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 GARY S. SOTER
A PROFESSIONAL CORPORATION
 22287 MULHOLLAND HIGHWAY #169
 CALABASAS, CA. 91302
 (323) 960-1909
 FAX: (818) 530-4352

FAX COVERSHEET

DATE: May 6, 2014

To: Legal Team

Fax No: 614 777-1699

From: Gary Soter

TOTAL NUMBER OF PAGES WITH THIS COVER SHEET: 5

COMMENTS:

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GARY S. SOTER
A PROFESSIONAL CORPORATION
22287 MULHOLLAND HIGHWAY #169
CALABASAS, CALIFORNIA
(323) 960-1909
FAX (818) 530-4352

EMAIL
GARYSOTER@GARYSOTERLAW.COM

April 8, 2014

Third Notice of Unauthorized Use of Copyrighted Materials

Legal Team
Ecommerce Corporation
1774 Dividend Drive
Columbus, Ohio 43228
abuse@ecommerce.com

Attn: Amanda

Re: Unauthorized Use of Copyrighted Materials

Dear Legal Team:

I represent Bridge Publications Inc. ("BPI"), exclusive licensee of the copyrights to the published works of the Scientology religion, which includes numerous books, audio tapes, and tape transcripts.

I have been advised that one of your customers has placed thousands of pages of BPI's copyrighted works on your website without the authorization of our client. These works can be found under the URLs listed below my name at the end of this letter.

Please be advised that your customer's action in this regard violates United States copyright law. Under 17 U.S.C. § 106 of the U.S. Copyright Act, it is unlawful to reproduce or distribute someone else's copyrighted work without that person's authorization. See, *BMG Music v. Gonzalez*, 430 F.3d 888 (7th Cir. 2005) [(acknowledging that posting copyrighted materials on the Internet constitutes copyright infringement, citing *In re Aimster Copyright Litigation*, 334 F.3d 643,

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April 8, 2014

Page 2

645 (7th Cir. 2003) (people who post or download internet files are primary infringers); *see also*, *UMG Recordings, Inc. v. MP3.com, Inc.*, 92 F.Supp.2d 349 (S.D.N.Y. 2000) (holding that downloading copyrighted material constitutes copyright infringement).].

Indeed, courts have entered numerous injunctions and awarded statutory damages and attorneys' fees regarding infringement of these and similar works. For instance, a jury in the United States District Court in San Jose, California awarded \$75,000 in statutory damages and statutory attorneys' fees, and a permanent injunction was imposed upon a defendant for posting one of the Scientology works on the Internet. A Virginia District Court granted judgment for damages, costs, and a permanent injunction related to similar wholesale copyright infringement, in addition to permanent injunctions that were entered in another three copyright cases addressing infringement of the Advanced Technology works in the United States.

I respectfully demand that you, as an on-line service provider, immediately remove or disable access to the infringing material. I also request that you prevent your customer from posting any of the infringing material to your servers in the future. Please be advised that U.S. law *requires* you, as a service provider, to "expeditiously remove or disable access to" the infringing material upon receiving this notice. (See 17 U.S.C. § 512(c)(1)(C)) Noncompliance may result in a loss of liability immunity under the DMCA. I also ask that you preserve any and all documents pertaining to this matter and this customer, including, but not limited to, logs, data entry sheets, applications -- electronic or otherwise, registrations forms, billings statements or invoices, computer print-outs, disks, hard drives, etc.

I have a good faith belief that these postings were and are not authorized by me, my clients, any agent of my clients, or the law. I declare under penalty of perjury that this information is accurate and that I am authorized to act on behalf of

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April 8, 2014

Page 4

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April 8, 2014

Page 3

BPI in connection with this Notice. Please send me at the address noted below a prompt response indicating the actions taken in response to this Notice.

Very truly yours,

THE LAW OFFICES OF GARY S. SOTER
A PROFESSIONAL CORPORATION

/s/

GARY S. SOTER

GSS/gs

URLS:

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