

STAR'S EDGE INTERNATIONAL
[REDACTED]
ALTAMONTE SPRINGS, FLORIDA 32714
[REDACTED] TEL
[REDACTED] FAX
[REDACTED] @AVATARHQ.COM E-MAIL



January 25, 2005

Google, Inc.

Attn: [REDACTED]

[REDACTED]
Mountain View, CA 94043

Fax: [REDACTED]

By Fax and Mail

Re: Notice of Copyright Infringement Under the Digital Millennium Copyright Act (DMCA) and Notice of Violation of Federal Court Injunction

Dear Sir or Madam:

We recently learned of content available through the Google groups function which infringes our copyright. Pursuant to the DMCA, the copyright owner respectfully requests that you remove the unauthorized, infringing materials from your web site immediately.

The copyrighted works infringed are course materials copyrighted in 1987 by Harry Palmer. All rights reserved.

The works are being infringed by Eldon Braun's "The Source Course." Eldon Braun and his agents have been enjoined from selling, publishing, or distributing "The Source Course" by the Federal District Court, Middle District of Florida. Attached is a copy of the judgment enjoining its sale, publication or distribution. He and his agent(s) are using the Google group function as an agent to advertise the sale of the infringing materials and to publish and distribute it in violation of the attached injunction.

The message IDs and complete headers are attached for the posts selling, offering and arranging to sell, publish or distribute the enjoined product.

I represent the copyright holder in this matter as his authorized agent. My address, telephone number, and e-mail address are:

[REDACTED]
Star's Edge International

[REDACTED]
Altamonte Springs, Florida 32714

[REDACTED]
E-mail: [REDACTED]@AvatarEPC.com

I have a good faith belief, and in fact know for certain, that the use of the copyrighted materials is not authorized by the copyright owner, its agent, or the law. In fact, it is counter to federal court order. Pursuant to the DMCA, the copyright owner respectfully requests that you immediately remove access to the infringing materials from your website.

I swear, under penalty of perjury, that the above information in this notice is accurate and that I am authorized to act on the copyright owner's behalf.

Please notify me when the post has been removed.

If you require further information, let me know and I will provide it without delay. Thank you for your assistance in this matter.



Corporate Counsel

Attachments:

Message IDs and Headers (5 pages)

Federal District Court Judgment, July 16, 2003

Message ID: <csdfto\$dkg\$1@reader13.wxs.nl>

Header: From: [REDACTED]@wanadoo.nl
Newsgroups: alt.clearing.avatar
Subject: The Source Course available in Portugese soon!
Date: Sun, 16 Jan 2005 11:37:55 +0100
Organization: Planet Internet
Lines: 156
Message-ID: <csdfto\$dkg\$1@reader13.wxs.nl>
NNTP-Posting-Host: ip91350020.speed.planet.nl
X-Trace: reader13.wxs.nl 1105871608 13968 145.53.0.32 (16 Jan 2005 10:33:28 GMT)
X-Complaints-To: abuse@planet.nl
NNTP-Posting-Date: 16 Jan 2005 10:33:28 GMT
X-Priority: 3
X-MSMail-Priority: Normal
X-Newsreader: Microsoft Outlook Express 6.00.2800.1437
X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2800.1441
Path: news2.lightlink.com!news.lightlink.com!news-out.visi.com!spool-3.news.visi.com!news.tele.dk!news.tele.dk!small.news.tele.dk!tiscali!newsfeed1.ip.tiscali.net!newsfeed.tiscali.ch!solnet.ch!solnet.ch!nntpfeed.zonnet.nl!newsfeeder.wxs.nl!textnews.wxs.nl!not-for-mail
Xref: news2.lightlink.com alt.clearing.avatar:6851

