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**Sherman Frederick** is a columnist for Stephens Media. His column appears Sunday in the Opinion section of the Review-Journal. In between Sundays, you can find out what's on his mind here.

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## Copyright theft: We're not taking it anymore

Posted by **Sherman Frederick**  
Friday, May. 28, 2010 at 02:40 PM

What's the essence of a newspaper?

I love that question. As the President and CEO of Stephens Media it gives me a chance to list the attributes of the newspaper business I love.

1. A good newspaper maintains a good local sales force which calls on every business in a given market, forming a relationship that bonds the newspaper to the business community. Few organizations, if any, have that kind of sales muscle. A well-managed newspaper sales force is truly a beautiful thing to behold.
2. Business partnerships with independent distributors that goes to every street every morning in the community. It's a remarkable feat when you consider that within a three-to-six hour window, news goes from computer and camera, to press, to newsprint, to bundles and to doorsteps. Three hundred and sixty five days a year.
3. The production crew that every night works their magical craft to produce a newspaper on deadline and then prepackages it with inserts. No misses. Even when there are mechanical problems, late news, or power outages. No misses. Ever.

And, of course, there are any number of people in various departments -- such as myself -- who help facilitate all of this.

But, if there's one thing that is "the essence" of a newspaper it is content -- the news, information, pictures and opinion that makes any given newspaper worth a reader's time and money.

It is the protection of that journalism that I want to talk about today.

Look at this way. Say I owned a beautiful 1967 Corvette and kept it parked in my front yard.

And you, being a Corvette enthusiast, saw my Vette from the street. You stopped and stood on the sidewalk admiring it. You liked it so much you called friends and gave them my address in case they also wanted to drive over for a gander.

There'd be nothing wrong with that. I like my '67 Vette and I keep in the front yard because I like people to see it.

But then, you entered my front yard, climbed into the front seat and drove it away.

I'm absolutely, 100% not OK with that. In fact, I'm calling the police and reporting that you stole my car.

Every jury in the land would convict you.

Yet, when it comes to copyrighted material -- news that my company spends money to gather and constitutes the essence of what we are as a business -- some people think they can not only look at it, but also steal it. And they do. They essentially step into the front yard and drive that content away.

Well, we at Stephens Media have decided to do something about it. And, I hope other publishers will join me.

We grubstaked and contracted with a company called Righthaven. It's a

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local technology company whose only job is to protect copyrighted content. It is our primary hope that Righthaven will stop people from stealing our stuff. It is our secondary hope, if Righthaven shows continued success, that it will find other clients looking for a solution to the theft of copyrighted material.

We're at the beginning stages of this. About 22 lawsuits have been filed against a variety of websites, ranging from those that report marijuana news to sports betting sites.

As a sidebar, one such site, PLAN, tried to defend itself by saying we picked on them because they are a politically liberal website. One media inquiry asked whether the "right" in "Righthaven" is an indication of a secret motive to pick on only copyright robbers who maintain politically left websites.

We can't fix crazy. Or paranoia. But we can fix pilfering.

If you operate a website (liberal or otherwise) and don't know what "fair use" is in the context of American copyright and Constitutional law, then I suggest you talk to your copyright lawyer and find out. Otherwise, at the risk of overusing this analogy, I'm callin' the police and gettin' my Vette back.

Postscript: If you'd like find out more about working with Righthaven to protect your copyrighted material or you would like to inquire about using any of my company's content, you may do so by contacting our general counsel, Mark Hinueber, at [mhinueber@stephensmedia.com](mailto:mhinueber@stephensmedia.com).

*This entry was posted on Friday, May. 28, 2010 at 02:40 PM and is filed under [The Complete Las Vegas](#). You can follow any responses to this entry through the [RSS 2.0 feed](#). You can [leave a response](#).*

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### 21 Responses to "Copyright theft: We're not taking it anymore"

Nice metaphor but it's off the mark.

This is more like you having a Corvette that you leave the keys in every day, and watch as people come and go as they please driving your Corvette... then picking certain individuals who are driving your 'Vette and saying they stole it.

Not saying what you're doing is wrong, but boy, it'd be a lot more genuine if you charged for your web content.

Written by: Libertarians made me an exile on Friday, May. 28, 2010 at 11:14 PM -- [Report abuse](#)

I agree that's there's a perceived problem. What seems to blur the line in copyrighting is something you, and I, do quite often: Rather than actually Copy (Cut & Paste) another's interesting or timely prose, we simply link to it. A scuttle difference, but it's cost both you and me, and other writers. We're all falling victim to Project Gutenberg, in large form and small. And I don't know what to do about it, either.

