



Tuesday, July 23, 2002

Google, Inc.
Attn: Customer Support, DMCA Complaints
[Redacted]
Mountain View, CA 94043

RE: Formal Notification of Copyright Infringement under DMCA

Dear Sir or Madam,

Google is currently providing links and/or ads to a set of web sites and/or web pages which are infringing our copyright.

The copyrighted works at question are the loan request forms in use on our commercial web site www.LoanWeb.com, samples of which can be accessed via the following URLs:

New Home Loan:

<https://www.loanweb.com/frmNewHome.asp?RK=6CCDB04A-FDDE-4E96-B527-96BEB3FE3F97&State=CA>

Refinance Loan:

<https://www.loanweb.com/frmRefinance.asp?RK=96FCFC0F-4315-454D-8F70-2273A05918CA&State=CA>

These infringing web sites (owned by the same company) are:

<http://www.selectlenders.com>
<http://www.applyz.com>

The web pages in question include:

<http://www.selectlenders.com/default.asp>
<http://www.selectlenders.com/loanapp2.asp>
http://www.selectlenders.com/refi_app2.asp

<http://www.applyz.com/default.asp>
<http://www.applyz.com/loanapp2.asp>
http://www.applyz.com/refi_app2.asp

The web forms on these pages have clearly been created by copying our web pages and altering the verbiage and layout on the home page, while making only cosmetic changes to the forms to which they link.

Please note the near identity of the forms and the identical nature of some of the uncommon verbiage in our forms. Some specific examples include:

- The loan categories on their home page match ours exactly in order and phraseology. Despite the fairly common nature of these loan categories, ours are by no means exhaustive or traditionally named, which makes their identical verbiage highly suspect.
- The property types on their loan forms (e.g., <http://www.selectlenders.com/LoanApp2.asp?id=10366&LoanType=New+Home>) are identical to those listed in our forms. Again, our choice of options is neither exhaustive nor standard, and yet theirs match our format exactly.
- The categories listed in the Credit History question are highly original to our site and are copied verbatim on theirs.
- The questions asked in their Personal and Employment information are copied from our contact page (frmContact.asp), and include such unique elements as the same exact options for employment duration.
- The unique information asked of the borrower regarding their current situation ("**Select the statement that best describes what you need from our service:**") is identical in both sites.

The material infringing the copyrighted work is accessible through Google with the following way:

Google Directory

Category: Business > Financial Services > Mortgages

Listing: Select Lenders - <http://www.selectlenders.com/>

Search Keywords

selectlenders
applyz
home
loan
mortgage
refinance
equity
home improvement
home loan
apply mortgage
select loan
find loan
etc.

Listings for www.applyz.com and www.selectlenders.com (amongst other pages) can be found in results of searches for all of the above terms.

These two web sites (or, more specifically, the entry page and web forms which are their primary purpose) have clearly been created by copying our web pages and changing around the verbiage and layout on the home page while making only cosmetic changes to the forms to which they link. According the owners and operators of these pages, are in violation of United States copyright law and I request Google either remove or disable access to the web sites above detailed.

I have a good faith belief that use of the copyrighted materials described above on the allegedly infringing web pages is not authorized by the copyright owner (iHomeowners, Inc.), its agent, or the law.

I swear, under penalty of perjury, that the information in the notification is accurate and that I am the copyright owner or am authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

Since you have now been put on notice, you do now have actual knowledge that the material on your system is infringing. Failure to act expeditiously to remove or disable access to the material strips you of the protections for OSPs provided by the DMCA.

We do not desire to become involved in litigation, but iHomeowners, Inc. has a policy of vigorously defending our intellectual property rights.

Respectfully,

A large black rectangular redaction box covering the signature of the sender.

 Esq. ✓
Office of Corporate Counsel