

September 27, 2010

VIA UPS AND E-MAIL

Mr. Todd Weaver
ivi, Inc.
3213 W. Wheeler St., Suite 191
Seattle, WA 98199

ADVANCE NOTICE OF POTENTIAL INFRINGEMENT

Dear Mr. Weaver:

We are counsel to Cox Media Group, Inc. (“CMG”), the parent of KIRO-TV, Inc. d/b/a KIRO-TV (collectively, “CMG”) and owner of the KIRO-TV television station in Seattle, Washington. On behalf of CMG, we hereby provide this advance notice of potential infringement pursuant to Section 411(c) (formerly 411(b)) of the United States Copyright Act, 17 U.S.C. § 411(c), and Section 201.22 of the Copyright Office’s regulations, 37 C.F.R. § 201.22 (2009).

CMG has the exclusive rights under the Copyright Act to reproduce, distribute, and perform its original programming, including regularly scheduled newscasts and other unscheduled programming and special presentations. The streaming of this programming by ivi, Inc. (“IVI”) over the internet to subscribers, from the website located at www.ivi.tv or any other website owned or controlled by IVI, would, if carried out, result in an infringement of CMG’s copyright in such programming. CMG objects to such activities which, if carried out, would subject IVI to liability for copyright infringement.

By providing IVI this advance notice of potential infringement, CMG establishes its rights as copyright owner of KIRO-TV’s original programming to institute a cause of action for copyright infringement. Following this notice, continued violation of CMG’s rights exposes IVI to a claim of willful copyright infringement and substantial monetary damages.

This notice applies to infringement of CMG’s original programming telecast by KIRO-TV from September 29, 2010 through October 8, 2010, as specified in the chart below.

Program	Days	Times (Pacific Daylight Time)
KIRO 7 Morning News	Monday through Friday	4:30 a.m. – 7:00 a.m.
KIRO 7 Eyewitness News	Monday through Friday	12:00 p.m. – 12:30 p.m.
KIRO 7 Eyewitness News	Monday through Friday	5:00 p.m. – 5:30 p.m.
KIRO 7 Eyewitness News	Monday through Friday	6:00 p.m. – 7:00 p.m.
KIRO 7 Eyewitness News	Monday through Friday	11:00 p.m. – 11:30 p.m.

Each telecast will be a copyrighted work consisting of sounds and images, the first fixation of which will be made simultaneously with its transmission. CMG, which will be considered the author of these works upon their fixation, intends to secure a copyright in these telecasts upon their fixation and to file an application for copyright registration in such telecasts within three months of their first transmission.

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This notice does not purport to be a full or complete statement of the facts or the law and is without prejudice to any rights, claims, and remedies available to CMG, whether legal or equitable in nature, all of which are expressly reserved.

Please contact me if you have any questions about this notice.

Sincerely,



David J. Wittenstein
Counsel for Cox Media Group, Inc.