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November 5, 2004

**VIA FACSIMILE**  
**AND FIRST CLASS MAIL**

Google, Inc.  
Mountain View, CA 94043

**Re: Unlawful Posting of Proprietary Information**

**Dear Customer Support:**

This office represents Xdrive, Inc. This letter is written in follow up to a November 2, 2004 e mail sent by of Xdrive to @google.com. In that e-mail, a copy of which I attach, along with the infringing post, informed Google that a user was posting information that contained Xdrive's copyrighted intellectual property, specifically, approximately 2,000 of Xdrive's activation keys to its product. also requested that Google remove the posting as soon as possible.

**The information relating to this infringement post is as follows:**

From: @gmail.com (Zoe)  
Newsgroups: alt.2600.crackz  
Subject: Free Online Space for Sharing Programs, Files, and Other Goodies  
Date: 28 Oct 2004 02:49:14 -0700  
Organization: <http://groups.google.com>  
Lines: 898  
Message-ID: <b453833.0410280149.1e034d12@posting.google.com>  
NNTP-Posting-Host: 68.65.211.31  
Content-Type: text/plain; charset=ISO-8859-1  
Content-Transfer-Encoding: 8bit  
X-Trace: posting.google.com 1098956954 29701 127.0.0.1 (28 Oct 2004 09:49:14 GMT)  
X-Complaints-To: @google.com  
NNTP-Posting-Date: Thu, 28 Oct 2004 09:49:14 +0000 (UTC)  
  
<http://groups.google.com/groups?q=xdrive+activation+key&hl=en&lr=&selm=b453833.0410280149.1e034d12%40posting.google.com&rnum=1>

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As of the date of this letter, the damaging post remains on Google's alt.2600.crackz newsgroup, and continues to infringe upon Xdrive's proprietary information. It is my understanding that Google's condition of use policy forbids users to:

Post any material that infringes any patent, trademark, copyright, trade secret or other proprietary right of any party (the "Rights"), unless you are the owner of the Rights or have the permission of the owner to post or transmit such material.

I have a good faith belief that the dissemination of the proprietary materials described above on the allegedly infringing web pages is not authorized by the owner, its agent, or the law. Moreover, I swear, under penalty of perjury, that the information in the notification is accurate and that I am authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

Xdrive requests that Google immediately remove such post from the user group. Additionally, and consistent with Google's Gmail policy, Xdrive requests that you provide it with the user information for this account so that Xdrive may take steps to ensure that this use does not continue.

I can be contacted at the address and phone number set forth above, or by e mail at [REDACTED]@allenmatkins.com.

I look forward to your immediate response.

Very truly yours,

[REDACTED]

cc: client

[REDACTED]