

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

BLUES DESTINY RECORDS, L.L.C., a
Florida Limited Liability Company;

Plaintiff,

v.

GOOGLE, INC., a Delaware Corporation,
MICROSOFT CORPORATION, a Washington
Corporation, and RAPIDSHARE AG, a
German Corporation

Defendants.

EXHIBIT B

TO

COMPLAINT FOR COPYRIGHT INFRINGEMENT

First Google Notice November 19th 2009 6:44am

Google Investor Relations

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Annual Meeting

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CEO's Message
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Guidelines
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Board Committees
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- How can I attend the Annual Stockholders Meeting?

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Your name:

Business name:

Contact email address:

Are you currently a shareholder?
 Yes No

Topic: Other

Subject:

Question/Details:

Google

This is your Notice.

You are selling services based on your search results that include links enabling the theft of our Artists material (illegal downloads). Of particular note, of all the legitimate places where our products can be purchased, you list the link that enables its theft first in your search engine results. Many of these are recent releases. We are unable to ascertain how many of artist are being infringed by your activity. We have found Peter McGinn; Follow Me To the Blues and Peter McGinn; More McGinn and Tommy Sasseff and Roy Powers Fiddling Line. For a complete listing of our artists, visit our site www.bluesdestinyrecords.com. Please immediately remove these and any other of our artist (www.bluesdestinyrecords.com) that you are selling illegally and immediately contact our Attorney Robert Gismore at: (U.S.) (800) 850-0548 for more information on what we are going to require from you concerning this matter.

This is your Notice.

Home - Privacy - About Google

BluesDestinyRecords.
Classic Series www.bluesdestinyrecords.com

Attention: Google Legal Support DMCA Compliance

Facsimile: (650) 963-3255

5 Pages with Cover.

11/21/09

To: Google Legal Support + DMCA Complaints
Bluzs Destiny Records

~~11/22/09~~
11/23/09
11/24/09

This is Your Notice - ~~Third~~ Request
~~Fourth~~ Sixth
~~Fifth~~

Hi David,

It is Google's policy to respond to notices of alleged infringement that comply with the Digital Millennium Copyright Act (the text of which can be found at the U.S. Copyright Office website: <http://www.copyright.gov/>) and other applicable intellectual property laws, which may include removing or disabling access to material claimed to be the subject of infringing activity.

To file a notice of infringement with us, you must provide a written communication (by fax or regular mail -- not by email, except by prior agreement) that sets forth the items specified below. Please note that you will be liable for damages (including costs and attorneys' fees) if you materially misrepresent that a product or activity is infringing your copyrights. Indeed, in a recent case (please see http://www.onlinepolicy.org/action/legpolicy/opg_v_diebold/ for more information), a company that sent an infringement notification seeking removal of online materials that were protected by the fair use doctrine was ordered to pay such costs and attorneys fees. The company agreed to pay over \$100,000. Accordingly, if you are not sure whether material available online infringes your copyright, we suggest that you first contact an attorney.

To expedite our ability to process your request, please use the following format (including section numbers):

1. Identify in sufficient detail the copyrighted work that you believe has been infringed upon. For example, "The copyrighted work at issue is the text that appears on http://www.legal.com/legal_page.html."

Ronny Sessum - Funk'n Blues Man Sound Recording (2009)

Roy Powers - Firing Line Sound Recording (2009)

Peter McGraw - More McGraw Sound Recording (2009)

2. Identify the material that you claim is infringing upon the copyrighted work listed in item #1 above.

FOR WEB SEARCH, YOU MUST IDENTIFY EACH SEARCH RESULT THAT DIRECTLY LINKS TO A WEBPAGE THAT ALLEGEDLY CONTAINS

(1)

INFRINGING MATERIAL. This requires you to provide (a) the search query that you used, and (b) the URL for each allegedly infringing search result. Note that the URL for each search result appears in green on the last line of the description for that search result.

