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CLERK US DISTRICT COURT
DISTRICT OF NEVADA

BY _____ DEPUTY

1 **RYAN G. BURRAGE**
Webmaster - JerryRyburg.com
2 74 Coronado Ave
Kenner, LA 70065
3 504-339-1902
ryan@ryanburrage.com
4 **Filing Pro Se**

5
6
7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

10 Case No.: No. 2:10-cv-01283

11 **RIGHTHAVEN LLC, a Nevada limited-**
12 **liability company,**
13 **vs.**
14
15 **JERRY RYBURG, an Individual; and, RYAN BURRAGE,**
16 **an Individual**
17 **Defendants**

**RESPONSE TO COMPLAINT AND DEMAND FOR
JURY TRIAL**

18
19 **PARTIES**

- 20 1. Defendant("RYAN BURRAGE") is the sole owner of the website in question, JerryRyburg.com, and is
21 the only legitimate defendant in this lawsuit. "JERRY RYBURG," the other defendant mentioned in the
22 Plaintiff's original complaint, is not a real person. "JERRY RYBURG" is the *nom de plum* of the
23 defendant and is not a separate person. Therefore, RYAN BURRAGE and JERRY RYBURG are one and
24 the same individual.
- 25 2. The Defendant established the website by purchasing the domain name "JerryRyburg.com" in
26 November of 2010 from GoDaddy.com. Additionally, private registration for the domain name was
27 purchased through GoDaddy's private registration entity, DOMAINS BY PROXY, INC. This was done to
28 inhibit the publication of personal details on the internet.

1 3. No other party other than this Defendant, RYAN BURRAGE, has anything to do with the operation and
2 management of the contents and materials on JerryRyburg.com.

3 **JURISDICTION**

4 4. On or about May 26, 2010, the Defendant did republish an article entitled "TSA Keeps Watchlist of
5 Peeved Travelers," authored by Sherman Fredrick of the Las Vegas Review Journal("LVRJ").

6 5. The article in question was not published by the Defendant directly, as it was automatically syndicated
7 through Real Simple Syndication(RSS). The source of the RSS Feed was infowars.com and
8 prisonplanet.com. Therefore, the original publisher, LVRJ, was syndicated to infowars.com and
9 prisonplanet.com, which was then automatically syndicated on JerryRyburg.com.

10 6. The originator of the material, LVRJ, was credited at all times, up to and including a link back to the
11 original source, LVRJ.com.

12 7. At all times, the Defendant had proper means to be contacted in the event of any copyright infringement
13 and/or other concerns.

14 8. On or about July 23, 2010, the Defendant was contacted via email purported to be from Domains by
15 Proxy, Inc, stating that there was a possible legal issue regarding the domain name, JerryRyburg.com.
16 Erroneously believing the email to be a common "phishing" scam, the defendant ignored the email
17 completely. See EXHIBIT D.

18 9. On or about July 23, 2010, and independent of this lawsuit, the Defendant had already completely
19 deleted all content on JerryRyburg.com to explore a new subjective format to the website. The website
20 is still under construction as of present.

21 **FACTS**

22 10. The Defendant owns and operated a website which aggregated news stories and offered original
23 commentary, mostly on news stories which were already common knowledge. Original commentary
24 and original editorials on popular news stories were frequent and were written from a libertarian,
25 constitutionalist standpoint. In addition, many stories were automatically syndicated, as mentioned
26 before, through RSS feeds of news sites and/or blogs. It is common practice on the internet for news
27 sites and blogs to encourage users to "subscribe" to their respective RSS Feeds.

28 11. At no time was it the intent of the Defendant to defraud, cause harm, misrepresent, intercept website
traffic, profit, or exploit the LVRJ, LVRJ.com, or its related stories. It was also not the intent of the

1 Defendant to allegedly infringe upon the copyrights of the works of others. As a writer himself, the
2 Defendant is committed to the enforcement of copyright laws in the United States of America.

3 12. At no time were any stories published where the Defendant claimed authorship for a work he did not
4 originally create. In the cases where stories were republished from RSS feeds, the original source and
5 author were cited, and a "backlink" was provided to the original websites.

