Aguiar v. Webb et al Doc. 50 Att. 1

Case 1:07-cv-11673-MLW Document 50-2 Filed 11/15/2007 Page 1 of 5

DMCA Complaints YouTube, Inc. 1000 Cherry Ave. Second Floor San Bruno, CA 94066 Fax: 650.872.8513

Email: copyright@youtube.com

DATE: 29 July 2007

RE: Copyright Infringement Claim

Black Dragon Fighting Society vs. SKSSystems

[25 June-28 June]

Harry,

Regarding Incident [#176228775] Corporate eFax from "8632916566" - 9 page(s) sent by Fax 18 July 2007

I hereby rescind, revoke and in all other manner, means and terminology withdraw this Counter-Notification effective 0830 a.m. EDT 28 July 2007

It is obvious that you have no intention of acting in a professional or responsible manner to resolve this issue. As I said in my first e-mail to you, there is no appeal. Therefore, the only thing to do when the other fellows are cheating is to not play.

In the ten days since acknowledgement of Counter-Notification receipt you have not acted on a single request made in therein But, When Floyd Webb sends you a Counter-Notification regarding his trailers, they are immediately restored without question or pause. If this is what you consider fair play and equal treatment, it leaves a lot to be desired.

It is your website. You can do with it what you will. If you would rather take sides with a group of people whose only life is harassing me and choose to believe their lies over my simple logic, so be it.

This Registered Letter follows my e-mail and fax to your address at the above date and time, so you won't be able to say you didn't receive this. See, when you let the other fellow make up the rules and he still doesn't play by them and he keeps stalling you to death and moving the goal-posts, it is obvious the game is fixed.

May the same blessing fall on you some day.

cc: to file

Ashil fin

Confirmation Report - Memory Send

Case 1:07-cv-11673-MLW

Document 50-2 Filed 11/15/2007 Page 2 of 5

Date & Time: 07-30-2007 09:06am

Tel line : 863 291 6566

Machine ID : WACHOVIA LAKE ALFRED

Job number

: 771

Date & Time

07-30 09:05am

Τo

816508728513

Number of pages

001

Start time

07-30 09:05am

End time

07-30 09:06am

Pages sent

001

Status

OK

Job number

: 771

*** SEND SUCCESSFUL ***

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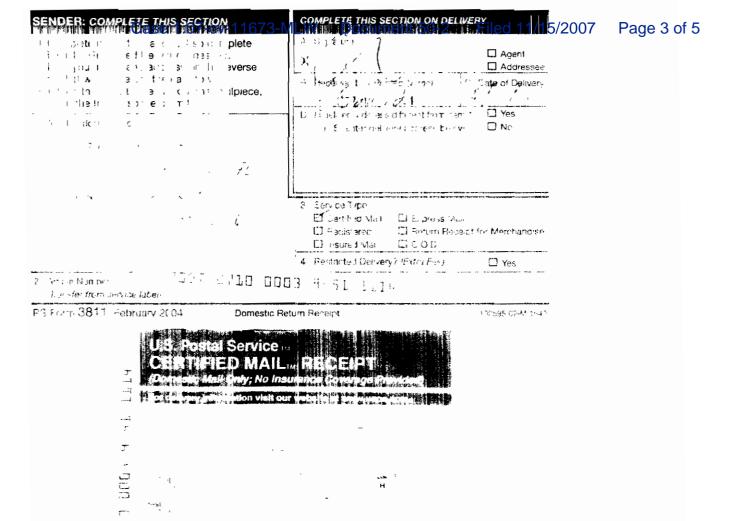
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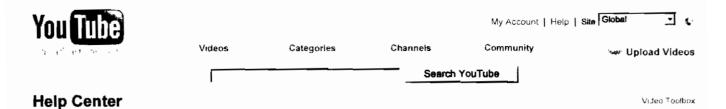
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May the same blessing fall on you some day.

ce: to file Registered Letter to Follow Fremain





Help Center Home > Account and Policies > Policy and Copyright Guidelines

How do I file a counter notice?