For example, suppose (hypothetically) that you conducted a search on Google.com using the query [Google], and found that the third and fourth results directly link to a webpage that you believe infringes upon the copyrighted text that you identified in item #1 above. In this case, you would provide the following information:

Search query: Google
Infringing webpages:

Search query: Ronny Sessum
Infringing webpages:
Ronny Sessum - Funk'n Blues Man Illegal Album Download Rapidshare and others
rapidog.com/ronny-sessum-funk-rapidshare.html
rapidog.com/ronny-sessum-funk-n-blues-man-rapidshare.html
<http://musire.com/details.php?artist=Ronny+Sessum&album=Funk%27n+Blues+Man+%282009%29&id=362886>
www.zona-musical.com/postt165935.html

Search query: Roy Powers Firing Line
Infringing webpages:
Roy Powers - Firing Line Illegal Album Download Rapidshare and others
rapidog.com/roy-powers-firing-line-rapidshare.html
www.zona-musical.com/postt165279.html
www.zona-musical.com/postt165935.html

Search query: Peter McGraw – More McGraw
Infringing webpages:
Peter McGraw - More McGraw Illegal Album Download Rapidshare and others
www.zona-musical.com/postt165284.html

3. Provide information reasonably sufficient to permit Google to contact you (email address is preferred).

Attorney Robert Gilmore at: (U.S.) (850) 650-0546 Attorney for Blues Destiny Records

rob@myfloridalawyer.com

(2)

120 Benning Drive

Destin, FL 32541

4. Provide information, if possible, sufficient to permit Google to notify the owner/administrator of the webpage that allegedly contains infringing material (email address is preferred).

We have no idea who the parties are. One appears to be:

RapidShare AG
Gewerbestrasse 6
6330 Cham
Switzerland

5. Include the following statement: "I have a good faith belief that use of the copyrighted materials described above on the allegedly infringing webpages is not authorized by the copyright owner, its agent, or the law."

I have a good faith belief that use of the copyrighted materials described above on the allegedly infringing webpages is not authorized by the copyright owner, its agent, or the law.

 11/21/09

David Wallace Cox President of Blues Destiny Records and Copyright Owner

6. Include the following statement: "I swear, under penalty of perjury consistent with United States Code Title 17, Section 512, that the information in the notification is accurate and that I am the copyright owner or am authorized to act on behalf of the owner of an exclusive right that is allegedly infringed."

I swear, under penalty of perjury consistent with United States Code Title 17, Section 512, that the information in the notification is accurate and that I am the copyright owner or am authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

 11/21/09

(3)

David Wallace Cox President of Blues Destiny Records and Copyright Owner

7. Sign the paper.

 11/21/09

David Wallace Cox President of Blues Destiny Records and Copyright Owner

8. Send the written communication to the following address:

Google Inc.
Attn: Google Legal Support, DMCA Complaints
1600 Amphitheatre Parkway
Mountain View, CA 94043

OR Fax to:

(650) 963-3255, Attn: Google Legal Support, DMCA Complaints

Please note that a copy of each legal notice we receive is sent to a third-party partner for publication and annotation. As such, your letter will be forwarded to Chilling Effects (<http://www.chillingeffects.org>) for publication. You can see an example of such a publication at <http://www.chillingeffects.org/dmca512/notice.cgi?NoticeID=861>. A link to your published letter will be displayed in Google's search results in place of the removed content.

For more information, please see <http://www.google.com/dmca.html>

(4)

HP Photosmart C309a All-in-One series

Fax Log for
Richard Love
850-650-9046
Nov 21 2009 5:43PM

Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
Nov 21	5:41PM	Fax Sent	16509633255	2:00	5	OK

Note:

Image on Fax Send Report is set to Off

An image of page 1 will appear here for faxes that are sent as Scan and Fax.

1st Notice
FAX
CONFIRM
→

BluesDestinyRecords.
www.bluesdestinyrecords.com

Attention: Google Legal Support DMCA Compliance

Facsimile: (650) 963-3255

5 Pages with Cover.

11/21/09

HP Photosmart C309a All-in-One series

Fax Log for
Richard Love
850-650-9046
Nov 22 2009 7:14PM

Last Transaction

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Station ID</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Nov 22	7:12PM	Fax Sent	16509633255	1:57	5	OK

Note:

Image on Fax Send Report is set to Off

An image of page 1 will appear here for faxes that are sent as Scan and Fax.

HP Photosmart C309a All-in-One series

Fax Log for
Richard Love
850-650-9046
Nov 23 2009 12:09PM

Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
Nov 23	12:07PM	Fax Sent	16509633255	2:00	5	OK

Note:

Image on Fax Send Report is set to Off

An image of page 1 will appear here for faxes that are sent as Scan and Fax.