6 13. The Plaintiff seems to argue that because content originating from LVRJ, originating from the state of
7 Nevada, was republished on JerryRyburg.com, that the State of Nevada was the focal target of the
8 website. If this were the case, then this would necessarily be the justification in using THE UNITED
9 STATES DISTRICT COURT OF NEVADA as the trial venue. If a trial is so warranted, a change of venue
10 is hereby requested, and the location of such a trial should be held in New Orleans, LA, where the
11 Defendant owns and operates the website in question.

12 14. Certainly, the Defendant does not and will not forbid or target certain states to view his website. It is
13 not the function of any website to willingly turn away or block traffic from specific regions of the country
14 or the world without valid concern – this would be constituted as unmerited discrimination. In the
15 event that a user from the state of Nevada did visit JerryRyburg.com, he/she did so by their own
16 volition.

17 15. Although the Plaintiff makes assertions that the republishing of the LVRJ story infringes copyright, it is
18 the opinion of the Defendant that his use of the article fell under the "fair use" clause of copyright law
19 and the Digital Millennium Copyright Act(DMCA). In addition, it is not altogether uncommon for news
20 articles to be reprinted by other entities, up to and including competing news agencies. This practice
21 holds true in print, broadcast, and digital(internet) media.

22 16. Although the Plaintiff makes assertions that the republishing of the LVRJ story on JerryRyburg.com has
23 harmed the original source, the facts simply do not substantiate the claim. In fact, contrary to the
24 Plaintiff's claim, linking to the original source("backlinking") is a form of promotion for the original
25 source which improves, not harms, a websites ranking in the search engines. Please refer to EXHIBIT
26 A. According to Alexa.com, a website which ranks other websites, Lvrj.com has a three-month global
27 Alexa traffic rank of 8,812 with 4,218 sites linking in. This is a very desirable ranking. On the other
28 hand, JerryRyburg.com has an Alexa Traffic Rank of 14,449,934 with only one website linking in. This
would indicate that even if a user was to search for a specific LVRJ.com article in a search engine, the

1 LVRJ.com website would be returned in the top results. Backlinks provide authority to a website.

2 When the Defendant and others linked to this particular LVRJ story, all sites linking to LVRJ.com
3 added authority to LVRJ.com and boosted its search engine rankings.

4 17. The Defendant's website had, on average, only 285 unique visitors in the time specified by the Plaintiff. In
5 addition, the Defendant's website averaged less than 2,500 page views in the time specified by the Plaintiff.
6 Please refer to EXHIBIT B.

7 18. While JerryRyburg.com did indeed have opportunities to generate income through the use of Google
8 AdSense and other Cost-Per-Acquisition or Cost-Per-Action offers, no income can be connected directly
9 to JerryRyburg.com. Even more difficult, the republishing of the article on JerryRyburg.com cannot be
10 connected to any income in and of itself. There are no ways to prove or disprove that any income was
11 generated as a result of republishing the specific LVRJ story in question.

12 19. It is the Plaintiff's assertion that the Defendant is guilty of copyright infringement between the times of
13 May 26, 2010 to July 23, 2010. However, by the Plaintiff's own sworn admission, he did not own the
14 copyright to the said article until July 14, 2010. This would indicate that the Defendant is guilty of
15 alleged copyright infringement for a 9 day period, July 14, 2010 to July 23, 2010. The original
16 complaint should therefore be amended as such. Refer to Plaintiff's EXHIBIT 4.

17 20. Taking into account the structure and nature of the Plaintiff's legal complaint, the actual damages, if
18 any, suffered by the plaintiff cover only a 9 day period, and they amount to nothing more than printing
19 the article from the website and sharing it with coworkers in a typical office environment. It is also the
20 equivalent of a passer-by stopping in front of a newsstand and reading the front page of the newspaper,
21 without actually buying the newspaper.

22 21. Even if the Defendant was to republish an article from the LVRJ.com website directly, he is not only
23 within his rights do so, but all users of LVRJ.com are encouraged to do just that. Refer to EXHIBIT C.
24 The LVRJ.com website offers and invites its users to "Save and Share" all of its articles no less than 19
25 times per article. In addition, LVRJ.com encourages and invites its users to "Email This," "Save This,"
26 "Print This," and subscribe to its "RSS feeds." This not only puts the users of LVRJ.com in a quagmire,
27 but it is the opinion of the Defendant that LVRJ.com is guilty of entrapment, or at least setting up the
28 users of the LVRJ.com for a potential lawsuit. While the LVRJ.com encourages and invites its users to
"Share and Save" articles a total of 23 times per article, the LVRJ.com will file a frivolous copyright

1 infringement lawsuit against its users, if they follow LVRJ's directions and invitations to "Share and
2 Save" articles published on their website.

