

GENGA & ASSOCIATES, P.C.
A PROFESSIONAL LAW CORPORATION

ENCINO, CALIFORNIA 91436

FAX

@GENGALAW.COM

March 29, 2005

VIA e-MAIL AND FACSIMILE TRANSMISSION:

To: **GOOGLE, INC.**
Attn: User Support, DCMA Complaints
Mountain View, CA 94043
Fax:

Re: Notice of Infringement of Intellectual Property Rights

To Whom It May Concern:

This firm serves as outside litigation counsel for Sharman License Holdings, Ltd. and Sharman Networks Ltd. (collectively, "Sharman"). As required under Sections 512(c)(3) and 512(d)(3) of the Digital Millennium Copyright Act (17 U.S.C. §§512(c)(3) and 512(d)(3)), and in conformance with Google's posted guidelines for the submission of claims of copyright infringement, the following is hereby submitted for your review:

1. OWNERSHIP:

Sharman exclusively holds all rights of copyright in all authorized versions of the "Kazaa" software application, including "Kazaa v3.0," "Kazaa Plus," and the "Kazaa Media Desktop" (collectively, "Kazaa"), all rights of copyright in the Kazaa logo ("The Kazaa Logo"), as well as any additional intellectual property associated therewith.

2. THE COPYRIGHTED WORK CLAIMED TO HAVE BEEN INFRINGED:

The Kazaa Logo.

**3. THE MATERIAL WHICH IS THE SUBJECT OF INFRINGING
ACTIVITY AND THAT IS TO BE REMOVED OR ACCESS TO WHICH
IS TO BE DISABLED:**

Sponsored listings from the following advertiser:

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URLs operated by this advertiser:

- <http://Kazaa2005.com>
- <http://Kazaahq.com>
- <http://Www-kaazaa.com>
- <http://Www-kazar.com>
- <http://Www-kazhar.com>
- <http://Www-kazzaa.com>
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Search Queries Under Which These Advertisers' Listings Appear:

- i) Kazaa
- ii) Kkazaa
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- v) Kaazaa
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- vii) Kazhar
- viii) Khaza
- ix) Khazar
- x) Kazaa music
- xi) Kazaa legal

Sharman has attempted to make this list as comprehensive as possible. However, the advertisers may use additional terms and/or misspellings which are not specifically mentioned herein. If this proves to be the case, Sharman requests that this notice apply equally to any such variants which may be identified at a later time.

[REDACTED] operates websites which display an unauthorized derivative work of The Kazaa Logo which is substantially similar thereto. Sharman owns all copyrights in The Kazaa Logo. Thus, [REDACTED] infringes on Sharman's exclusive right of derivation and/or public display in The Kazaa Logo pursuant to 17 U.S.C. 106 *et seq.* With regard to the unauthorized derivative work, please refer to Annex A attached to this notice.

4. MANDATORY STATEMENT:

I have a good faith belief that the use of Sharman's intellectual property in the manner complained of is not authorized by Sharman, its agent, or the law. I hereby state that the information contained in this notice is accurate and, under penalty of perjury, I state that I am authorized to act on behalf of Sharman for this matter.

Sharman respectfully requests that any sponsored listings offered by this advertiser which link to websites which contain this infringing work be removed and/or access disabled to same until the infringement is cured. Should you require any further information regarding this matter, please do not hesitate to contact me at the address, phone number or email address listed above.

Sincerely,

[REDACTED]

for Genga & Associates, P.C.

ANNEX A

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