Blues Destiny Records

www.bluesdestinyrecords.com

Attention: Google Legal Support DMCA Compliance

Facsimile: (650) 963-3255

5 Pages with Cover.

~~11/22/09~~

11/23/09

Fifth Request

Blues Destiny Records

www.bluesdestinyrecords.com

Attention: Google Legal Support DMCA Compliance

Facsimile: (650) 963-3255

5 Pages with Cover.

~~11/22/09~~

~~11/23/09~~

11/24/09

~~Fifth Request~~

Sixth Request

HP Photosmart C309a All-in-One series

Fax Log for
Richard Love
850-650-9046
Nov 24 2009 9:04AM

Last Transaction

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Station ID</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Nov 24	9:02AM	Fax Sent	16509633255	2:01	5	OK

Note:

Image on Fax Send Report is set to Off

An image of page 1 will appear here for faxes that are sent as Scan and Fax.

BluesDestinyRecords.
Classic Series www.bluesdestinyrecords.com

Attention: Google Legal Support DMCA Compliance

Facsimile: (650) 963-3255

5 Pages with Cover.

11/26/09

Seventh Notice
with no response
from you!!

HP Photosmart C309a All-in-One series

Fax Log for
Richard Love
850-650-9046
Nov 25 2009 8:46AM

Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
Nov 25	8:43AM	Fax Sent	16509633255	1:54	5	OK

Note:

Image on Fax Send Report is set to Off

An image of page 1 will appear here for faxes that are sent as Scan and Fax.

BluesDestinyRecords.
Classic Series www.bluesdestinyrecords.com

Attention: Google Legal Support DMCA Compliance

Facsimile: (650) 963-3255

5 Pages with Cover.

11/27/09

*This is the eighth notice
with no response*

HP Photosmart C309a All-in-One series

Fax Log for
Richard Love
850-650-9046
Nov 27 2009 9:15AM

Last Transaction

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Station ID</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Nov 27	9:13AM	Fax Sent	16509633255	1:54	5	OK

Note:

Image on Fax Send Report is set to Off

An image of page 1 will appear here for faxes that are sent as Scan and Fax.

BluesDestinyRecords.

www.bluesdestinyrecords.com

Attention: Google Legal Support DMCA Compliance

Facsimile: (650) 963-3255

5 Pages with Cover.

11/28/09

*This is your 9th Notice
with NO Response*

HP Photosmart C309a All-in-One series

Fax Log for
Richard Love
850-650-9046
Nov 27 2009 9:27AM

Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
Nov 27	9:24AM	Fax Sent	16509633255	1:54	5	OK

Note:

Image on Fax Send Report is set to Off

An image of page 1 will appear here for faxes that are sent as Scan and Fax.

BluesDestinyRecords.

www.bluesdestinyrecords.com

Attention: Google Legal Support DMCA Compliance

Facsimile: (650) 963-3255

5 Pages with Cover.

11/29/09

*This is your 10th notice
with no response from you*

HP Photosmart C309a All-in-One series

Fax Log for
Richard Love
850-650-9046
Nov 29 2009 9:30AM

Last Transaction

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Station ID</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Nov 29	9:28AM	Fax Sent	16509633255	1:56	5	OK

Note:

Image on Fax Send Report is set to Off

An image of page 1 will appear here for faxes that are sent as Scan and Fax.

BluesDestinyRecords.

www.bluesdestinyrecords.com

Attention: Google Legal Support DMCA Compliance

Facsimile: (650) 963-3255

5 Pages with Cover.

11/30/09

This is your 11th notice
to take down these
illegal sites, yet there has
been no response from you.

HP Photosmart C309a All-in-One series

Fax Log for
Richard Love
850-650-9046
Nov 30 2009 8:41AM

Last Transaction

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Station ID</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Nov 30	8:39AM	Fax Sent	16509633255	1:55	5	OK

Note:

Image on Fax Send Report is set to Off

An image of page 1 will appear here for faxes that are sent as Scan and Fax.

BluesDestinyRecords.

www.bluesdestinyrecords.com

Attention: Google Legal Support DMCA Compliance

Facsimile: (650) 963-3255

5 Pages with Cover.

12/01/09

This is your 12th notice
to take down these illegal
sites, with no response from
you.

HP Photosmart C309a All-in-One series

Fax Log for
Richard Love
850-650-9046
Dec 01 2009 10:19AM

Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
Dec 1	10:17AM	Fax Sent	16509633255	1:56	5	OK

Note:

Image on Fax Send Report is set to Off

An image of page 1 will appear here for faxes that are sent as Scan and Fax.

BluesDestinyRecords.

www.bluesdestinyrecords.com

Attention: Google Legal Support DMCA Compliance

Facsimile: (650) 963-3255

5 Pages with Cover.

12/02/09

This is your 13th
notice to remove these
illegal sites without
response from you.