Written by: Jerry.Sturdivant on Sunday, May. 30, 2010 at 6:46 AM -- [Report abuse](#)

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Written by: Jerry.Sturdivant on Sunday, May. 30, 2010 at 6:46 AM -- [Report abuse](#)

This is sad. If the LVRJ was interested in protecting copyright theft then the first step would be to publish what your company believes is "fair use" of your website material. Is it 25%? Is it more? The Stanford Fair Use project has stated that this area is changing. So it seems that if the real intent was to provide a standard of use then your company would post the standard for all of the public to see.

Instead of your paper has decided to sue first. Why haven't you made each lawsuit public by publishing each one in your paper.

If you want your paper to maintain its integrity then;

Publish each lawsuit.  
Publish "fair use" standard for all to see.  
Publish results of each lawsuit

Publish the name of each offending website in your paper BEFORE you file suit so that any and all have an opportunity to remove any item that YOU do not believe meets the "fair use " standard and thus, help the courts not waste time on things that could have been settled without the courts becoming involved.

Never again spend a second complaining about how lawsuits are hurting Las Vegas. You remind me of the NYTimes bashing "union busters" until they got into union busting.

Written by: las.vegas.sun on Sunday, May. 30, 2010 at 2:03 PM -- [Report abuse](#)

I post links to articles I find interesting from your website on facebook. You're not going to sue me are you? I can stop reading the RJ and look for things on the Sun's website instead if that's better.

Written by: Las Vegas Conservative on Sunday, May. 30, 2010 at 8:49 PM -- [Report abuse](#)

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Written by: Las Vegas Conservative on Sunday, May. 30, 2010 at 8:49 PM -- [Report abuse](#)

A C&D seems more in line if you actually wanted the problem resolved at it's core. Here it appears a quick cash money grab is in order as many people being sued cannot afford to go through with the lawsuits.

A google search nets nearly thousands of web forums, blogs, message boards, who as you put it, steal from the rightful owner. Uphill battle for sure.

Lastly, many of the companies/websites sued copy and pasted articles that would never have otherwise been posted. So how is that a loss? Additional views would be seen even if one person clicked on the source link from that website. It was nothing but a gain for the website. Even if 200 see it on a blog, countless others would go right back to the source for other news if they liked what they read initially.

This move is such a short sighted money grab

Written by: ren.ok on Tuesday, Jun. 01, 2010 at 5:45 AM -- [Report abuse](#)

I think a better car metaphor would be if you charged people a buck (eyeballs on your website) to drive your 'vette (read your website). Anyone could drive it but they had to come to your place (website) to drive it and give you the buck (eyeballs).

But you were seeing the 'vette driven by other folks. One of the guys paying a buck was letting his friends drive the 'vette and then returning it to you.

So you called the police on the guy letting other folks drive your 'vette. Because they weren't paying you the buck (eyeballs).

Written by: cschelin on Friday, Jun. 04, 2010 at 8:10 AM -- [Report abuse](#)

When people start stealing physical newspapers before you can sell them, you get sympathy; posting a public call-to-idioty for other publishers gets you ridicule and not much else.

Coming down hard on such cheesy web sites as "localslovelasvegas.com" just makes you look like idiots with no sense of value for money. Righthaven must talk a good game. I won't make the obvious judgement on Old Man Frederick's business acumen.

You've earned my undying disrespect. By all means, continue to make fools of yourselves. This will be fun to watch.

Written by: gb on Friday, Jun. 04, 2010 at 9:14 AM -- [Report abuse](#)

Com'n Sherm, let's cut to the chase. You're not interested in "protecting" your copyright. If that were the case you'd simply issue a takedown notice and be done with it.

But no, you're seeking an alternative revenue stream by abusing copyright protections in order to shore up your failing business model. Maybe if you transformed your paper into something worth reading people would buy it.

Written by: aviaggio on Friday, Jun. 04, 2010 at 9:28 AM -- [Report abuse](#)

Sherman, your analogy is wrong (and not very well thought out).

The analogy works better like this:

You're putting a Corvette in your front yard so that people come by to see it. Around it are a bunch of signs with advertisements. Those advertisers are paying you money.

