

01367

# DMCA NOTIFICATION

## Copyright Infringement Report

Date: August 19, 2008

### Contact Information

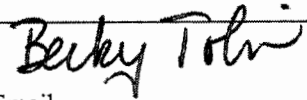
#### RECIPIENT INFORMATION:

Attn: Legal Department, DMCA Complaints  
1&1 Internet Inc.  
701 Lee Road, Suite 300  
Chesterbrook, PA 19087  
Fax: 610-560-1501

#### SENDER INFORMATION:

Becky Tobin  
President & CEO  
East Bay Regional Data, Inc.  
Office phone: (925) 906-5125  
Fax: (925) 938 8337  
Email: becky@ebrdi.com

Sent via: Email to [legal@land1.com](mailto:legal@land1.com);  
[support@land1.com](mailto:support@land1.com)

Signature:   
Delivery: Email

### Nancy McNelis:

The following information is presented for the purposes of removing web content that infringes on our copyright per the Digital Millennium Copyright Act. We appreciate your enforcement of copyright law and support of our rights in this matter

Be aware that if you ignore this notice, you (*as a Provider covered by the Digital Millennium Copyright Act*) forfeit the Act's immunity from monetary damages, which range from \$750 to \$30,000 per work infringed and up to \$150,000 per work for willful infringement. Attorney's fees and costs can also be recovered.

### What you (the Provider) need to do now:

- 1) reply to the Complainant (EBRDI) and /or the Authorized Agent thereof that this notification has been received, **within 24 hours.**
- 2) send your customer written notification, along with a copy of this notification, requesting removal of the infringing material and requiring confirmation of the removal be sent to you (the Provider) **within 24 hours;**
- 3) disable access to the infringing material or the customer's account if the customer fails to remove the infringing material and/or fails to inform you (the Provider) of the removal **within 24 hours of notification;**

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4) send the Complainant (EBRDI) and /or the Authorized Agent thereof notice of the customer's counter notification and your (the Provider) intent to re-enable access to the material or the account **within 14 days** of your (the Providers) receipt of any customer counter notification, assuming the counter notification meets the requirements of the DMCA Act.

### Identification of Infringed Material

The following examples below have been allegedly copied from the copyrighted work. We have retained but not submitted printed examples of these and other alleged infringements.

Be aware that these are obvious examples and are not necessarily a complete list of all alleged violations. We require that all alleged copyright violations be removed from the website in question and *the onus is on the infringer to locate and remove all alleged copyright violations of the complainant's intellectual property.*

Be further aware that simply making a few changes (such as changing a name or rewording or reformatting some text) is not sufficient to remove the rights of the complainant. The alleged offending materials (or website) must be wholly removed.

**Infringement occurs at website: [www.knifecatchers.com](http://www.knifecatchers.com) (74.208.56.184)**

**Infringement includes, but is not limited to, the following:**

1. Displaying watermarked photos and specific information relating to homes referenced and discussed at [www.erbdi.com](http://www.erbdi.com).
2. Displaying any and all content containing data including Multiple Listing Service numbers without owner's consent.
3. Displaying any and all content containing data that originated at Multiple Listing Service.

### Copyright Owner Contact Information

East Bay Regional Data, Inc.  
Becky Tobin  
President & CEO  
Office phone: (925) 906-5125  
Fax: (925) 938 8337  
Email: [becky@erbdi.com](mailto:becky@erbdi.com)

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### Copyright Owners Statement

I have a good faith belief that use of the copyrighted materials described above on the allegedly infringing web pages is not authorized by the copyright owner, its agent, or the law.

I swear, under penalty of perjury, that the information in the notification is accurate and that I am the copyright owner or am authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

Signed on this day, the 19<sup>th</sup> day of August, 2008, in the Walnut Creek, CA., U.S.A.

Becky Tolin (c/s)

Title        **PRESIDENT & CEO**  
Company     **EAST BAY REGIONAL DATA, INC.**