for the following reason:

Video clips posted at 2:18 – 3:03 (45 sec) and 3:15 – 3:42 (27 sec) are showing a scene of a crime in which a group of Libyans demonstrating against gaddafi's visit to Lisbon Portugal, were attacked by pro-gaddafi mobs. Those clips were taken apparently by a bystander using a phone camera. It is very clear that it is not from the Libyan TV which otherwise would be damaging to its reputation for sponsoring such a barbaric and a criminal action. This video clip was sent to me as a wmv by Mr. Adel Al-Zawi, who is the manager of Libya Alhora web site <http://www.libya-alhora.com/cms/and> was among the group that was attacked during that scuffle, although I do not know the source where he got it from. Therefore, the use of these video clips is a fair use because it is (1) highly informative in exposing a crime (2) non-commercial and non-profitable in nature.



6- DMCA notification by LJBC representative Mr. OSAMA ELWEFATI:  
URL of allegedly infringed video: <http://www.youtube.com/watch?v=Wsdr7brLXyl>  
Description: LIBYAN TV IMAGE URL  
Where is the content at issue? Video only

DMCA Counter-notification:

I testify to the best of my knowledge that none of the contents included in this video is a copyrighted material from LJBC for the following reasons:

Video clips posted at 4:57-8:52 (3.55 min) and at 9:02-9:58 (56 sec) are produced, narrated and owned by the NFSL in 1988 and was taken with permission from this organization. The second clip was taken from a Tunisian broadcast TV during a meeting where gaddafi was addressing the Tunisian parliament as indicated at the beginning of the clip. These clips are considered archived news items of public speeches made by gaddafi. Therefore, the use of these video clips is a fair use because it is (1) highly informative (2) non-commercial and non-profitable in nature; and (3) only uses a small fraction of the original. None of the images included in the video were from Libyan TV or any Libyan media sources.

I anticipate that you will act accordingly in ensuring that all of the material, detailed above are restored.

Sincerely,

My electronic signature follows:  
Abdalla Saleh

See examples from their web site <http://en.ljbc.net/home.php> and their broadcast [http://www.dailymotion.com/video/xczegg\\_yyyyyy-yyy-yyyyyyyyyy-yyyyyy-yyyyyy\\_news](http://www.dailymotion.com/video/xczegg_yyyyyy-yyy-yyyyyyyyyy-yyyyyy-yyyyyy_news)  
<http://img693.imageshack.us/i/logojls.jpg/>  
<http://img828.imageshack.us/i/89476585.gif/>