3 22. The Plaintiff asserts in the original complaint that the "Defendants did not seek permission, in any
4 manner, to reproduce, display, or otherwise exploit the Work," and "The Defendants were not granted
5 permission, in any manner, to reproduce, display, or otherwise exploit the work, section 20 of this
6 response indicates and proves otherwise. Even though the Defendant did not directly publish the work
7 from LVRJ.com, and it was indirectly published through RSS syndication, the Defendant was still under
8 his right to republish the article, as evidenced by the total of 23 invitations to do so on the original
9 source website, LVRJ.com. Refer to EXHIBIT C. These invitations and encouragements to "Save and
10 Share" the article absolve the Defendant from the need to "seek permission" and/or have permission
11 granted from LVRJ to "reproduce, display, or otherwise exploit the Work."

12 23. It is the opinion of the Defendant that this lawsuit is entirely predatory, frivolous, and an abuse of the
13 United States Justice System. While the defendant acknowledges that the Plaintiff is not bound by law
14 to issue a "cease and desist" letter when alleged infringement is found, it is the common legal etiquette
15 and and process to begin with a "cease and desist" letter. Had such a "cease and desist" order been
16 offered, the Defendant would have cooperated and obliged accordingly. The opinion of the Defendant is
17 that in not issuing a "cease and desist" order prior to filing this lawsuit, the Plaintiff's sudden filing of a
18 lawsuit alleging copyright infringement is unethical, immoral, improper, and indicates a suspicious
19 motivation to do so. In addition, the opinion of the Defendant is that the actions of the Plaintiff are
20 exactly what gives "trial lawyers" a bad name.

21 24. It is the opinion of the Defendant the Plaintiff is engaged in a shakedown or extortion operation, with
22 the express purpose of abusing the legal system to extort or shakedown webmasters and bloggers who
23 republish content from the LVRJ in accordance with "fair use" and DMCA. In the majority of cases,
24 including that of the Defendant, victims of the Plaintiff's witch hunt are bloggers and webmasters who
25 generate very little revenue, if any, from their sites. At the current rate of lawsuits being filed against
26 webmasters by this Plaintiff, THE UNITED STATES DISTRICT COURT OF NEVADA will necessarily be
27 clogged and bogged down with many similar lawsuits. The Plaintiff is operating with expectation that
28 the victims of his "copyright trolling" operation will settle out of court, rather than absorb the costs of
fighting this matter. This is simply an effort by the Plaintiff, Righthaven, LLC, in collusion with the

1 LVRJ, to extort settlements for allegedly minor infringements from unsuspecting webmasters and
2 bloggers who lack the means and funds to fight such a frivolous lawsuits. In these cases, many bloggers
3 and webmasters will choose to pay the settlement in lieu of the ridiculous statutory damage claims by
4 the Plaintiff.

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6 25.

7 Dated this 9th day of August, 2010
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17 **Defendants**
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21 the only legitimate defendant in this lawsuit. "JERRY RYBURG," the other defendant mentioned in the
22 Plaintiff's original complaint, is not a real person. "JERRY RYBURG" is the *nom de plum* of the
23 defendant and is not a separate person. Therefore, RYAN BURRAGE and JERRY RYBURG are one and
24 the same individual.
- 25 2. The Defendant established the website by purchasing the domain name "JerryRyburg.com" in
26 November of 2010 from GoDaddy.com. Additionally, private registration for the domain name was
27 purchased through GoDaddy's private registration entity, DOMAINS BY PROXY, INC. This was done to
28 inhibit the publication of personal details on the internet.

1 3. No other party other than this Defendant, RYAN BURRAGE, has anything to do with the operation and
2 management of the contents and materials on JerryRyburg.com.

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13 and/or other concerns.

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19 deleted all content on JerryRyburg.com to explore a new subjective format to the website. The website
20 is still under construction as of present.

21 **FACTS**

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24 commentary and original editorials on popular news stories were frequent and were written from a
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26 mentioned before, through RSS feeds of news sites and/or blogs. It is common practice on the internet
27 for news sites and blogs to encourage users to "subscribe" to their respective RSS Feeds.