HP Photosmart C309a All-in-One series

Fax Log for
Richard Love
850-650-9046
Dec 02 2009 8:41AM

Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
Dec 2	8:38AM	Fax Sent	16509633255	1:55	5	OK

Note:

Image on Fax Send Report is set to Off

An image of page 1 will appear here for faxes that are sent as Scan and Fax.

BluesDestinyRecords.

www.bluesdestinyrecords.com

Attention: Google Legal Support DMCA Compliance

Facsimile: (650) 963-3255

5 Pages with Cover.

12/03/09

This is your 14th notice
to take down these illegal
sites with no response from
you.

HP Photosmart C309a All-in-One series

Fax Log for
Richard Love
850-650-9046
Dec 03 2009 9:18AM

Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
Dec 3	9:15AM	Fax Sent	16509633255	1:53	5	OK

Note:

Image on Fax Send Report is set to Off

An image of page 1 will appear here for faxes that are sent as Scan and Fax.

BluesDestinyRecords.

www.bluesdestinyrecords.com

Attention: Google Legal Support DMCA Compliance

Facsimile: (650) 963-3255

5 Pages with Cover.

12/4/09

*This is your 15th
Notice to take down
these illegal sites with
NO response from you !!*

HP Photosmart C309a All-in-One series

Fax Log for
Richard Love
850-650-9046
Dec 04 2009 9:22AM

Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
Dec 4	9:20AM	Fax Sent	16509633255	2:07	5	OK

Note:

Image on Fax Send Report is set to Off

An image of page 1 will appear here for faxes that are sent as Scan and Fax.

BluesDestinyRecords.

www.bluesdestinyrecords.com

Attention: Google Legal Support DMCA Compliance

Facsimile: (650) 963-3255

5 Pages with Cover.

12/05/09

This is your 16th notice
to take down these illegal
sites. with no response from
you

HP Photosmart C309a All-in-One series

Fax Log for
Richard Love
850-650-9046
Dec 05 2009 11:09AM

Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
Dec 5	11:07AM	Fax Sent	16509633255	1:55	5	OK

Note:

Image on Fax Send Report is set to Off

An image of page 1 will appear here for faxes that are sent as Scan and Fax.

BluesDestinyRecords.

www.bluesdestinyrecords.com

Attention: Google Legal Support DMCA Compliance

Facsimile: (650) 963-3255

5 Pages with Cover.

12/07/09 This is your 17th notice
to take down these
illegal sites with no response
from you.

This is Your Notice –

17th

Hi David,

It is Google's policy to respond to notices of alleged infringement that comply with the Digital Millennium Copyright Act (the text of which can be found at the U.S. Copyright Office website: <http://www.copyright.gov/>) and other applicable intellectual property laws, which may include removing or disabling access to material claimed to be the subject of infringing activity.

To file a notice of infringement with us, you must provide a written communication (by fax or regular mail -- not by email, except by prior agreement) that sets forth the items specified below. Please note that you will be liable for damages (including costs and attorneys' fees) if you materially misrepresent that a product or activity is infringing your copyrights. Indeed, in a recent case (please see http://www.onlinepolicy.org/action/legpolicy/opg_v_diebold/ for more information), a company that sent an infringement notification seeking removal of online materials that were protected by the fair use doctrine was ordered to pay such costs and attorneys fees. The company agreed to pay over \$100,000. Accordingly, if you are not sure whether material available online infringes your copyright, we suggest that you first contact an attorney.

To expedite our ability to process your request, please use the following format (including section numbers):

1. Identify in sufficient detail the copyrighted work that you believe has been infringed upon. For example, "The copyrighted work at issue is the text that appears on http://www.legal.com/legal_page.html."

Ronny Sessum - Funk'n Blues Man Sound Recording (2009)

Roy Powers - Firing Line Sound Recording (2009)

Peter McGraw - More McGraw Sound Recording (2009)

2. Identify the material that you claim is infringing upon the copyrighted work listed in item #1 above.

FOR WEB SEARCH, YOU MUST IDENTIFY EACH SEARCH RESULT THAT DIRECTLY LINKS TO A WEBPAGE THAT ALLEGEDLY CONTAINS

INFRINGING MATERIAL. This requires you to provide (a) the search query that you used, and (b) the URL for each allegedly infringing search result. Note that the URL for each search result appears in green on the last line of the description for that search result.