Message ID: <csdgj3\$e3c\$1@reader13.wxs.nl>

Header: From: [REDACTED]@wanadoo.nl
Newsgroups: alt.clearing.avatar
Subject: Logo disponível em Portugal e em Brasil: A versão de Portugese do Source Course!
Date: Sun, 16 Jan 2005 11:49:10 +0100
Organization: Planet Internet
Lines: 151
Message-ID: <csdgj3\$e3c\$1@reader13.wxs.nl>
NNTP-Posting-Host: ip91350020.speed.planet.nl
X-Trace: reader13.wxs.nl 1105872291 14444 145.53.0.32 (16 Jan 2005 10:44:51 GMT)
X-Complaints-To: abuse@planet.nl
NNTP-Posting-Date: 16 Jan 2005 10:44:51 GMT
X-Priority: 3
X-MSMail-Priority: Normal
X-Newsreader: Microsoft Outlook Express 6.00.2800.1437
X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2800.1441
Path: news2.lightlink.com!news.lightlink.com!news-out.visi.com!spool-3.news.visi.com!news.zanker.org!border2.nntp.ams.giganews.com!nntp.giganews.com!newsfeeder.wxs.nl!textnews.wxs.nl!not-for-mail
Xref: news2.lightlink.com alt.clearing.avatar:6852

Message ID: <cse4at\$e34\$1@reader13.wxs.nl>

Header: From: [REDACTED]@wanadoo.nl
Newsgroups: alt.clearing.avatar
Subject: Re: Logo disponível em Portugal e em Brasil: A versão de Portugese do Source Course!
Date: Sun, 16 Jan 2005 17:26:25 +0100
Organization: Planet Internet
Lines: 8
Message-ID: <cse4at\$e34\$1@reader13.wxs.nl>
References: <csdgj3\$e3c\$1@reader13.wxs.nl>
NNTP-Posting-Host: ip91350020.speed.planet.nl
X-Trace: reader13.wxs.nl 1105892509 14436 145.53.0.32 (16 Jan 2005 16:21:49 GMT)
X-Complaints-To: abuse@planet.nl
NNTP-Posting-Date: 16 Jan 2005 16:21:49 GMT
X-Priority: 3
X-MSMail-Priority: Normal
X-Newsreader: Microsoft Outlook Express 6.00.2800.1437
X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2800.1441
Path: news2.lightlink.com!news.lightlink.com!news-out.visi.com!spool-3.news.visi.com!news.tele.dk!news.tele.dk!small.news.tele.dk!newsfeed.icl.net!feeder.news-service.com!newsfeeder.wxs.nl!textnews.wxs.nl!not-for-mail
Xref: news2.lightlink.com alt.clearing.avatar:6863

Message ID: <cse513\$e4b\$1@reader13.wxs.nl>

Header: From: [REDACTED]@wanadoo.nl
Newsgroups: alt.clearing.avatar
Subject: Que é a diferença entre o curso do Avatar e o Source Course?
Date: Sun, 16 Jan 2005 17:38:13 +0100
Organization: Planet Internet
Lines: 211
Message-ID: <cse513\$e4b\$1@reader13.wxs.nl>
References: <csdgj3\$e3c\$1@reader13.wxs.nl>
NNTP-Posting-Host: ip91350020.speed.planet.nl
X-Trace: reader13.wxs.nl 1105893219 15499 145.53.0.32 (16 Jan 2005 16:33:39 GMT)
X-Complaints-To: abuse@planet.nl
NNTP-Posting-Date: 16 Jan 2005 16:33:39 GMT
X-Priority: 3
X-MSMail-Priority: Normal
X-Newsreader: Microsoft Outlook Express 6.00.2800.1437
X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2800.1441
Path: news2.lightlink.com!news.lightlink.com!news-out.visi.com!spool-3.news.visi.com!news.zanker.org!border2.nttp.ams.giganews.com!nttp.giganews.com!newsfeeder.wxs.nl!textnews.wxs.nl!not-for-mail
Xref: news2.lightlink.com alt.clearing.avatar:6864

