

-----Original Message-----

From: RIAAAdmin@hro.com [<mailto:RIAAAdmin@hro.com>]

Sent: Tuesday, April 10, 2007 2:31 PM

To: xxxxx

Subject: RIAA Copyright Infringement (111111)

Dear Director of Security:

We are national counsel to a group of record companies and their labels and subsidiaries including BMG Music; EMI Music North America; SONY BMG MUSIC ENTERTAINMENT; Warner Music Group Inc.; and UMG Recordings, Inc.

("record companies"). Our clients create, manufacture, and/or distribute the majority of all legitimate sound recordings sold and distributed in the United States. Under penalty of perjury, we submit that we are authorized to act on behalf of the record companies in matters involving the infringement of their sound recordings, including enforcing their copyrights and common law rights on the Internet.

We believe that one of your subscribers has been violating federal copyright laws by uploading and downloading the record companies' copyrighted sound recordings without authorization. Before initiating a lawsuit against that individual, we are sending you an early settlement letter that we now ask you to forward to your subscriber. This letter describes the record companies' claims against the subscriber, including a representative list of the works infringed, and offers to settle those claims at an early stage for a substantially reduced dollar amount. We ask that you forward this letter as promptly as possible. If we do not hear back from your subscriber shortly, we will go ahead and file suit.

We are also sending you this advance notice to alert you to the possibility that we will seek identifying information about the subscriber if we do not resolve our claims against this individual in a timely manner. Specifically, we will seek to serve a subpoena on you that will request documents that identify the name, current (and permanent) addresses, telephone numbers, email addresses, and MAC (Media Access Control) address of the subscriber of your network who has infringed the record companies' copyrighted sound recordings. Please preserve all documents that reflect identifying information of the subscriber in the meantime.

You should understand that this letter constitutes notice to you that this network user may be liable for the infringing activity occurring on your network. In addition, under the Digital Millennium Copyright Act, if you ignore this notice, your institution may also be liable for any resulting infringement. This letter does not constitute a waiver of any right to recover damages incurred by virtue of any such unauthorized activities, and such rights as well as claims for other relief are expressly retained. Moreover, this letter does not constitute a waiver of our members' right to sue the user at issue for copyright infringement.

In addition to preserving the documents, we request that you remove or disable access to the infringing sound recording. Responding to a DMCA notice need not and should not result in destruction of files, hard drives or anything else that may be evidence in an infringement suit.

This can be accomplished, for example, by requiring that the student disable the unauthorized peer-to-peer file sharing program or move all of the unauthorized copyrighted sound recordings out of the shared directory from which files are being distributed illegally -- without destroying infringing material that may be evidence in a lawsuit.

The user was located at IP address: xxxxxxxx and has been assigned case id xxxxxxx.

We hope this advance notice has proved helpful. Thank you for your cooperation. Please feel free to call if you have any questions.

Sincerely,

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