28 11. At no time was it the intent of the Defendant to defraud, cause harm, misrepresent, intercept website
traffic, profit, or exploit the LVRJ, LVRJ.com, or its related stories. It was also not the intent of the

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26 **A.** According to Alexa.com, a website which ranks other websites, Lvrj.com has a three-month global
27 Alexa traffic rank of 8,812 with 4,218 sites linking in. This is a very desirable ranking. On the other
28 hand, JerryRyburg.com has an Alexa Traffic Rank of 14,449,934 with only one website linking in. This
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3 story, all sites linking to LVRJ.com added authority to LVRJ.com and boosted its search engine
4 rankings.

5 17. The Defendant's website had, on average, only 285 unique visitors in the time specified by the Plaintiff.
6 In addition, the Defendant's website averaged less than 2,500 page views in the time specified by the
7 Plaintiff. Please refer to **EXHIBIT B**.

8 18. While JerryRyburg.com did indeed have opportunities to generate income through the use of Google
9 AdSense and other Cost-Per-Acquisition or Cost-Per-Action offers, no income can be connected directly
10 to JerryRyburg.com. Even more difficult, the republishing of the article on JerryRyburg.com cannot be
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15 copyright to the said article until July 14, 2010. This would indicate that the Defendant is guilty of
16 alleged copyright infringement for a 9 day period, July 14, 2010 to July 23, 2010. The original
17 complaint should therefore be amended as such. Refer to Plaintiff's **EXHIBIT 4**.

18 20. Taking into account the structure and nature of the Plaintiff's legal complaint, the actual damages, if
19 any, suffered by the Plaintiff cover only a 9 day period, and they amount to nothing more than printing
20 the article from the website and sharing it with coworkers in a typical office environment. It is also the
21 equivalent of a passer-by stopping in front of a newsstand and reading the front page of the newspaper,
22 without actually buying the newspaper.

23 21. Even if the Defendant was to republish an article from the LVRJ.com website directly, he is not only
24 within his rights do so, but all users of LVRJ.com are encouraged to do just that. Refer to **EXHIBIT C**.
25 The LVRJ.com website offers and invites its users to "Save and Share" all of its articles no less than 19
26 times per article. In addition, LVRJ.com encourages and invites its users to "Email This," "Save This,"
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2 infringement lawsuit against its users, if they follow LVRJ's directions and invitations to "Share and
3 Save" articles published on their website.

4 22. The Plaintiff asserts in the original complaint that the "Defendants did not seek permission, in any
5 manner, to reproduce, display, or otherwise exploit the Work," and "The Defendants were not granted
6 permission, in any manner, to reproduce, display, or otherwise exploit the work." Section 21 of this
7 response indicates and proves otherwise. Even though the Defendant did not directly publish the work
8 from LVRJ.com, and it was indirectly published through RSS syndication, the Defendant was still under
9 his right to republish the article, as evidenced by the total of 23 invitations to do so on the original
10 source website, LVRJ.com. Refer to **EXHIBIT C**. These invitations and encouragements to "Save and
11 Share" the article absolve the Defendant from the need to "seek permission" and/or have permission
12 granted from LVRJ to "reproduce, display, or otherwise exploit the Work."

13 23. It is the opinion of the Defendant that this lawsuit is entirely predatory, frivolous, and an abuse of the
14 United States Justice System. While the defendant acknowledges that the Plaintiff is not bound by law
15 to issue a "cease and desist" letter when alleged infringement is found, it is the common legal etiquette
16 and process to begin with a "cease and desist" letter. Had such a "cease and desist" order been offered,
17 the Defendant would have cooperated and obliged accordingly. The opinion of the Defendant is that in
18 not issuing a "cease and desist" order prior to filing this lawsuit, the Plaintiff's sudden filing of a lawsuit
19 alleging copyright infringement is unethical, immoral, improper, and indicates a suspicious motivation
20 to do so. In addition, the opinion of the Defendant is that the actions of the Plaintiff are exactly what
21 gives "trial lawyers" a bad name. In the event that the Plaintiff and/or LVRJ are not familiar with the
22 format of a "cease and desist" letter, I have provided a template for their use. Refer to **EXHIBIT F**.