Message ID: <ct533c\$gmp\$1@reader08.wxs.nl>

Header: From: [REDACTED]@wanadoo.nl
Newsgroups: alt.clearing.avatar
Subject: For sale: the "Avatar clone" The Source Course in Dutch
Date: Tue, 25 Jan 2005 10:04:02 +0100
Organization: Planet Internet
Lines: 71
Message-ID: <ct533c\$gmp\$1@reader08.wxs.nl>
NNTP-Posting-Host: ip91350020.speed.planet.nl
X-Trace: reader08.wxs.nl 1106644908 27353 145.53.0.32 (25 Jan 2005 09:21:48 GMT)
X-Complaints-To: abuse@planet.nl
NNTP-Posting-Date: 25 Jan 2005 09:21:48 GMT
X-Priority: 3
X-MSMail-Priority: Normal
X-Newsreader: Microsoft Outlook Express 6.00.2800.1437
X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2800.1441
Path: news2.lightlink.com!news.lightlink.com!news-out.visi.com!spool-3.news.visi.com!news.zanker.org!border2.nntp.ams.giganews.com!nntp.giganews.com!newsfeeder.wxs.nl!textnews.wxs.nl!not-for-mail
Xref: news2.lightlink.com alt.clearing.avatar:6980

Message ID: <ct61ar\$25\$1@reader10.wxs.nl>

Header: From: [REDACTED]@wanadoo.nl
Newsgroups: alt.clearing.avatar
Subject: "Avatar kloon" De Source Course te koop.
Date: Tue, 25 Jan 2005 18:41:46 +0100
Organization: Planet Internet
Lines: 128
Message-ID: <ct61ar\$25\$1@reader10.wxs.nl>
NNTP-Posting-Host: ip91350020.speed.planet.nl
X-Trace: reader10.wxs.nl 1106675867 27717 145.53.0.32 (25 Jan 2005 17:57:47 GMT)
X-Complaints-To: abuse@planet.nl
NNTP-Posting-Date: 25 Jan 2005 17:57:47 GMT
X-Priority: 3
X-MSMail-Priority: Normal
X-Newsreader: Microsoft Outlook Express 6.00.2800.1437
X-MimeOLE: Produced By Microsoft MimeOLE V6.00.2800.1441
Path: news2.lightlink.com!news.lightlink.com!wasp.rahul.net!in.100proofnews.com!in.100proofnews.com!nntpfeed.zonnet.nl!newsfeeder.wxs.nl!textnews.wxs.nl!not-for-mail
Xref: news2.lightlink.com alt.clearing.avatar:6985

Message ID: <ct6bbh\$hl0\$1@netlx020.civ.utwente.nl>

Header: From: [REDACTED]@hotmail.com
Newsgroups: alt.clearing.avatar
Subject: Re: "Avatar kloon" De Source Course te koop.
Date: Tue, 25 Jan 2005 21:48:52 +0100
Organization: University of Twente, Enschede, The Netherlands
Lines: 173
Message-ID: <ct6bbh\$hl0\$1@netlx020.civ.utwente.nl>
References: <ct61ar\$25\$1@reader10.wxs.nl>
NNTP-Posting-Host: kabel220158.mobiel.utwente.nl
X-Trace: netlx020.civ.utwente.nl 1106686130 18080 130.89.220.158 (25 Jan 2005 20:48:50 GMT)
X-Complaints-To: abuse@utwente.nl
NNTP-Posting-Date: Tue, 25 Jan 2005 20:48:50 +0000 (UTC)
X-Priority: 3
X-MSMail-Priority: Normal
X-Newsreader: Microsoft Outlook Express 6.00.2800.1437
X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2800.1441
Path: news2.lightlink.com!news.lightlink.com!news-out.visi.com!spool-3.news.visi.com!easynet-monga!easynet.net!news-out2.kabelfoon.nl!83.128.0.10.MISMATCH!newsfeed.kabelfoon.nl!surfnet.nl!news.utwente.nl!not-for-mail
Xref: news2.lightlink.com alt.clearing.avatar:6988