For example, suppose (hypothetically) that you conducted a search on Google.com using the query [Google], and found that the third and fourth results directly link to a webpage that you believe infringes upon the copyrighted text that you identified in item #1 above. In this case, you would provide the following information:

Search query: Google
Infringing webpages:

Search query: Ronny Sessum
Infringing webpages:
Ronny Sessum - Funk'n Blues Man Illegal Album Download Rapidshare and others
rapidog.com/ronny-sessum-funk-rapidshare.html
rapidog.com/ronny-sessum-funk-n-blues-man-rapidshare.html
<http://musire.com/details.php?artist=Ronny+Sessum&album=Funk%27n+Blues+Man+%282009%29&id=362886>
www.zona-musical.com/postt165935.html

Search query: Roy Powers Firing Line
Infringing webpages:
Roy Powers - Firing Line Illegal Album Download Rapidshare and others
rapidog.com/roy-powers-firing-line-rapidshare.html
www.zona-musical.com/postt165279.html
www.zona-musical.com/postt165935.html

Search query: Peter McGraw – More McGraw
Infringing webpages:
Peter McGraw - More McGraw Illegal Album Download Rapidshare and others
www.zona-musical.com/postt165284.html

3. Provide information reasonably sufficient to permit Google to contact you (email address is preferred).

Attorney Robert Gilmore at: (U.S.) (850) 650-0546 Attorney for Blues Destiny Records

rob@myfloridalawyer.com

120 Benning Drive

Destin, FL 32541

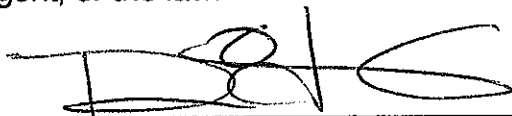
4. Provide information, if possible, sufficient to permit Google to notify the owner/administrator of the webpage that allegedly contains infringing material (email address is preferred).

We have no idea who the parties are. One appears to be:

RapidShare AG
Gewerbstrasse 6
6330 Cham
Switzerland

5. Include the following statement: "I have a good faith belief that use of the copyrighted materials described above on the allegedly infringing webpages is not authorized by the copyright owner, its agent, or the law."

I have a good faith belief that use of the copyrighted materials described above on the allegedly infringing webpages is not authorized by the copyright owner, its agent, or the law.

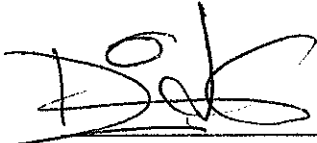


11/24/09

David Wallace Cox President of Blues Destiny Records and Copyright Owner

6. Include the following statement: "I swear, under penalty of perjury consistent with United States Code Title 17, Section 512, that the information in the notification is accurate and that I am the copyright owner or am authorized to act on behalf of the owner of an exclusive right that is allegedly infringed."

I swear, under penalty of perjury consistent with United States Code Title 17, Section 512, that the information in the notification is accurate and that I am the copyright owner or am authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

 11/24/09

David Wallace Cox President of Blues Destiny Records and Copyright Owner

7. Sign the paper.

 11/24/09

David Wallace Cox President of Blues Destiny Records and Copyright Owner

8. Send the written communication to the following address:

Google Inc.
Attn: Google Legal Support, DMCA Complaints
1600 Amphitheatre Parkway
Mountain View, CA 94043

OR Fax to:

(650) 963-3255, Attn: Google Legal Support, DMCA Complaints

Please note that a copy of each legal notice we receive is sent to a third-party partner for publication and annotation. As such, your letter will be forwarded to Chilling Effects (<http://www.chillingeffects.org>) for publication. You can see an example of such a publication at <http://www.chillingeffects.org/dmca512/notice.cgi?NoticeID=861>. A link to your published letter will be displayed in Google's search results in place of the removed content.

For more information, please see <http://www.google.com/dmca.html>

HP Photosmart C309a All-in-One series

Fax Log for
Richard Love
850-650-9046
Dec 07 2009 8:26AM

Last Transaction

Date	Time	Type	Station ID	Duration	Pages	Result
Dec 7	8:24AM	Fax Sent	16509633255	1:56	5	OK

Note:

Image on Fax Send Report is set to Off

An image of page 1 will appear here for faxes that are sent as Scan and Fax.

