Case 8:13-cv-00360-RWT Document 17-2 Filed 04/18/13 Page 1 of 29



Ira Siegel <irasiegel@earthlink.net> 04/01/2013 02:38 PM

- To MDD_PWGChambers@mdd.uscourts.gov, MDD_RWTChambers@mdd.uscourts.gov
- cc jhoppe@mhhhlawfirm.com, lholzman@theholzmanlawfirm.com, jsweet@boothsweet.com, johnseiver@dwt.com,

bcc

Subject Malibu Media Cases--Supplemental Amicus Curiae Submission

1 attachment



Limited Supplemental Amicus Curiae Submission 4-1-13-2.pdf

Dear Judge Titus and Judge Grimm,

Please see the attached letter and its exhibits (in a single PDF file) regarding the disagreement between John Seiver and me at last week's hearing regarding whether or not Comcast forwards to its subscribers the DMCA notices sent to it by CEG.

Thank you.

Very truly yours,

Ira M. Siegel LAW OFFICES OF IRA M. SIEGEL INTELLECTUAL PROPERTY PROTECTION and ENFORCEMENT PATENT, TRADEMARK and COPYRIGHT LAW 433 N. Camden Drive, Suite 970 Beverly Hills, California 90210 Tel: 310-435-7656 email: irasiegel@earthlink.net

> Law Offices of Ira M. Siegel INTELLECTUAL PROPERTY PROTECTION AND ENFORCEMENT PATENT, TRADEMARK AND COPYRIGHT LAW 433 N. Camden Drive, Suite 970 Beverly Hills, California 90210 Tel: 310-435-7656 Fax: 310-657-2187 email: irasiegel@earthlink.net

> > April 1, 2013

by email: <u>MDD_RWTChambers@mdd.uscourts.gov</u> MDD_PWGChambers@mdd.uscourts.gov

Hon. Roger W. Titus, United States District Judge Hon. Paul W. Grimm, United States District Judge United States District Court Greenbelt Division 6500 Cherrywood Lane Greenbelt, Maryland 20770 Re: Malibu Media, LLC v. John Doe Cases in the District of Maryland Dear Judges Titus and Grimm,

Thank you for conducting the extended hearing regarding the "gateway" issues discussed on Monday, March 25, 2013. Obviously, much more discussion could be had.

Please consider the following supplemental discussion regarding a specific disagreement that arose between Comcast's counsel, John D. Seiver, and me.

I had stated that (i) CEG sends "DMCA" notices to ISPs, (ii) when ISPs forward those notices on to their subscribers, such subscribers have an early opportunity to settle the monitored infringement inexpensively, and (iii) while some ISPs do forward CEG's notices to their respective subscribers, Comcast and AT&T do not do so, and Comcast and AT&T thereby deny their subscribers the opportunity to reach inexpensive settlements.

AT&T's counsel made no representation to the Court in this regard, and in fact AT&T does <u>not</u> forward CEG's DMCA notices to AT&T's subscribers.

Mr. Seiver, however, stated that Comcast does forward CEG's DMCA notices. So, there is a disagreement between Mr. Seiver and the undersigned, and it turns out that in a way we are both correct. That is, Comcast does send notices to its subscribers, but it deletes all information that would enable a subscriber to explore early settlement.

Attached as Exhibit A is a sample of the DMCA notice that CEG has sent to Comcast with respect to the movie "*Fat Kid Rules the World* " (hereinafter "*Fat Kid* "). Attached as Exhibit B is a sample DMCA notice that Comcast does send to its subscribers. CEG's notice and Comcast's notice are shown below side-by-side so that the Court can graphically observe that Comcast's notice does not include the information that follows the "Evidence" section, information which would provide to its subscribers the opportunity to settle inexpensively and obtain a release against a future lawsuit. (The texts are "anchored" to each other around the Evidence section, the only portions that are substantially the same as each other. The font size has been substantially reduced in the illustration below. The text is more readable in the exhibits.)