23 24. It is the opinion of the Defendant the Plaintiff is engaged in a shakedown or extortion operation, with
24 the express purpose of abusing the legal system to extort or shakedown webmasters and bloggers who
25 republish content from the LVRJ in accordance with "fair use" and DMCA. In the majority of cases,
26 including that of the Defendant, victims of the Plaintiff's witch hunt are bloggers and webmasters who
27 generate very little revenue, if any, from their sites. At the current rate of lawsuits being filed against
28 webmasters by this Plaintiff, THE UNITED STATES DISTRICT COURT OF NEVADA will necessarily be
clogged and bogged down with many similar lawsuits. The Plaintiff is operating with expectation that

1 the victims of his "copyright trolling" operation will settle out of court, rather than absorb the costs of
2 fighting this matter. This is simply an effort by the Plaintiff, Righthaven, LLC, in collusion with the
3 LVRJ, to extort settlements for allegedly minor infringements from unsuspecting webmasters and
4 bloggers who lack the means and funds to fight such frivolous lawsuits. In these cases, many bloggers
5 and webmasters will choose to pay the settlement in lieu of the ridiculous statutory damage claims by
6 the Plaintiff.

7 **OFFER FOR SETTLEMENT**

8 25. The Defendant did indeed publish an article on his website entitled "TSA Keeps Watchlist of Peeved
9 Travelers," and the copyright for the said article was granted to the Plaintiff on July 14, 2010. The
10 Defendant republished the article under the impression that in providing reciprocal links and crediting
11 the original source, his republishing of the article constituted "fair use" under the copyright laws of the
12 USA and DMCA. Without admitting any improper activities or malicious intent, the Defendant offers to
13 settle this lawsuit for the sum of \$10.87. The sum amount constitutes Google AdSense revenue of \$7.92
14 generated on or about the dates of July 14, 2010 – July 23, 2010(refer to **EXHIBIT E**), plus the \$2.95
15 that the LVRJ charges to access and gain rights to an archived article. Upon acceptance of settlement,
16 the Defendant also ensures the Plaintiff that he will not use or refer to any material published in the
17 LVRJ or anything else which belongs to the Plaintiff.

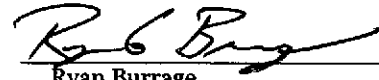
18 **PRAYER**

19 26. In the event that the Plaintiff does not accept the offer for settlement in section 25 of this document,
20 then the Defendant respectfully requests that the Court dismiss this lawsuit without prejudice. If the
21 Plaintiff fails to make a counter-offer or persists in having a trial by jury, the Defendant still requests
22 that this lawsuit be dismissed without prejudice. The burden of proof, in this case, is on the Plaintiff.
23 Seeing that the Plaintiff made no efforts whatsoever to resolve this issue before filing this lawsuit, and
24 seeing the evidence that the LVRJ openly and actively encourages its users to "Share and Save" its
25 works, it is the opinion of the Defendant that the Court will side with the defense in this matter. The
26 claims concerning damages by the Plaintiff are greatly exaggerated, not based on fact, and the facts in
27 this case do not warrant the concern or time for this or any other Court.

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Dated this 9 day of August, 2010



Ryan Burrage
74 Coronado Ave
Kenner, LA 70065
1-504-339-1902
Filing pro se

EXHIBIT A

EXHIBIT A

Download the **Alexa Toolbar**

Alexa Search

Grow your business and increase sales with Email Marketing

Send 100 Emails FREE No Contracts

VerticalResponse

Search

Search

lvvj.com
Lvjj

Lvvj.com has a three-month global Alexa traffic rank of 8,812. Compared with all internet users, the site's audience tends to be over the age of 35; they are also disproportionately moderately educated, childless men earning over \$60,000. The time spent in a typical visit to the site is about two minutes, with 69 seconds spent on each pageview. This site is located in the US, and about 66% of visits to Lvvj.com consist of only one pageview (i.e., are bounces).

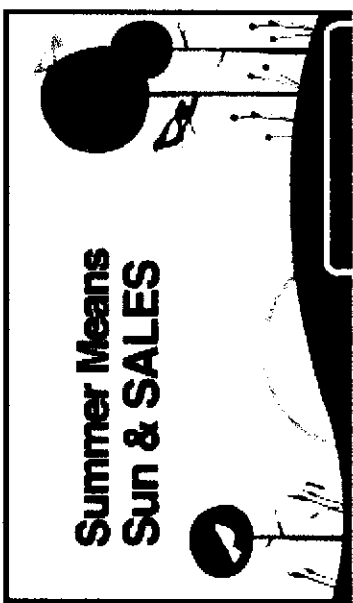
! [Is this your site?](#) Learn how to get more traffic with the [Alexa Site Audit](#).

