

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CAILIN ARENA and
PATRICIA MCWILLIAM,

Plaintiffs,

vs.

JOHN DOE and GOOGLE, INC.,

Defendants.

No: 2:2012-cv-00778

DECLARATION OF PATRICIA MCWILLIAM

I, Patricia McWilliam, declare:

1. I am Patricia McWilliam, a plaintiff in the above-captioned action. I submit this declaration in support of a motion for expedited discovery, temporary restraining order, and preliminary injunction. This declaration is based upon my personal knowledge.
2. I am a citizen from Greenville, South Carolina. I am temporarily teaching in Seoul, South Korea.
3. On January 20, I was informed that Defendant John Doe had created a website where he posted pictures of me, used large amounts of text from my personal blog, mocked me and “outed” me as the author of the blog.
4. Defendant John Doe is an unknown individual.
5. John Doe appears to hold a lot of malice towards me, even though I’m not sure what I could have done to offend him. As far as I know, I have never met or interacted with him.

Based on what he wrote about me, I believe that he intends to harm my professional and personal relationships and is aware that I am employed.

6. On January 8th, 2012, John Doe created a website entitled “Korean Dating Bloggers,” at <http://secretlivessexbloggers.blogspot.com> (the “Korean Dating Bloggers” website). On or about January 19th, 2012, John Doe wrote a blog post about me and added it to this website. He associated the website with my name “Patricia McWilliam.” John Doe also used my name as a “website tag” for the blog so that it came up prominently in search results for the name “Patricia McWilliam.”

7. The Korean Dating Bloggers website is filled with screenshots from my now private online blog, a screenshot taken of an old YouTube video I posted 7 years ago and screenshot from a dating profile I set up. It also includes hateful commentary by John Doe and screenshots from the websites of third parties. The website invites readers to find me on Facebook or LinkedIn. He also hunted down my statements made in an online forum (Waygook.org), which is just disturbing.

8. It is also disturbing to me that someone I don’t know and have never interacted with (as far as I know), would go to such lengths to mock me and embarrass me in a public setting.

9. He invites complete strangers to find me on my LinkedIn account and states that he hopes I am caused embarrassment and other resulting harm to my personal and professional relationships.

10. John Doe also tagged the online content with my profession – “law,” “law school,” “lawyer,” “Christian,” “kissing,” “making out,” “Patricia,” “McWilliam,” “Patricia

McWilliam, "University of South Carolina" – so that it was likely to appear high in Google search results for my name and make it clear that the site could only be about me.

11. John Doe calls me unattractive, a "whale", and indicates I'm very religious. He states: "Patria writes "anonymously" over at Tumblr (but remember kids you're probably not as anonymous as u think) about how she makes out with a lot of guys at a lot of clubs but won't sleep with any of them. She seems really proud of this. Probably because she is really super Christian. But what would her pastor would say if he read her tumblr?"

12. On my dating profile, I did mention that I self-identify as Christian and would like someone of the same faith for a romantic partner, but that is the only place I recall commenting on my religious views.

13. I have taken numerous steps to determine the identify of John Doe, but all of my attempts to verify his identity for certain have been thwarted by John Doe's use of anonymizing software and other activities taken to conceal his identity, as well as Google's refusal to assist me in identifying him without a court order.

14. My correspondence with Google is attached as Exhibit 1.

15. Unfortunately, I am teaching university students this year and whenever a student or colleague Googles "Patricia McWilliam," they see the website "Korean Dating Bloggers" in the first page of search results. Sample Google search results are attached as Exhibit 2.

16. I am worried that if not identified, John Doe will continue to send the material he has created to any future employers, in attempt to compromise my employment and reputation.

17. Moreover, John Doe's conduct (and my inability to confirm John Doe's identity), has led to me suffering severe emotional distress, as also intended by John Doe.

18. I have had to miss numerous days away from work and have suffered physical results from the stress of this situation. It has distracted me from work, caused me sleepless nights, makes me feel nauseous and irritable with my friends and co-workers.

19. I own a copyright application, filed February 12, 2012, for the online publications I authored (Serial No. 1-724213741).

20. John Doe continues to publish the content that is the subject of these copyright applications on his "Korean Dating Bloggers" website. He has republished entire pages of my writings and identified me as the author. I published these writings online anonymously on a blog that is now set to "private."

21. I have a right to control copyrighted materials that I created and published online, without the risk that those materials will be used without my authorization and republished verbatim elsewhere.

