

ATTENTION: BLOGGER, DMCA COMPLAINTS

Friday, January 09, 2004

To whom it may concern:

I am submitting the following information to make you aware of an infringement of the copyright protection afforded to me by the Digital Millennium Act as well as the Blogger Terms of Service Agreement.

Although several of the listed items have now been removed or modified since I first discovered the infringement, I wanted to make you aware of the activity for several reasons:

1. When I contacted [REDACTED] – who operates both of the blogspot sites I allege have infringed my copyright protection – he ignored my requests to remove the material. It was not until a rather extensive grassroots campaign undertaken by the blog community went into action that Mr. [REDACTED] made any move to remedy the situation. Instead, he threatened me with civil action and told me to that if I wanted him to try and force him to take the material down "try it and see what happens."
2. This is clearly a pattern of behavior. It is not a matter of a single paragraph being copied and then edited. Mr. [REDACTED] took entire passages – even entire posts – and used them verbatim, alleging he was the author. There was never any credit given, not even any links to the original source material.

Maybe he's now edited the material enough to make his infringement less cut and dry. I will leave that to you to decide. But, Mr. [REDACTED] repeatedly engaged in extensive wholesale infringement and has still refused to acknowledge his behavior in any way.

I hope you will take the time to look at the printed attachments that clearly show the initial infringement. I am hopeful that there is something Blogger can do to remedy this, or to discourage Mr. [REDACTED] from this type of behavior. If not, I understand, but hope that a record of this remains in case anyone ever files a similar complaint against Mr. [REDACTED] in the future, this will help in establishing his pattern of infringement.

Best regards,

[REDACTED]

<http://tequilamockingbird.blogspot.com>

Item 1:

1. file under "conversations I thought I'd never have"

http://tequilamockingbird.blogspot.com/2003_07_01_tequilamockingbird_archive.html#105965922888796047

2. file under "conversations I thought I'd never have"

http://boywonderlives.blogspot.com/2003_12_01_boywonderlives_archive.html#107219708410804281

3. Contact me via email at: [REDACTED]@[REDACTED].com

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

5. 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.

[REDACTED]

Item 2:

1. 100 things about me

http://tequilamockingbird.blogspot.com/2002_10_01_tequilamockingbird_archive.html#83401406

2. 100 things about me

http://boywonderlives.blogspot.com/2003_12_01_boywonderlives_archive.html#107211085361201132

NOTE: The infringing post has now been modified, although, if compared side by side, even the modified post is still clearly derivative of the original material. I have also attached a dated printout of the list as it was originally posted at the infringing site, and remained until January 8th.

3. Contact me via email at: [REDACTED]@[REDACTED].com

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

5. 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.

[REDACTED]

Item 3:

1. In the time it takes to read this post

http://tequilamockingbird.blogspot.com/2003_12_01_tequilamockingbird_archive.html#107029091150956899

2. a few words about HIV

http://boywonderlives.blogspot.com/2003_12_01_boywonderlives_archive.html#107168900467182339

NOTE: The infringing material has now been removed. However, in its place is an explanation which continues to imply that it was written by mr. [REDACTED] I have attached a dated printout of the list as it was originally posted at the infringing site, and remained in that form until January 8th.

3. Contact me via email at: [REDACTED]@[REDACTED].com

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

5. 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.

[REDACTED]
[REDACTED]

Item 4:

1. at least a fruitcake doesn't have lice

http://tequilamockingbird.blogspot.com/2003_12_01_tequilamockingbird_archive.html#107159725508073451

2. nice Christmas reference, poindexter

http://brvanlamb.blogspot.com/2003_12_01_brvanlamb_archive.html#107167720577079824

NOTE: The infringing post has now been edited. I have attached a dated printout of the list as it was originally posted at the infringing site, and remained in that form until January 8th.

3. Contact me via email at: [REDACTED]@[REDACTED].com

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

5. 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.

[REDACTED]
[REDACTED]

- 5 minutes in a room with Mike Tyson, Ray Lewis and Wesley Snipes (as 'Blade').....but with a sign on that says "I HATE (insert racial epithet here)!"

If you disagree with my proposal/demand, you are obviously an un-American Communist sympathizer who kicks puppies, spits on babies and hates apple pie, and you should be delivered a beating equivalent to the size of your mis-shapen head, you bone-munching ogre.

Comments (7)

posted by Bryan : 12/29/2003 11:59:19 AM

Tuesday, December 23, 2003

File under "Conversations I never thought I'd have"

ITEM 1

Her: I'm glad that we had a chance to talk. I've always thought we connected really well on an intellectual level.

Me: (*joking*) But I wanted you to like me for more than just my mind!

Her: I do. I've always thought you had a really great ass, too.

[*momentary silence*]

Me: Ummmm.....I'm not really sure what to say.....Thanks, maybe?

Wait, can I just not say anything if I'm not sure what to say? Is that allowed?

Her: Yeah sure, if it makes you that uncomfortable to know you have a great ass.