Message ID: <ct6chl\$4vn\$1@reader10.wxs.nl>

Header: From: [REDACTED]@wanadoo.nl
Newsgroups: alt.clearing.avatar
Subject: Re: "Avatar kloon" De Source Course te koop.
Date: Tue, 25 Jan 2005 21:55:38 +0100
Organization: Planet Internet
Lines: 214
Message-ID: <ct6chl\$4vn\$1@reader10.wxs.nl>
References: <ct61ar\$25\$1@reader10.wxs.nl> <ct6bbh\$hl0\$1@netlx020.civ.utwente.nl>
NNTP-Posting-Host: ip91350020.speed.planet.nl
X-Trace: reader10.wxs.nl 1106687349 5111 145.53.0.32 (25 Jan 2005 21:09:09 GMT)
X-Complaints-To: abuse@planet.nl
NNTP-Posting-Date: 25 Jan 2005 21:09:09 GMT
X-Priority: 3
X-MSMail-Priority: Normal
X-Newsreader: Microsoft Outlook Express 6.00.2800.1437
X-MimeOLE: Produced By Microsoft MimeOLE V6.00.2800.1441
Path: news2.lightlink.com!news.lightlink.com!news-out.visi.com!spool-3.news.visi.com!news.zanker.org!border2.nntp.ams.giganews.com!nntp.giganews.com!newsfeeder.wxs.nl!textnews.wxs.nl!not-for-mail
Xref: news2.lightlink.com alt.clearing.avatar:6990

Message ID: <ct6d4c\$lar\$1@netlx020.civ.utwente.nl>

Header: From: [REDACTED]@hotmail.com
Newsgroups: alt.clearing.avatar
Subject: Re: "Avatar kloon" De Source Course te koop.
Date: Tue, 25 Jan 2005 22:19:11 +0100
Organization: University of Twente, Enschede, The Netherlands
Lines: 262
Message-ID: <ct6d4c\$lar\$1@netlx020.civ.utwente.nl>
References: <ct61ar\$Sr25\$1@reader10.wxs.nl> <ct6bbh\$hl0\$1@netlx020.civ.utwente.nl>
<ct6chl\$4vn\$1@rcader10.wxs.nl>
NNTP-Posting-Host: kabel220158.mobiel.utwente.nl
X-Trace: netlx020.civ.utwente.nl 1106687949 18779 130.89.220.158 (25 Jan 2005 21:19:09
GMT)
X-Complaints-To: abuse@utwente.nl
NNTP-Posting-Date: Tue, 25 Jan 2005 21:19:09 +0000 (UTC)
X-Priority: 3
X-MSMail-Priority: Normal
X-Newsreader: Microsoft Outlook Express 6.00.2800.1437
X-MIMEOLE: Produced By Microsoft MimeOLE V6.00.2800.1441
Path: news2.lightlink.com!news.lightlink.com!news-out.visi.com!spool-3.news.visi.com!news.
zanker.org!border2.nntp.ams.giganews.com!nntp.giganews.com!feeder2.cambrium.nl!feed.
tweaknews.nl!130.161.131.100.MISMATCH!news.tudelft.nl!tudelft.nl!surfnet.nl!news.
utwente.nl!not-for-mail
Xref: news2.lightlink.com alt.clearing.avatar:6992

FILED

03 JUL 16 AM 9:58

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

CLERK
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

HARRY PALMER and STAR'S EDGE,
INC.,

Plaintiffs,

-vs-

Case No. 6:00-cv-1662-Orl-31JGG

ELDON BRAUN,

Defendant.

JUDGMENT

Upon consideration of this Court's Memorandum Opinion and Order (Doc. 188), it is

ORDERED that:

1. On the trademark infringement, unfair competition, false designation of origin, and tortious interference with a business relationship claims, judgment is hereby entered in favor of the Defendant and against the Plaintiffs.

2. A judgment for DAMAGES is hereby entered against Defendant and on behalf of Plaintiff for:


- a. \$36,000.00 on the copyright infringing claim;
- b. \$20,000.00 on the libel claim;

for a total of \$56,000.00, plus the costs of this action.

3. Defendant and his heirs, agents, or assigns are hereby permanently enjoined from selling, publishing, or distributing The Source Course in its current form.

190

DONE and **ORDERED** in Chambers, Orlando, Florida this 16 day of July, 2003.



GREGORY A. PRESNELL
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Party

7-16-03
E