22. John Doe previously had access to my writings, saved screenshots of my writings, and continues to publish entire pages of my writings without my authorization.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 12, 2012


Patricia McWilliam

EXHIBIT 1

From: Patricia McWilliam <patricia.mcwilliam@gmail.com>
Date: February 10, 2012 9:25:22 AM JST
To: Cailin Arena <carena@temple.edu>
Subject: Fwd: [#949733985] Your Request to Google

----- Forwarded message -----

From: Patricia McWilliam <patricia.mcwilliam@gmail.com>
Date: Thu, Jan 26, 2012 at 11:00 AM
Subject: Re: [#949733985] Your Request to Google
To: The Blogger Team <removals@google.com>

Dear Google Team,

What are your policies concerning content removal? I'm all for freedom of speech, but I would think it's not okay to just copy and paste large segments of someone's blog onto your own blog.

Sincerely,

Patricia McWilliam, JD

On Thu, Jan 26, 2012 at 3:54 AM, The Blogger Team <removals@google.com> wrote:

Hello Patricia,

Thanks for reaching out to us.

We have received your DMCA complaint dated 1/19/12. At this time, Google has decided not to take action based on our policies concerning content removal. As always, we encourage you to resolve any disputes directly with the blogger in question.

Regards,

The Google Team

Original Message Follows:

From: Patricia McWilliam <patricia.mcwilliam@gmail.com>
Subject: Re: [#949733985] Your Request to Google
Date: Wed, 25 Jan 2012 13:49:03 +0900

Dear Google Team,

This person has screen captured multiple posts from my tumblr account and put them on his/her blogger website. I did not give him/her permission to do so.

The original posts are on my website. I had made them private because of the nature of his/her website. I am afraid of his/her stalkerish behavior.

But I have made the posts he/she used on his/her website public again.

In order of appearance on his/her website:

<http://teasingkorea.tumblr.com/post/5412810626/maybe-im-over-going-to-the-club-and-kissing-mildly>

<http://teasingkorea.tumblr.com/post/5433180359/22-hour-date>

<http://teasingkorea.tumblr.com/post/9450226863/it-started-out-so-good-too>

<http://teasingkorea.tumblr.com/post/12144595242/giving-off-the-wrong-signals>

<http://teasingkorea.tumblr.com/post/13960457867/baldie>

<http://teasingkorea.tumblr.com/post/4894545741/birthday-blowout>

<http://teasingkorea.tumblr.com/post/7074994139/random-bits>

If you need any future assistance, please let me know.

Sincerely,

Patricia McWilliam

On Wed, Jan 25, 2012 at 6:03 AM, The Blogger Team

<removals@google.com>wrote:

Hello,

Thanks for reaching out to us.

We have received your DMCA complaint regarding

<http://secretlivessexbloggers.blogspot.com/2012/01/teasing-korea-aka-patricia-mcwilliam.html>

dated 1/19/12. It is unclear to us what the copyright issue is. If you

are

the copyright holder for this content, please provide us with a

specific

link to the original source of the copyrighted work that you claim has

been republished without your authorization. This will help us further

investigate the issue and take the appropriate actions.

Thank you for your cooperation in this regard.

Regards,

The Google Team

Original Message Follows:

From: patricia.mcwilliam@gmail.com

Subject: Your Request to Google

Date: Fri, 20 Jan 2012 06:08:32 +0000

AutoDetectedBrowser: Google Chrome

AutoDetectedOS: Windows XP

III Language: en

IssueType: lr_dmca

Language: en

agree1: checked

agree: checked

companyname:

country_residence: KR

description_of_copyrighted_work: The website cuts and pastes text I

authored anonymously at the above-blogs and photographs I took. The

website itself names me as the author of the content.

dmca_signature: Patricia McWilliam

dmca_signature_date_day: 20

dmca_signature_date_month: 1

dmca_signature_date_year: 2012

full_name: Patricia McWilliam
hidden_dmca_category: text
hidden_product: blogger
location_of_copyrighted_work:

www.teasingkorea.tumblr.com
represented_copyright_holder: Patricia McWilliam
url_box_1:

<http://secretlivessexbloggers.blogspot.com/2012/01/teasing-korea-aka-patricia-mcwilliam.html>

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Patricia McWilliam

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Patricia McWilliam

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Patricia McWilliam
Begin forwarded message:

From: Patricia McWilliam <patricia.mcwilliam@gmail.com>
Date: February 10, 2012 9:25:34 AM JST
To: Cailin Arena <carena@temple.edu>
Subject: Fwd: [#949733985] Your Request to Google

----- Forwarded message -----

From: The Blogger Team <removals@google.com>
Date: Fri, Jan 27, 2012 at 3:35 AM
Subject: Re: [#949733985] Your Request to Google
To: Patricia McWilliam <patricia.mcwilliam@gmail.com>

Hello Patricia,

Thanks for reaching out to us.