Me: You're not helping....

Comment (0)

posted by Bryan : 12/23/2003 10:31:24 AM

Monday, December 22, 2003

100 things about me

ITEM 2

- 1. I think I would be a really great dad, but right now I'm cool with being a really great uncle.
2. I kick ass at the game 'Catch Phrase'.
3. I watch *The Family Guy* cartoon whenever I can, which isn't often enough.
4. I'm a much kinder person than I used to be.
5. I love rollerblading.
6. I wish people wouldn't get divorced.
7. I am constantly forgetting what I was about to say.
8. I can't remember what I was about to say.
9. I have been promoted and demoted within a 6 month period.
10. My eyes change color.
11. I used to be a really shy kid.
12. #11 is kind of embarrassing.
13. Since I was 12, my mom has told me I'm an intimidating person to come up and talk to.
14. I excel at most sports and contests of athletic achievement.
15. I don't lack in confidence.
16. I'm a textbook Leo, with only minor variances.
17. I don't really eat ice cream very much.
18. I like beer.
19. I'm not very photogenic.
20. #19 doesn't bother me at all.
21. I've lost 25 pounds since high school.
22. No, that is not necessarily a good thing.
23. Nothing pisses me off more than a closed mind...

24. I fucking hate people who lie.
25. I love riding roller coasters.
26. I am in absolutely no hurry to get married.
27. I grew up "west" of the Mississippi.
28. I love to make out.
29. I don't look like anyone famous.
30. I will watch any baseball or college football game.
31. I believe that age is relative.
32. I think running is fun.
33. As much fun as I had, I don't miss high school at all.
34. I rock at air hockey.
35. I think tuna smells funny.
36. I don't eat very much candy.
37. I drive a six-speed, 4-door sports car...yes, you read that right.
38. There are few things I love more than writing.
39. Sports is one of them.
40. I don't eat enough fruit.
41. I love potatoes...mashed, baked, french fried, you name it.
42. I always know whodunit.
43. Fall is my favorite season.
44. Soft kisses are nice, but...
45. I would not want to be anyone other than me.
46. I wish I was fluent in french.
47. and Italian.
48. I hate it when people tell me what to do (just ask, it's nicer!).
49. I don't like ironing...it's boring.
50. S'mores? Oh, hell yeah!
51. I coordinate my bedsheets and towels to match the Patriots colors.
52. My toes are always cold.
53. I prefer the telephone to email.
54. I prefer face-to-face to the telephone.
55. I have punched guys much bigger than me.
56. I've been punched by guys much bigger than me.
57. I let my friend Mark punch me in the face in exchange for him having to do 2 tequila shots.
58. I live in St. Louis but am a diehard New England Patriots fan....deal with it.
59. I'm a good listener.
60. I try not to hold grudges.
61. I actually enjoy speaking in front of large crowds.
62. I know lots of cool words.
63. Spelling comes very easily to me.
64. I am oftentimes less perceptive than i would like to be.
65. I am fiercely loyal. Sometimes, stupidly so.
66. I never play dumb. Ever.
67. I am way too hard on myself.
68. I am an ever-evolving person.
69. I sometimes cross that fine line between assertive and aggressive.
70. I am not afraid to tell people that I love them.
71. I am pro-adoption.
72. I love kids.
73. I know a little bit about a lot of things.
74. I'm a bundle of contradictions to stereotypes.
75. It bothers me when people say they know what they want, when they clearly don't.
76. I am capable of being really mean and nasty, but i fight it, really hard.
77. I am a lifelong/diehard St. Louis Cardinals fan.
78. I also like the Boston Red Sox. Do not laugh.

79. More often than not, I will rub you the wrong way at some point.
80. I was named after a hippie, drug-addicted, musically gifted man named Brian Wilson (Beach Boys).
81. I enjoy shopping more than I admit.
82. I own about 20 hats....it's a sickness.
83. I set high standards for myself in all areas of my life, and I often expect others to do the same...without ever telling them.
84. I've never read *War and Peace*.
85. I know German.
86. I love my family more than anything in the whole world.
87. As much as it drives me crazy, I am fascinated by human behavior.
88. I play ball the way it was meant to be played; and yes, I'm damn proud of it.
89. I've become an expert on the subject of physical/muscle relaxation.
90. I love movies. Especially *The Usual Suspects*. And *Dead Poets Society*. And even where it's unrealistic but lots of shit blows up....I just love movies.
91. I've always had a feeling that I'm going to die relatively young, but I don't let it interfere with my day-to-day life.
92. I worry that I'm "supposed" to be doing something great...like world-changing great. But I have no idea what it is.
93. Honesty and loyalty are more important characteristics to me than almost anything else.
94. I try and do the right thing. All the time. And it's hard.
95. I fucking hate it when you think someone is your friend and it turns out that they're actually an 'affection hog' who just likes surrounding themselves with people.
96. I learned the word "fuck" from the movies. Go figure.
97. Every once in awhile, I'm scared to death I'm doing the wrong thing...but I think I hide it well.
98. I've never been anywhere I loved more than Colorado.
99. I've never been in love.
100. But I will be someday....and that poor woman has NO IDEA what she's in for!