The process for counter-notifications is governed by Section 512(g) of the Digital Millennium Copyright Act: http://www.copyright.gov/legislation/dmca.pdf

To file a counter notification with us, you must provide a written communication that sets forth the items specified below.

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. Please also be advised that we enforce a policy that provides for the termination in appropriate circumstances of subscribers who are repeat infringers. Accordingly, if you are not sure whether certain material infringes the copyrights of others, wa suggest that you first contact an attorney.

Elements of Counter-Notification

A sample counter notification may be found at: www.chillingeffects.org/dmca/counter512.pdf. To expedite our ability to process your counter notification, please use the following format (including section numbers):

- 1. Identify the specific URLs of material that YouTube has removed or to which YouTube has disabled access.
- Provide your full name, address, telephone number, and email address, and the usemame of your YouTube account.
- Provide a statement that you consent to the jurisdiction of Federal District Court for the judicial district in which your address is located (or San Francisco County, California if your address is outside of the United States), and that you will accept service of process from the person who provided notification under subsection (c)(1) (C) or an agent of such person.
- Include the following statement: "I swear, under penalty of perjury, that I have a good faith belief that the material was removed or disabled as a result of a mistake or misidentification of the material to be removed or disabled."
- Sign the notice. If you are providing notice by e-mail, a scanned physical signature or a valid electronic signature will be accepted.

Send the written communication to the following address:

YouTube, LLC Attn: YouTube DMCA Counter-Notification 1000 Cherry Ave Sulte 200 San Bruno, CA 94066

or fax to: (650) 872-8513, Attn: YouTube DMCA Counter-Notification

copyright@youtube.com, Subject: YouTube DMCA Counter-Notification

What happens next?

After we receive your counter-notification, we will forward it to the party who submitted the original claim of copyright infringement. Please note that when we forward the counternotification, it includes your personal information. By submitting a counter-notification, you consent to having your information revealed in this way. We will not forward the counter notification to any party other than the original claimant.

After we send out the counter-notification, the claimant must then notify us within 10 days that he or she has filed an action seeking a court order to restrain you from engaging in infringing activity relating to the material on YouTube. If we receive such notification we will be unable to restore the material. If we do not receive such notification, we may reinstate the material.

con	nter	
Se	nter arch	
What	's that word?	
	. a triat word?	
•	Check our glossary	

- b) videotape edited to remove any references to BDFS
- 32) catalog.vt2- [SoN] -there are no references to BDFS or WDFS on this tape or ad
- 33) catalog.vt3-- directly mentions kata dante [AKU]
 - a) item discontinued
- 34) catalog.vt7- mentions count dante dance of death etc. [HoD]
 - a) item discontinued
- 35) catalog.vt8-[NDT1]
 - a) ad copy edited
 - b) videotape edited
- 36) catalog.vt9- bdfs references [NDT2]
 - a) ad copy edited
 - b) videotape edited
- 37) catalog.vt13 [Kumite]
 - a) removed "black dragon" from title
 - b) ad copy edited
 - e) tape edited
- 38) catalog.vt11-[DNM]
 - a) ad copy edited to remove references to BDFS
 - b) no references to BDFS on videotape
- 39) catalog.vt12- [AKTC]
 - a) edited ad copy to remove BDFS reference
 - b) no mention of BDFS or WDFS on videotape
- 40) DVD- associated member with BDFS references
 - a) item discontinued

audiotapes next to follow

- 41) catalog.at3- [NMC]
 - a) item discontinued

web pages that either tell fraud stories info or more ads

- 42) bulletinboard- has ad for count dante
 - a) deleted
- 43) dojopresshome advertises membership count dante
 - a) just membership index link, does not mention Count Dante
- 44) msg.1- mentions fraud story connection to count dante and his bio
 - a) edited to remove reference
- 45) contactus—mentions he is the contact man for the BDFS ect.
 - a) edited to remove reference
- 46) history-miss leading and copy right infringements
 - a) edited to remove references
- 47) interview 2- miss leading interview 1
 - a) edited to remove references
- 48) interview 1- miss leading interview 2
 - a) edited to remove references

We have not used any BDFS logos since 1999 when Grandmaster Aguiar Senior asked us to remove them.