1 Review ?
8,812 Alexa Traffic Rank ?
4,218 Sites Linking In ?
01-Dec-1995 Online Since ?

[Search Analytics](#)
[Audience](#)
[Contact Info](#)
[Reviews](#)
[Related Links](#)
[Clickstream](#)


Download the
FREE
Alexa Toolbar


[Search](#)


Summer Means
SUN & SALES

[jerryryburg.com](#)
[jerryryburg.com](#)

Jerryryburg.com is ranked #14,449,934 in the world according to the three-month Alexa traffic rankings.

! [Is this your site?](#) Learn how to get more traffic with the [Alexa Site Audit](#).


14,449,934
 Alexa Traffic Rank ?

No data
 Online Since ?

1
 Sites Linking In ?

[Search Analytics](#)
[Audience](#)
[Contact Info](#)
[Reviews](#)
[Related Links](#)
[Clickstream](#)

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EXHIBIT B

EXHIBIT B

* Not viewed traffic includes traffic generated by robots, worms, or replies with special HTTP status codes.

Statistics for:
jerryryburg.com

Summary

When:

- Monthly history
- Days of month
- Days of week
- Hours

Who:

- Countries
- Full list
- Hosts
- Full list
- Last visit
- Unresolved IP Address
- Authenticated users
- Full list
- Last visit

- Robots/Spiders visitors
- Full list
- Last visit

Navigation:

- Visits duration
- File type
- Viewed
- Full list
- Entry
- Exit

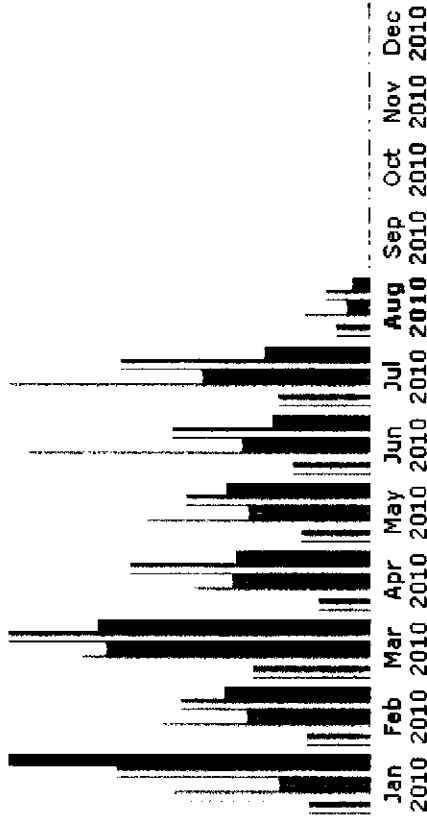
Operating Systems

- Versions
- Unknown
- Browsers
- Versions
- Unknown

Referrers:

- Origin
- Referring search engines
- Referring sites

Monthly history



Month	Number of visits	Hits	Size (MB)
Jan 2010	707	4536	223.63
Feb 2010	750	3385	90.60
Mar 2010	1042	6464	167.88
Apr 2010	637	4306	82.85
May 2010	810	3301	88.61
Jun 2010	1245	3522	60.47
Jul 2010	1306	4460	65.69
Aug 2010	237	783	11.08
Sep 2010	0	0	0
Oct 2010	0	0	0
Nov 2010	0	0	0
Dec 2010	0	0	0

EXHIBIT C

EXHIBIT C

Sunny 97°
Weather Forecast

Seat ch

LV Strip Living
From the 150's

Wednesday
Aug 4, 2010

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Article Censored/Blocked

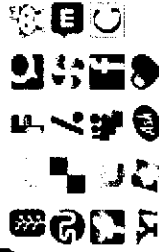
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jhaug@reviewjournal.com or 702-799-
2922.