Comments (2)

posted by Bryan : 12/22/2003 10:34:13 AM

Wednesday, December 17, 2003

I wrote the following on my lunch break today after talking to an ex-girlfriend of mine who is HIV positive. She gave me her blessing to do so. Thanks, N, I love ya kid! Keep the faith!

Comment (0)

posted by Bryan : 12/17/2003 01:25:34 PM

A few words about HIV

If it comes up in conversation, I sometimes mention that an ex-girlfriend of mine from high school is HIV positive (for the sake of her privacy, I'll call her N). More often than not, the response to the statement is "How did she get it?" I have 2 responses to this question: 1. Not from me, and 2. I have no idea. Besides, to my way of thinking, it doesn't matter how she got it. When my grandpa had cancer, no one asked me how he got it. Truth is, he got it from smoking. But no one asked me. Plus, it didn't fucking matter. The cancer was terminal. He was going to die from it, and that wasn't going to be any different if he had gotten it from smoking, or from chemical exposure, or just from a lousy gene pool.

ITEM 3

For the record, I was tested on a regular basis for several years. Always discreetly. It wasn't too big a deal in my mind, because her boyfriend after we broke up tested positive, so they figure he gave it to her....as long as my first test was negative. Well, all the tests came out negative, and it's been long enough that I haven't had to go in quite some time. A few of my close friends know this, I think. Some might not. I don't think I told my family, either. But I'll let you connect the dots as to why. If you can't figure it out, imagine a conversation like this:

Mom: What are your plans today, honey?

Me: I'm going to get checked for HIV again, mom.

Mom: Why?

Me: Because I had pre-marital sex back in high school with a girl who is now HIV positive....which means I could be positive, too....which means I might die of AIDS.

(editorial note: I try and avoid conversations like this with my mom if I can help it.)

Like I said, it doesn't matter how N became HIV positive. She will die from it. And that wouldn't be any different if she had become infected from sharing a needle or having unprotected sex or whatever. She will die from it just the same. I'm writing this because I spoke to her last night for the first time in a little under a year. She's doing fairly well. She graduated last December from SEMO. She's weighing a few job offers after a relaxing summer. Doing well, basically. But she's still on lots of meds. She still wakes up some days feeling worse than I probably ever have. She'll still wake up one day and be much sicker than the day before, and sicker still the next day, and so on. Some things you just can't get away from, and because of that my heart aches for her.

She's had boyfriends, but they always break it off eventually.....all for the same reason. She has called me up crying after not having spoken to me in months, just to tell me she's sorry for putting me through all the tests and the worrying. The truth is, it only makes me feel even more guilty, because she's the one who is slowly dying, and I never really sweated the tests, anyway. I thought I was bulletproof, that there was no way the tests would come out positive. And I feel guilty because I got lucky and she didn't, and she's the one apologizing. We all die someday. N just happens to know it better than most people our age.

I'd like to believe that we as a society have learned lessons since N's introduction to HIV almost eight years ago. I'd like to believe that she no longer gets ridiculed, made fun of, or spat upon by small-minded people. I'd like to believe that this situation was the result of ignorance and inaction in the face of an epidemic we just didn't understand at the time. I wish I could believe these things, but I know otherwise.

If people are so unwilling to be sympathetic to the plight of the affected, how are we ever going to beat this thing? Do people even realize that, according to the World Health Organization, AIDS infected and killed more people than ever in 2002? Worldwide, about 40 million people are infected with HIV. Of that number, about five million became infected in 2002, including approximately 700,000 children. In 2002, approximately three million people died of AIDS...about 500,000 of them were children younger than 15.

That's roughly 8,000 deaths per day, which means that 5 people lose their lives to AIDS every minute. Chances are you don't know anyone

No worries, man!

better than most. Maybe that's why she agreed to let me write about it. Whatever the case, check my writing page for a short but sobering introduction to what I'm talking about.

posted by Bryan @ 1:44 PM

Nice 'Christmas' reference, poindexter....

Yeah, so I watched the two minutes of footage of the capture of Saddam Hussein....he's one ugly m-fer!

The funny thing was, at some point, some official or other made the comment that the capture of Hussein was the best Christmas gift he could imagine giving to the American people.

First off, I'm pretty sure that not all of the American people celebrate christmas.....way to be inclusive there, asshat! But, hey, at least you didn't say it was the best christmas gift we could have given to the Iraqi people!

But, i digress.

Anyway, while i'm all for ridding the world of sadistic murdering dictators, i just have to say, for the record, that i think a whole lot of us would have also been psyched about an iPod.

Then again, maybe that's just me.....

Current mood: really wanting that iPod since my mp3 player's wires are getting all screwy....

posted by Bryan @ 10:06 AM