First Microsoft Notice November 19th 2009 6:16am

Send Feedback for Bing Web

(required fields *)

Please provide the details about your suggestion below. For security reasons, please do not provide any personal information such as names, phone numbers, or addresses:

Service: Bing Web

Type of feedback:
Found a problem or bug

Please type your feedback here: (1000 character limit)

Microsoft
This is your Notice.
You are selling or enabling the theft of our Arista material (illegal downloads). Of particular note, of all the legitimate places where our products can be purchased, you list the link that enabled its theft first in your search engine results. Please immediately remove these and any other of our artist (www.bluesdestinyrecords.com) that you are selling illegally and immediately contact our Attorney Robert G. McGraw at: (U.S.) (850) 850-0548 for more information on what we are going to require from you concerning this matter. (See Attached)

This is your Notice.
Sincerely,
David Cox
Blues Destiny Records

Make Bing your decision engine
ALL RESULTS
SEARCH HISTORY
Roy Powers Firing Line
Roy Powers Firing Line
Roy Powers
Peter McGraw More McGraw

How likely would you be to recommend this product to a friend or colleague?
Definitely would not recommend

If you found spam in the search results, enter the web address (URL) here:
Rapidshare

Second Microsoft Notice

This is your Notice. Second Request Inbox | X

David Cox to dmcaagt [show details](#) 10:13 AM (17 hours ago) [Reply](#)

Microsoft

This is your Notice. Second Request

You are selling services based on your search results that include links enabling the theft of our Artists material (illegal downloads). Of particular note, of all the legitimate places where our products can be purchased, you list the link that enables its theft first in your search engine results. Many of these are recent releases. We are unable to ascertain how many of artist are being infringed by your activity. We have found Peter McGraw, Follow Me To the Blues and Peter McGraw, More McGraw and Ronny Sassum and Roy Powers Firing Line. For a complete listing of our artists, visit our site www.bluesdestinyrecords.com. Please immediately remove these and any other of our artist (www.bluesdestinyrecords.com) that you are selling illegally and immediately contact our Attorney Robert Gilmore at: (U.S.) (850) 650-0546 for more information on what we are going to require from you concerning this matter.

This is your Notice. Second Request

Sincerely,
David Cox
Blues Destiny Records

[Reply](#) [Forward](#)

DMCA Agent to me [show details](#) 10:17 AM (17 hours ago) [Reply](#)

We are in receipt of your notification but are unable to respond. Please respond to this email by providing the following additional information:

(3) Elements of notification. —

(A) To be effective under this subsection, a notification of claimed infringement must be a written communication provided to the designated agent of a service provider that includes substantially the following:

- (i) A physical or electronic signature of a person authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.
- (ii) Identification of the copyrighted work claimed to have been infringed, or, if multiple copyrighted works at a single online site are covered by a single notification, a representative list of such works at that site.
- (iii) Identification of the material that is claimed to be infringing or to be the subject of infringing activity and that is to be removed or access to which is to be disabled, and information reasonably sufficient to permit the service provider to locate the material.
- (iv) Information reasonably sufficient to permit the service provider to contact the complaining party, such as an address, telephone number, and, if available, an electronic mail address at which the complaining party may be contacted.
- (v) A statement that the complaining party has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.
- (vi) A statement that the information in the notification is accurate, and under penalty of perjury, that the complaining party is authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

(B)(i) Subject to clause (ii), a notification from a copyright owner or from a person authorized to act on behalf of the copyright owner that fails to comply substantially with the provisions of subparagraph (A) shall not be considered under paragraph (1)(A) in determining whether a service provider has actual knowledge or is aware of facts or circumstances from which infringing activity is apparent.

Once we have received the requested information, our normal response time is within three business days following receipt of all required information.

Exhibit: 8

Fourth Microsoft Request with DMCA Form Attached (Also in .PDF form with Digital Signature)

From: David Cox (mailto:dcox@destinrecording.com)
Sent: Friday, November 20, 2009 11:43 AM
To: DMCA Agent
Subject: This Is your Notice. Fourth Request

Microsoft

We have attached the form you requested.

This is your Notice. Fourth Request

You are selling services based on your search results that include links enabling the theft of our Artists material (illegal downloads). Of particular note, of all the legitimate places where our products can be purchased, you list the link that enables its theft first in your search engine results. Many of these are recent releases. We are unable to ascertain how many of artist are being infringed by your activity. We have found Peter McGraw, Follow Me To the Blues and Peter McGraw, More McGraw and Ronny Sessum and Roy Powers Firing Line. For a complete listing of our artists, visit our site www.bluesdestinyrecords.com. Please immediately remove these and any other of our artist (www.bluesdestinyrecords.com) that you are selling illegally and immediately contact our Attorney Robert Gilmore at: (U.S.) (850) 650-0546 for more information on what we are going to require from you concerning this matter.