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EXHIBIT D

EXHIBIT D

From: generalmanager@domainsbyproxy.com (generalmanager@domainsbyproxy.com)
To: therhythmakers@yahoo.com;
Date: Fri, July 23, 2010 9:00:27 AM
Cc:
Subject: Possible Legal Issue re: JERRYRYBURG.COM DBP CLAIM # 563876

Dear Customer,

Domains By Proxy (hereinafter "DBP") has disclosed your contact information to the party listed below, per section 4 of the Domain Name Proxy

Agreement http://www.securepaynet.net/gdshop/legal_agreements/show_doc.asp?pageid=domain_nameproxy&prog_id=domainsbyproxy, with respect to the domain name JERRYRYBURG.COM.

DBP is not able to act on your behalf in this matter. Please be aware that if subpoenaed, DBP will provide all requested information within reason and will charge an administrative fee for the document production. Please direct any questions to the complainant's representative:

J. Charles Coons, Esq.
Assistant General Counsel
RIGHTHAVEN LLC
Conquistador Business Park
9960 West Cheyenne Avenue, Suite 210
Las Vegas, NV 89129
702.527.5900 (Main)

Sincerely,

N. Kelly
Office of the General Manager
Domains By Proxy, Inc.

EXHIBIT E

EXHIBIT E

Google AdSense

Publisher ID: pub-5362695398419770

[Search AdSense Help](#)

[AdSense Setup](#)

[My Account](#)

[Resources](#)

[Advanced Reports](#)

Advanced Reports

Report Templates: None ([Learn more about Report Templates](#))

Link your AdSense account with Google Analytics and see reporting on your AdSense traffic. [Integrate with Analytics now!](#)

Choose product

AdSense for Content

Show

Aggregate data

Channel data [manage channels »](#)

Note: Advanced reports are not available for Google Affiliate Network

Choose Units

Ad Units

Link Units

Combined

Choose date range

Today

Jul 14 2010 - Jul 23 2010

* Date ranges are based on Pacific Time

Show data by

Page

Display Report

July 14, 2010 - July 23, 2010

Save as Report Template:

Save

[CSV](#)

\$7.92

Totals	1,742	12				
<u>Date</u>	<u>Page impressions</u>	<u>Clicks</u>	<u>Page CTR</u>	<u>Page eCPM [?]</u>	<u>Estimated earnings</u>	
Wednesday, July 14, 2010	286	3	1.05%	\$5.54	\$1.58	
Thursday, July 15, 2010	272	4	1.47%	\$9.15	\$2.49	
Friday, July 16, 2010	212	2	0.94%	\$4.81	\$1.02	
Saturday, July 17, 2010	131	1	0.76%	\$2.08	\$0.27	
Sunday, July 18, 2010	135	0	0.00%	\$0.00	\$0.00	
Monday, July 19, 2010	171	2	1.17%	\$14.85	\$2.54	
Tuesday, July 20, 2010	124	0	0.00%	\$0.00	\$0.00	
Wednesday, July 21, 2010	136	0	0.00%	\$0.12	\$0.02	

Thursday, July 22, 2010	127	0	0.00%	\$0.02	\$0.00
Friday, July 23, 2010	148	0	0.00%	\$0.00	\$0.00
Totals	1,742	12			\$7.92
Averages	174	1	0.69%	\$4.55	\$0.79

[AdSense Blog](#) [AdSense Forum](#) [Privacy Policy](#) [Terms & Conditions](#) [Program Policies](#)

EXHIBIT F

EXHIBIT F

SAMPLE "CEASE AND DESIST LETTER"

Dear [name]:

It has come to my attention that you have made an unauthorized use of my copyrighted work entitled [name of work] (the "Work") in the preparation of a work derived therefrom. I have reserved all rights in the Work, first published in [date], [and have registered copyright therein]. Your work entitled [name of infringing work] is essentially identical to the Work and clearly used the Work as its basis. [Give a few examples that illustrate direct copying.]

As you neither asked for nor received permission to use the Work as the basis for [name of infringing work] nor to make or distribute copies, including electronic copies, of same, I believe you have willfully infringed my rights under 17 U.S.C. Section 101 et seq. and could be liable for statutory damages as high as \$150,000 as set forth in Section 504(c)(2) therein.

I demand that you immediately cease the use and distribution of all infringing works derived from the Work, and all copies, including electronic copies, of same, that you deliver to me, if applicable, all unused, undistributed copies of same, or destroy such copies immediately and that you desist from this or any other infringement of my rights in the future. If I have not received an affirmative response from you by [date give them about 2 weeks] indicating that you have fully complied with these requirements, I shall take further action against you.

Very truly yours,

[Your Name]