Sample <i>Fat Kid</i> DMCA Notice from CEG to Comcast	Sample DMCA Notice in Turn Sent to Subscriber			
	Notice of Action under the Digital Millennium Copyright Act			
	Abuse Incident Number: XXxxxxxxxxxxx Report Date/Time: XX Mar 2013 xx:xx:xx -0400			
	First Name Last Name Street Address City, State Zip+Code			
	Dear Comcast High-Speed Internet Subscriber:			
	Comcast has received a notification by a copyright owner, or its authorized agent, reporting an alleged infringement of one or more copyrighted works made on or over Comcast's High-Speed Internet service (the 'Service'). The copyright owner has identified the Internet Protocol ('IP') address associated with your Service account at the time as the source of the infringing works. The works identified by the copyright owner in its notification			

are listed below. Comcast reminds you that use of the Service (or any part of the Service) in any manner that constitutes an infringement of any copyrighted work is a violation of Comcast's Acceptable Use Policy and may result in the suspension or termination of your Service account.

If you have any questions regarding this notice, you may direct them to Comcast in writing by sending a letter or e-mail to:

> Comcast Customer Security Assurance Comcast Cable Communications, LLC 1800 Bishops Gate Blvd., 3rd Floor East

Wing

Mount Laurel, NJ 08054 U.S.A. Phone: (888) 565-4329 Fax: (856) 324-2940

For more information regarding Comcast's copyright infringement policy, procedures, and contact information, please read our Acceptable Use Policy by clicking on the Terms of Service link at http://www.comcast.net.

Sincerely, Comcast Customer Security Assurance

Copyright work(s) identified in the notification of claimed infringement:

Evidence: Work Title: XxxxxXxxXxxXxxXxxXxxX Copyright Owner: Unauthorized File Name: XxxxXxxxxxxXXXXXXXXXXXXXXXXXXXX -Xxxx Unauthorized Hash: Unauthorized File Size: xxxxxxxxx bytes Unauthorized Protocol: BitTorrent Timestamp: 2013-03-xx xx :xx :xx North American Eastern Time Unauthorized IP Address: xx .xx .xx .xx Unauthorized Port: xxxxx The following files were included in the unauthorized copying and/or distribution: -Xxxx

NOTE TO COMCAST CABLE: PLEASE FORWARD THIS ENTIRE NOTICE TO ACCOUNT HOLDER OF IP ADDRESS xx.xxx.xxx.xx

March 5, 2013

Re: Notice of Unauthorized Use of Copyrights Owned by Outsider Pictures Case #: Pxxxxxxx

CEG TEK International ("We") represent Outsider Pictures. Outsider Pictures owns all right, title and interest, including copyrights, in and to the work listed below. (Some individuals may find certain words in titles of works to be offensive. We apologize in advance if this is the case.)

This notice is intended solely for the primary Comcast Cable internet service account holder. Someone using this account has engaged in the unauthorized copying and/or distribution of the work listed below.

Evidence:

Work Title: Fat Kid Rules the World Copyright Owner: Outsider Pictures Unauthorized File Name: [<u>www.UsaBit.com</u>] - Fat Kid Rules The World 2012 DVDRip XviD-IGUANA.avi Unauthorized Hash: 90061dc47f29bae9ea29a6247acf02d16d4ff8a1 Unauthorized File Size: 730707969 Unauthorized Protocol: BitTorrent Timestamp: 2013-03-03 22:35:22 North American Eastern Time Unauthorized IP Address: xx.xxx.xxx Unauthorized Port: xxxxx The following files were included in the unauthorized copying and/or distribution:

File 1: [<u>www.UsaBit.com</u>] - Fat Kid Rules The World 2012 DVDRip XviD-IGUANA.avi

You are hereby notified that unauthorized copying and/or distribution of Outsider Pictures's Work is a violation of the U.S. Copyright Act, 17 U.S.C. 106. In this regard, request is hereby made that you and all persons using this account immediately and permanently cease and desist the unauthorized copying and/or distribution of the registered copyrights listed in this notice or otherwise owned by Outsider Pictures.

You may also be held liable for monetary damages, including court costs and/or attorney fees if a lawsuit is commenced against you. You have until Thursday, April 4, 2013 to access the settlement offer and settle online. To access the settlement offer, please visit <u>https://www.copyrightsettlements.com/</u> and enter Case #: Pxxxxxx and Password: xxxx. To access the settlement offer directly, please visit

https://www.copyrightsettlements.com/xx=Pxxxxxxxxxxxxxx

Settlement Website: <u>https://www.copyrightsettlements.com/</u> Case #: Pxxxxxx Password: xxxx

If you fail to respond or settle within the prescribed time period,

the claim(s) will be referred to our attorneys for legal action. At that point the original settlement offer will no longer be an option and the amount will increase as a result of us having to involve our attorneys.

