



# Tilleke & Gibbins

INTERNATIONAL LTD.

บริษัท ทิลเลกกับบีนส์ อินเตอร์เนชั่นแนล จำกัด  
ADVOCATES & SOLICITORS

TILLEKE & GIBBINS BUILDING  
PLOENCHIT ROAD  
BANGKOK 10330  
THAILAND

March 7, 2003

**By Facsimile [REDACTED] Confirmation by Registered Mail**

c/o Yahoo! Inc.

Sunnyvale, CA 94089  
USA

**Re: NOTICE AND TAKEDOWN REQUEST against:**

1. <http://search.yahoo.com/bin/search?p=%22hot+body+jewelry%22>
2. <http://search.yahoo.com/search?p=%22hot+body+jewelry%22&hq=site:66.216.94.162>
3. other pages on 66.216.94.162

Dear Mr. Coll:

We, Tilleke & Gibbins International Ltd., are privileged to represent FQV (Thailand) Co. Ltd. ("FQV") in connection with enforcement of its proprietary rights under Thai law. We make the following statement in good faith and under penalty of perjury.

Our client is involved in a dispute with a former consultant(s) who has acted in violation of the Thai Copyright Act, Thai Trade Secrets Act and Thai Penal Code. In addition, our client is concerned that its consultant, and/or co-conspirators, has prejudiced its rights to certain of our client's intellectual property and/or other assets in breach of certain contractual obligations.

It has come to our attention that a Monster Commerce website (66.216.94.162) - hosted by Rackspace.com, [REDACTED] San Antonio TX 78205 USA, has posted unauthorized copies of text from FQV's website [www.hotbodyjewelry.com](http://www.hotbodyjewelry.com). This posting has violated the copyrights, intellectual property, and proprietary rights in the content of FQV's website and is further diverting commercial traffic away from FQV's website to the infringing site.

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WORK PERMITS

OFFICES IN: BANGKOK, HANOI, HO CHI MINH CITY

ALLIANCE ARRANGEMENT WITH LEHMAN, LEE & XU (BEIJING, SHANGHAI, SHENYANG, HONG KONG, GUANGZHOU, CHENGDU, WULUHUO)

MEMBER: ALEX MUNDI, THE WORLD'S LEADING ASSOCIATION OF INDEPENDENT LAW FIRMS • MULTILAW, A MULTINATIONAL ASSOCIATION OF OVER 50 INDEPENDENT LAW FIRMS

• STATE CAPITAL GLOBAL LAW FIRM GROUP, AN INTERNATIONAL ORGANIZATION OF OVER 100 INDEPENDENT LAW FIRMS • COUNTERFORCE NETWORK OF ICC'S COUNTERFEITING INTELLIGENCE BUREAU

• REVISOR FOR THE MARTINDALE-HUBBELL LAW DIGEST-THAILAND & VIETNAM

TILLEKE & GIBBINS PRACTICES LAW INDEPENDENTLY AND NOT IN A RELATIONSHIP FOR THE JOINT PRACTICE OF LAW.

The aforesaid violation and misrepresentation appears on the website 66.216.94.162/store.asp. I also note that Rackspace is listed as this site's technical and administrative contact on the domain name registration.

A previous effort by this consultant and co-conspirator to post a website hosted in Thailand utilizing infringing copyrighted text resulted in a police raid in Thailand in January 2003, and that case is now being prosecuted in the Thai criminal justice system.

Therefore, we are writing this letter to provide you notice of the wrongful activities, namely copyright, intellectual property, and proprietary rights violations, at 66.216.94.162/store.asp:

1. The use of copyrighted materials, including the unauthorized use of word-for-word copied forms, descriptions, menus, and other text created by our client, taken unlawfully from FQV's website: www.hotbodyjewelry.com.

In accordance with Yahoo's published policy in connection with IP related disputes, we respectfully hereby demand that you immediately take down the offending website. It is our experience that shutting down such infringing websites is only a temporary stopgap measure in that typical infringers will attempt to open a new storefront through your service. Accordingly, we also request your cooperation and assistance in identifying the true name, address, and telephone number of the owners and operators of the 66.216.94.162/store.asp website.

I declare that the above information in this notification is accurate upon information and belief, that our client is the copyright, intellectual property, and proprietary rights owner and that our client has the right to act on this matter.

Sincerely,

**Tilleke & Gibbins International Ltd.**

By: \_\_\_\_\_

Director, IP Division, Enforcement, Licensing and Transactions  
\_\_\_\_\_

cc: Google, Inc.  
Attn: Customer Support, DMCA Complaints  
\_\_\_\_\_  
Mountain View, CA 94043  
Fax: \_\_\_\_\_

cc: Rackspace.com, \_\_\_\_\_  
San Antonio TX 78205 USA  
\_\_\_\_\_

\_\_\_\_\_, CEO and Managing Director, F.Q.V. (Thailand) Co., Ltd