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Google Inc.
Attn: User Support, DMCA complaints
[REDACTED]
Mountain View, CA 94043
USA

06 June 2005

Dear Google,

NOTICE OF COPYRIGHT INFRINGEMENT

I am acting in my capacity as the author and copyright owner of BoDD - Botanical Dermatology Database, an information resource that is accessible on the internet at <http://BoDD.cf.ac.uk/> (the "BoDD Owner").

As required under Sections 512(c)(3) and 512(d)(3) of the Digital Millennium Copyright Act (17 U.S.C. x x 512(c)(3) and 512(d)(3)), I am placing you on notice that:

BoDD Owner is the exclusive owner of the copyrights in and to the BoDD.cf.ac.uk website and the html code, the text as rendered therefrom by any web browser, the graphics, the visual layout, and the BoDD logo appearing therein, and in all directories and sub-directories (singly and collectively, the "BoDD Material"); and

- 2 Searches carried out on Google generate links to pages at <http://poison.is-healthy.com/> that are pages copied directly from BoDD (the "Infringing Material"). Indeed, it would appear that the website at <http://poison.is-healthy.com/> contains exclusively BoDD Material. That this is the case can be deduced from the results of a Google search using "poison.is-healthy.com" as the search term. On 06 June 2005, this search provided 232 links, all but 2 of which were links to BoDD Material that has been copied without authorization to the poison.is-healthy.com website. The remaining 2 links pointed to <http://www.wordiq.com/>, a web portal that has inadvertently cached a result of such a search where BoDD Material from the file FOUQ.html had been "hijacked" by poison.is-healthy.com. Appendix 1 to this letter is a print-out of the results of a search on Google using "poison.is-healthy.com" as the search term; and
3. It is not possible directly to access pages at <http://poison.is-healthy.com/> because they automatically and immediately redirect to pages at <http://www.med-4-you.com/>. A print-out of a page from www.med-4-you.com to which a page in poison.is-healthy.com points is provided in Appendix 2. It is pertinent to note that both of these domain names are registered to the same individual, namely [REDACTED] of [REDACTED] 13595 - Berlin, Germany (e-mail address [REDACTED]@nyc.com); and
- 4 The owner of poison.is-healthy.com is using the Infringing Material as a rich lexicon by which means those who search for botanical information on the internet may be lured away from the information they are seeking to a commercial website that appears to sell advertising space to a variety of healthcare-related and other internet enterprises via an advertising arrangement with Google; and

5. It is not possible to list all searches that produce links to the Infringing Material in poison.is-healthy.com because the list would be of infinite length; and
6. To demonstrate that the Infringing Material at <http://poison.is-healthy.com/> is in fact material that has been copied from the BoDD website at <http://BoDD.cf.ac.uk/>, and to demonstrate that there is an infinite number of searches that will generate a link to Infringing Material at <http://poison.is-healthy.com/>, a Google search should be performed using just two search terms, one being any significant word that is to be found in a BoDD file, the second being the name of that file. For example, a Google search should be carried out using as search terms "lycoctonum" and "RANU.html", or "vestatum" and "RANU.html", or "References" and "RANU.html", etc. Print-outs of the search results for these three example searches are provided as Appendix 3. A print-out of the file RANU.html from BoDD.cf.ac.uk is provided for reference as Appendix 4.
7. Is of further interest to note that the "home page" for poison.is-healthy.com, which is to be found at <http://www.is-healthy.com/>, is in fact a page from the Yahoo.com portal. This may well be material that infringes the copyright of Yahoo, Inc. A print-out of the www.is-healthy.com "home page" is provided as Appendix 5.

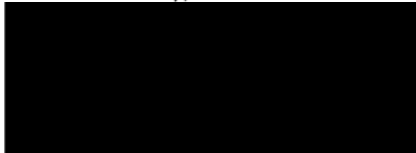
It may be deduced from the search results presented in Appendices 1 and 3 that the Infringing Material at <http://poison.is-healthy.com/> is an copy of essentially the whole of BoDD - Botanical Dermatology Database from <http://BoDD.cf.ac.uk/>.

The use on the allegedly infringing website of the copyrighted materials described above is not authorized by the copyright owner, its agent, or the law. I swear, under penalty of perjury consistent with United States Code Title 17, Section 512, that the information in this notification is accurate and that I am the copyright owner of an exclusive right that is allegedly infringed.

Therefore, please immediately remove or disable all access to the Infringing Material

Should you require any further information regarding this matter, please contact me at the address, telephone number or email address indicated at the head of this letter.

Yours sincerely,



cc [redacted] Wedlake Bell (www.wedlakebell.com)