This is your Notice. Fourth Request

Sincerely,
David Cox
Blues Destiny Records

We are in receipt of your notification but are unable to respond. Please respond to this email by providing the following additional information:

(3) Elements of notification, —

(A) To be effective under this subsection, a notification of claimed infringement must be a written communication provided to the designated agent of a service provider that includes substantially the following:

(i) A physical or electronic signature of a person authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

/s/ David Wallace Cox President, Blues Destiny Records

(ii) Identification of the copyrighted work claimed to have been infringed, or, if multiple copyrighted works at a single online site are covered by a single notification, a representative list of such works at that site.

Ronny Sessum - Funk'n Blues Man Illegal Album Download Rapidshare and others

Roy Powers - Firing Line Illegal Album Download Rapidshare and others

Peter McGraw - More McGraw Illegal Album Download Rapidshare and others

(iii) Identification of the material that is claimed to be infringing or to be the subject of infringing activity and that is to be removed or access to which is to be disabled, and information reasonably sufficient to permit the service provider to locate the material.

Ronny Sessum - Funk'n Blues Man - Illegal Album Download

Roy Powers - Firing Line - Illegal Album Download

Peter McGraw - More McGraw - Illegal Album Download

(iv) Information reasonably sufficient to permit the service provider to contact the complaining party, such as an address, telephone number, and, if available, an electronic mail address at which the complaining party may be contacted.

Attorney Robert Gilmore at: (U.S.) (850) 650-0546 Attorney for Blues Destiny Records

rob@myfloridalawyer.com

120 Benning Drive

Destin, FL 32541

(v) A statement that the complaining party has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.

We have not authorized these illegal sites to sell or distribute or make free these albums. We sell these albums exclusively at www.bluesdestinyrecords.com /s/ David Wallace Cox

First Rapidshare Notice (Need Actual Email of Original On Novi 16 5am)

Rapidshare

You are selling illegal downloads of our Artists material. Please immediately remove these and any other of our artists that you are selling illegally and immediately contact our Attorney Robert Gilmore at: (U.S.) (850) 650-0546 for more information on what we are going to require from you concerning this matter.

Sincerely,
David Cox
Blues Destiny Records

Roy Powers - Firing Line (2009) rapidshare
2 posts - 1 author - Last post: Oct 17
Download Roy Powers - Firing Line (2009) rapidshare mp3 full album.
www.zona-musical.com/post165279.html - Cached -

Peter McGraw - More McGraw (2009) rapidshare
Download Peter McGraw - More McGraw (2009) rapidshare mp3 full album.
www.zona-musical.com/post165284.html - Cached -

"THE BLUES is the root, the rest is the fruit" WIL rapidshare

16 posts - 2 authors
Full albums rapidshare » "THE BLUES is the root, the rest is the fruit" WIL 01 - Peter McGraw - My Suitcase Is Gone 02 - Peter McGraw - I Gotta Go To ...
www.zona-musical.com/post141050-days0-orderasc-330.html - Cached -

Ronny Sessum - Funk'n Blues Man (2009) rapidshare
Oct 27, 2009 ... Full albums rapidshare » Ronny Sessum - Funk'n Blues Man (2009) rapidshare ... 04 - Ronny Sessum - You're A Wicked Woman Baby ...
www.zona-musical.com/post165935.html - Cached -
"THE BLUES is the root, the rest is the fruit" WIL rapidshare
16 posts - 2 authors
Full albums rapidshare » "THE BLUES is the root, the rest is the fruit" 01 - Ronny Sessum - She's Solid Gold 02 - Ronny Sessum - Looking for a Friend ...
www.zona-musical.com/post141050-days0-orderasc-330.html - Cached -

Second Rapidshare Notice

This is your second notice from Blues Destiny Records Inbox | X

from David Cox <bluesdestinyrecords@gmail.com> hide details Nov 19 (2 days ago) | Reply
to abuse@rapidshare.com,
rob@myfloridalawyer.com,
Richard Love <Richard.Love@cox.net>
date Thu, Nov 19, 2009 at 7:30 AM
subject This is your second notice from Blues Destiny Records
mailed-by gmail.com

Rapidshare

This is your Notice.