Thank you for your reply. We would like to assist you, but we don't currently disclose this information. Should it become publicly available in the future, you may find it on our site at <http://www.google.com/about.html>

We have received and reviewed your complaint. At this time, Google has decided not to take action based on our policies concerning content removal. As always, we encourage you to resolve any disputes directly with the owner of the website in question.

If you pursue legal action against this site that results in the removal of the offending material, our search results will display this change after we next crawl the site. If the webmaster makes these changes and you need us to expedite the removal of the cached copy, please submit your request using our webpage removal request tool at <http://www.google.com/webmasters/tools/removals>

Regards,

The Google Team

Original Message Follows:

From: Patricia McWilliam <patricia.mcwilliam@gmail.com>
Subject: Re: [#949733985] Your Request to Google
Date: Thu, 26 Jan 2012 11:00:56 +0900

Dear Google Team,

What are your policies concerning content removal? I'm all for freedom of speech, but I would think it's not okay to just copy and paste large segments of someone's blog onto your own blog.

Sincerely,

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with

the blogger in question.

Regards,

The Google Team

Original Message Follows:

From: Patricia McWilliam <patricia.mcwilliam@gmail.com>

Subject: Re: [#949733985] Your Request to Google

Date: Wed, 25 Jan 2012 13:49:03 +0900

Dear Google Team,

This person has screen captured multiple posts from my tumblr
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and

put them on his/her blogger website. I did not give him/her
permission
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do so.

The original posts are on my website. I had made them private
because
of
the nature of his/her website. I am afraid of his/her stalkerish
behavior.

But I have made the posts he/she used on his/her website public
again.

In order of appearance on his/her website:

<http://teasingkorea.tumblr.com/post/5412810626/maybe-im-over-going-to-the-club-and-kissing-mildly>

<http://teasingkorea.tumblr.com/post/5433180359/22-hour-date>

<http://teasingkorea.tumblr.com/post/9450226863/it-started-out-so-good-too>

<http://teasingkorea.tumblr.com/post/12144595242/giving-off-the-wrong-signals>

<http://teasingkorea.tumblr.com/post/13960457867/baldie>

<http://teasingkorea.tumblr.com/post/4894545741/birthday-blowout>

<http://teasingkorea.tumblr.com/post/7074994139/random-bits>

If you need any future assistance, please let me know.

Sincerely,

Patricia McWilliam

On Wed, Jan 25, 2012 at 6:03 AM, The Blogger Team
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Hello,

Thanks for reaching out to us.

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<http://secretlivesexbloggers.blogspot.com/2012/01/teasing-korea-aka-patricia-mcwilliam.html>

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link to the original source of the copyrighted work
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Thank you for your cooperation in this regard.

Regards,

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Original Message Follows:

From: patricia.mcwilliam@gmail.com

Subject: Your Request to Google

Date: Fri, 20 Jan 2012 06:08:32 +0000

AutoDetectedBrowser: Google
Chrome

AutoDetectedOS: Windows XP

Language: en

IssueType: lr_dmca

Language: en

agree1: checked

agree: checked

companyname:

country_residence: KR

description_of_copyrighted_work:
The website cuts and pastes

text I

authored anonymously at the above-blogs and
photographs I took.

The

website itself names me as the author of the content.

dmca_signature: Patricia McWilliam

dmca_signature_date_day: 20

dmca_signature_date_month: 1

dmca_signature_date_year: 2012

full_name: Patricia McWilliam

hidden_dmca_category: text

hidden_product: blogger

location_of_copyrighted_work:

www.teasingkorea.tumblr.com

represented_copyright_holder:
Patricia McWilliam

url_box_1:

<http://secretlivessexbloggers.blogspot.com/2012/01/teasing-korea-aka-patricia-mcwilliam.html>

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Patricia McWilliam

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Patricia McWilliam

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Patricia McWilliam
Begin forwarded message:

From: Patricia McWilliam <patricia.mcwilliam@gmail.com>
Date: February 10, 2012 9:25:12 AM JST
To: Cailin Arena <carena@temple.edu>
Subject: Fwd: [#949733985] Your Request to Google

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AutoDetectedBrowser: Google Chrome
AutoDetectedOS: Windows XP
IIIanguage: en
IssueType: lr_dmca
Language: en
agree1: checked
agree: checked
companyname:
country_residence: KR
description_of_copyrighted_work: The website cuts and pastes text
I
authored anonymously at the above-blogs and photographs I took.
The
website itself names me as the author of the content.
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Patricia McWilliam

