

March 5, 2004

FROM:

DVD Direct 4 Less
Stages and Pages
ST #
New York, New York 10036

TO:

Google, Inc.
Attn: Customer Support, DMCA Complaints
Pkwy
Mountain View, CA 94043

Re: Copyright Infringement Notification

Sent via Fax:

This is a notice to inform you that web pages that have been indexed and "cached" on the Google search engine at <http://www.google.com> infringe on my copyright.

1. The copyrighted work was first published on the internet at the "DVD Direct 4 Less" web site (<http://www.dvddirect4less.com>) on these pages:

http://www.dvddirect4less.com/renting_netflix DVDs1.html

http://www.dvddirect4less.com/netflix_price_plans DVDs.html

<http://www.dvddirect4less.com/netflix DVD rental queue.html>

2. Substantial portions of the content from the above referenced pages have been reproduced without permission or attribution on the pages of a web site known as "DVD Movie Rentals" a.k.a. "Presenting the Netflix DVD Club."

This is a site known to have previously infringed and was the subject of a DMCA takedown notice submitted to Google on January 19, 2004. This notice (March 5, 2004) deals with two additional infringing pages recently discovered.

A) When using the search phrase **"With so many price plans to choose from, it's no wonder Netflix"** on the Google search engine, the search results

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returned include the following URL of an infringing page from the "DVD Movie Rentals" web site:

<http://www.dvd-movie-rentals.com/netflix-club-changes.htm>

The infringing work is substantially similar to the original; blocks of copy have simply been "cut and pasted" into the infringing page under the headlines "Netflix Details" and "Netflix Club Changes," with only a few words added or removed.

B) When using the search phrase **"They'll send you the first three DVDs on your list"** on the Google search engine, the search results returned include the following URL of an infringing page from the "DVD Movie Rentals" web site:

<http://www.dvd-movie-rentals.com/netflix-dvds.htm>

The infringing portion appears under the headline "About Netflix DVDs."

3. Contact information for DVD Direct 4 Less:

DVD Direct 4 Less
Stages and Pages
ST #
New York, New York 10036
Day:
Night:
Mobile:
e-mail: @.com

4. According to the "Who Is" database, the infringing site is registered to:

Pkwy
San Diego, CA, United States 92114-6549
e-mail: @.com

The "DVD Movie Rentals" site also supplies an e-mail address for filing complaints with their "Intellectual Property Rights Department":

@.com.

5. 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, its agent, or the law.

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6. 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.

Many thanks for your prompt consideration of this claim, in accordance with Section 512 of the Digital Millennium Copyright Act.

[REDACTED]
[REDACTED]
DVD Direct 4 Less