You are selling services enabling the theft of our Artists material (illegal downloads). Of particular note, of all the legitimate places where our products can be purchased, your links that enables its theft show up first in Google and Bing search engine results. Many of these are recent releases. We are unable to ascertain how many of artist are being infringed by your activity. We have found Peter McGraw, Follow Me To the Blues and Peter McGraw, More McGraw and Ronny Seseum and Roy Powers Firing Line. For a complete listing of our artists, visit our site www.bluesdestinyrecords.com. For direct links, simply search those artists on Google or Bing. Please immediately remove these and any other of our artist (www.bluesdestinyrecords.com) that you are selling illegally and immediately contact our Attorney Robert Gilmore at: (U.S.) (850) 850-0545 for more information on what we are going to require from you concerning this matter.

This is your Notice.

Sincerely,
David Cox
Blues Destiny Records

[Reply](#) [Reply to all](#) [Forward](#)

RapidShare AG - Abuse Team to me show details Nov 20 (1 day ago) | Reply

Hello,

we are only able to delete files for which we have a direct link on our server
(<http://rapidshare.com/files/123456/example.rar>).

Thank you for your understanding.

Best regards,

RapidShare AG - Abuse Team

RapidShare AG
Gewerbestraße 6
CH - 6330 Cham

web: <http://www.rapidshare.com>
email: abuse@rapidshare.com

Dies ist eine vertrauliche Nachricht und nur für den Adressaten bestimmt. Es ist nicht erlaubt, diese Nachricht zu kopieren oder Dritten zugänglich zu machen. Sollten Sie irrtümlich diese Nachricht erhalten haben, bitte ich um Ihre Mitteilung per E-Mail oder unter der oben angegebenen Telefonnummer.

Exhibit: 7

Third Rapidshare Notice

This is your notice. Third Request

from **David Cox** <bluesdestinyrecords@gmail.com> [hide details](#) 7:35 AM (20 hours ago) [Reply](#) ▼

to abuse@rapidshare.com,
bgf@fisherlaw.net,
rob@destinlawgroup.com,
Richard Love <Richard.Love@cox.net>

date Fri, Nov 20, 2009 at 7:35 AM

subject This is your notice. Third Request

mailed-by gmail.com

Rapidshare

This is your Third Notice.

You are selling services enabling the theft of our Artists material (illegal downloads). Of particular note, of all the legitimate places where our products can be purchased, your links that enables its theft show up first in Google and Bing search engine results. Many of these are recent releases. We are unable to ascertain how many of artist are being infringed by your activity. We have found Peter McGraw, Follow Me To the Blues and Peter McGraw, More McGraw and Ronny Sessum and Roy Powers Firing Line. For a complete listing of our artists, visit our site www.bluesdestinyrecords.com. For direct links, simply search these artists on Google or Bing. Please immediately remove these and any other of our artist (www.bluesdestinyrecords.com) that you are selling illegally and immediately contact our Attorney Robert Gilmore at: (U.S.) (850) 650-0546 for more information on what we are going to require from you concerning this matter. We demand that you report to us within 24 hours all activity associated with these and any other sound files containing copyrighted musical recordings that are owned by Blues Destiny Records.

<http://rapidshare.com/files/293795046/RPFL.rar>

<http://rapidshare.com/files/293463458/PMcGraw.rar>

<http://rs674.rapidshare.com/files/294612793/RSsessum.rar>

This is your Third Notice.

Sincerely,
David Cox
Blues Destiny Records

[Reply](#) [Reply to all](#) [Forward](#)

RIAA Service With Direct Links November 19th 2009 7:20am

Rapidshare is selling services enabling the theft of our Artists material (illegal downloads). Of particular note, of all the legitimate places where our products can be purchased, these links that enables its theft show up first in Google and Bing search engine results. Many of these are recent releases. We are unable to ascertain how many of artist are being infringed by this activity. We have found Peter McGraw, Follow Me To the Blues and Peter McGraw, More McGraw and Ronny Sessum and Roy Powers Firing Line. For a complete listing of our artists, visit our site www.bluesdestinyrecords.com. We have asked, several times that the company (Rapidshare) immediately remove these and any other of our artist (www.bluesdestinyrecords.com) that they are selling illegally and immediately contact our Attorney Robert Gilmore at: (U.S.) (850) 650-0546 for more information on what we are going to require from them concerning this matter. We have heard no response. We have also contacted Rapiddog, Google and Bing.

<http://rapidshare.com/files/293795046/RPFL.rar>

<http://rapidshare.com/files/293463458/PMcGraw.rar>

<http://rs574.rapidshare.com/files/294612793/RSessum.rar>

Password to all zip files: gerfraus