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Subject: Re: [#949733985] Your Request to Google
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<http://teasingkorea.tumblr.com/post/13960457867/baldie>

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The Google Team

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AutoDetectedBrowser: Google Chrome

AutoDetectedOS: Windows XP

III Language: en

IssueType: lr_dmca

Language: en

agree1: checked

agree: checked

companyname:

country_residence: KR

description_of_copyrighted_work: The website cuts and pastes text I authored anonymously at the above-blogs and photographs I took. The website itself names me as the author of the content.

dmca_signature: Patricia McWilliam

dmca_signature_date_day: 20

dmca_signature_date_month: 1

dmca_signature_date_year: 2012

full_name: Patricia McWilliam

hidden_dmca_category: text

hidden_product: blogger

location_of_copyrighted_work:

www.teasingkorea.tumblr.com

represented_copyright_holder: Patricia McWilliam

url_box_1:

<http://secretlivessexbloggers.blogspot.com/2012/01/teasing-korea-aka-patricia-mcwilliam.html>

--
Patricia McWilliam

EXHIBIT 2



Search

About 1,510,000 results (0.33 seconds)

Everything

Images

Maps

Videos

News

Shopping

More

Patricia McWilliam profiles | LinkedIn

www.linkedin.com/pub/dir/Patricia/McWilliam

View the profiles of professionals named **Patricia McWilliam** on LinkedIn. There are 2 professionals named **Patricia McWilliam**, who use LinkedIn to exchange ...

Patricia McWilliam - UK address and phone number - 192.com

www.192.com > AZ-People > Surname - McWilliam

30+ items - Click here to find personal data about **Patricia McWilliam** ...

- 1 **Patricia McWilliam** Glasgow, Glasgow, G67 Full Address George ...
- 2 **Patricia McWilliam** Alnwick, Northumberland, NE66 Full Address Jane R ...

Patricia McWilliam | Facebook

en-gb.facebook.com/.../Patricia-McWilliam/100002... - United Kingdom

Join Facebook to connect with **Patricia McWilliam** and others you may know. Facebook gives people the power to share and makes the world more open and ...

Washington, DC
Change location

All results

Related searches

More search tools

7 people named Patricia McWilliam in the US | WhitePages

names.whitepages.com > Name Popularity

Find **Patricia McWilliam** on WhitePages. There are 7 people named **Patricia McWilliam** in places like Cathedral City, CA; Charleston, SC; Greenville, SC; ...

2 people named Patricia McWilliam in South Carolina | WhitePages

names.whitepages.com > Name Popularity > Patricia McWilliam

Find **Patricia McWilliam** on WhitePages. There are 2 people named **Patricia McWilliam** in places like Charleston, SC; and Greenville, SC.

Korean Dating Bloggers: Teasing Korea aka Patricia McWilliam

secretivessexbloggers.blogspot.com/.../teasing-korea-aka-patricia-mc...

Jan 19, 2012 - Teasing Korea aka **Patricia McWilliam**. This one isn't as fun as the last one. Patria writes "anonymously" over at Tumblr (but remember kids ...

Patricia McWilliam - Real Estate Agent - Find a REALTOR® - Realtor ...

www.realtor.com/.../Patricia-McWilliam_Paris_TX__551599971

Learn about **Patricia McWilliam's** experience in real estate and view their listed properties from the REALTOR.com® REALTOR® profile for **Patricia McWilliam**.

Patricia McWilliam - Google+

https://plus.google.com/115926282896117874454

Patricia McWilliam has not filled out her profile yet. ... **Patricia McWilliam** is using Google+. Join Google+ to connect with the people who matter most. Patricia ...

Patricia McWilliam Phone, Address, Profile | PeopleFinders

www.peoplefinders.com/p/Patricia+McWilliam/1-100477989

20 results - See **Patricia McWilliam** profiles in the United States. View **Patricia McWilliam** profiles for address, phone, background, and criminal check. Please ...

Patricia McWilliam | Eastside High School | Taylors, SC | Classmates...

www.classmates.com/directory/public/memberprofile/list.htm?regid...

Patricia McWilliam 2000 graduate of Eastside High School in Taylors, SC is on Memory Lane. Get caught up with Patricia and other high school alumni from ...

1 2 3 4 5 6 7 8 9 10 **Next**

Advanced search Search Help Give us feedback

Google Home Advertising Programs Business Solutions New Privacy & Terms
About Google