Someone comes along and takes a picture of your Corvette, sends it to their friends and suggests that they go look at your Corvette in person. Great! All the more people coming to your front lawn to look at the 'vette, and hence the signs, which convinces the advertisers to pay you more.

Except then you sue the guy who took the picture.

Not only is it a complete DICK move, it's also probably hurting you more in the long run. Good luck with that business model.

Written by: Fah.Q on Friday, Jun. 04, 2010 at 12:39 PM -- [Report abuse](#)

Sherm - you are a DICK. To go after little "ma and pa" web sites is nothing more than a desperate way for you to generate revenue. Your analogy using a car is something I might read in a high school news letter, not a daily newspaper. The people of Las Vegas deserve better. I've heard that you didn't even give these web sites a notice to take down the material - you went right for the law suit. All you're doing is making yourself look like a little man and giving more lawyers their deserved reputation.

Lastly, you should really consider the following;

It is better to be thought of as a fool than to speak and remove all doubt.....

Written by: terpdude on Tuesday, Jul. 06, 2010 at 1:27 AM -- [Report abuse](#)

You are a poor excuse for a human being. You obviously are purely interested in money, not in correcting a the problem. Now I know why some newspapers are refered to as "rags".

Written by: Rog on Thursday, Jul. 08, 2010 at 3:22 PM -- [Report abuse](#)

So at what point do you intend to sue schoolchildren? If quoting and linking to an LVRJ article is a criminal act worthy of a lawsuit, then surely quoting the LVRJ in a term paper for school is stealing as well.

Written by: thanx2mj on Friday, Jul. 23, 2010 at 7:44 AM -- [Report abuse](#)

Most people with -legitimate- copyright issues ask that the offending material be taken down or file a C & D, and then file a lawsuit if this fails. I would say that if someone refused to remove your content from their site- Nail'em for whatever you can.

The way you are going about this, however, speaks for itself- Cloaking a desperate attempt to create a new revenue stream (for a dying paper) with a self-righteous war on "pilfering" is disingenuous. Your character is shining through.

Written by: Chuck.Cotton on Friday, Jul. 23, 2010 at 12:39 PM -- [Report abuse](#)

The American People owes it to itself to boycott the Las Vegas Review Journal and every publication that is a client of Righthaven. You only go after people the least able to defend themselves. You people are pansies in the sense you're too chicken to go after big companies. You're not interested in protecting your content, your purpose is to extort money from little people. You rich people have found a way to steal from poor people legally. The laws need to be changed so that your actions would be criminal.

Written by: OrangeCountyCAPerson on Wednesday, Aug. 04, 2010 at 2:56 PM -- [Report abuse](#)

You sue your sources?? Anthony Curtis... What an idiot operation sues the very people they go to for information for articles they print??

Its not copyright protection, its a shakedown for money.

Written by: The.Man on Monday, Aug. 09, 2010 at 10:33 AM -- [Report abuse](#)

And if you were sincere, you'd send the site a notice to cease and give them a chance to remove the article before suing. I'm so glad I don't subscribe to your paper anymore.

Written by: csinger on Monday, Aug. 09, 2010 at 10:38 AM -- [Report abuse](#)

Nice job suing Anthony Curtis who did the research you had a story about for copying your story.

Remind me never to give any data, information, or useful content of any sort to you. If you want anything from anyone in the future; I expect any person paying attention will demand you pay for it.

If you ask for a "man in the street" quote on the weather, you'll have to pay me at least \$500 given that I'll lose the "rights" to my own statement once you publish it.

But this snide insulting comment saying you're a pack of jackals trying to steal the work of others and then sue them for their work? Yeah, you can have this.

Oh, and the insinuation that you can go copulate with yourself once you remove your skull from your hindquarters? Also free... but that's the last one.

Written by: erdfg on Friday, Aug. 20, 2010 at 9:38 AM -- [Report abuse](#)

I wonder if (or, given the outrageousness of this jerk's conduct, when) some bright scriptkiddie is going to generate an automailer to fill the lawyer's email box to the brim with spam.....

Written by: Stephensisani.diot on Saturday, Sep. 11, 2010 at 6:52 PM -- [Report abuse](#)


Good work! Someone is willing to fight for their property rights. Piracy lowers the bar and leads to poor quality content.


In North Africa, where people property rights are not enforced, homes can only be made of poor materials like cardboard. Piracy lowers quality.

Copyright Jeb Beckman ;-)

Written by: Jeb.Beckman on Wednesday, Nov. 24, 2010 at 6:26 PM -- [Report abuse](#)

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