Nothing contained or omitted from this correspondence is, or shall be deemed to be either a full statement of the facts or applicable law, an admission of any fact, or waiver or limitation of any of the Outsider Pictures's rights or remedies, all of which are specifically retained and reserved.

The information in this notice is accurate. We have a good faith belief that use of the material in the manner complained of herein is not authorized by the copyright owner, its agent, or by operation of law. We declare under penalty of perjury, that we are authorized to act on behalf of Outsider Pictures.

Sincerely,

Ira M. Siegel, Esq. Legal Counsel CEG TEK International 8484 Wilshire Boulevard, Suite 220 Beverly Hills, CA 90211 Toll Free: 877-526-7974 Email: <u>support@copyrightsettlements.com</u> Website: <u>www.copyrightsettlements.com</u>

The early "settlement experience" is illustrated in Exhibit C. A subscriber goes online and goes to the settlement website landing page (Ex. C, p. 1). There, the subscriber certifies that he is at least 18 years old and agrees to the website's terms (as is commonly done on websites involving transactions), enters the case number and password that appears on the DMCA notice, and clicks through to the "review activity details" page (Ex. C, p. 2). On that page is the legend "Do not take action based on any information obtained from copyrightsettlements.com and/or CEG TEK International (CEG) without first consulting with your own attorney," and the subscriber has the opportunity to confirm the title of the work involved, and to add more works if he had received multiple DMCA notices. He also sees the amount required for settlement with respect to the work (or works) listed. He then clicks through to the "settlement information" page (Ex. C, p. 3). There he is offered three forms of payment options. (The aforementioned legend also appears.) For purposes of illustration, the exhibit shows the subscriber selecting the "mail settlement" option, which would get him another version of the "settlement information" page (Ex. C, p. 4), where he is given the further option of settling anonymously. After inputting identifying information (or, if he chooses to settle anonymously, "Doe" information), he clicks through to the "settlement confirmation" page (Ex. C, p. 5), where he receives instruction to print out a settlement by mail form (Ex. C, p. 6), which he is to mail to CEG along with his settlement payment. Upon CEG's receipt of his payment, the subscriber receives a release (Ex. C, pp. 7-8). For the Court's information, Fat Kid was very favorably reviewed by Roger Ebert of the Sun Times . See,

http://rogerebert.suntimes.com/apps/pbcs.dll/article?AID=/20121128/REVIEWS/121129986

Just like most of the movies that are the subject of the cases before the Court, the "*Fat Kid* " movie was made by an independent producer, and to the extent any substantial revenues will be obtained by such studios (to recapture the investments made in payments to employees of various occupations and to pay money to profit participants without whom the movie could not have been made), those revenues will be made through Internet sales (through DVDs ordered online or through downloads) or through "on demand" offerings through the Internet, or cable or satellite

TV.

Also like most of the other movies before the court, "Fat Kid " is available for legal purchase through Internet portals. Attached as Exhibit D are screen shots from various websites showing that infringers could easily (as in even more easily than in engaging in BitTorrent file sharing, but for the parting with payment to make a legitimate purchase) obtain "Fat Kid " on DVD, digital download, rental or streaming video from several online vendors, including Amazon, iTunes, Blockbuster, Walmart, redbox, Best Buy, Netflix, and Verizon, and apparently soon on Comcast's Xfinitiy. Depending on the image resolution desired and whether or not the viewer wants a copy to keep, this movie can be viewed for as little as \$1.31 or as much as \$21.99. In just the 80 days from January 7, 2013 to March 27, 2013, CEG sent DMCA notices to Comcast regarding "Fat Kid " infringements through about 3100 unique IP addresses. (Comcast subscribers accounted for over 30% of the "Fat Kid " infringements by BitTorrent file sharers that were discovered.) With Comcast apparently soon to be making "Fat Kid " available through its Xfinitiv service, it would seem to be in its own best interest to forward CEG's complete notice to its subscribers so that they can see that there is a real consequence of their infringing activities. These infringements are, of course, not harmless. They divert revenues from all the people who create "Fat Kids " and other content. As stated by Jane Scholz, a retired journalist, in a letter published in the March 25, 2013 issue of *The New Yorker* magazine regarding a similar situation:

"[D]ownloading periodicals such as the New York *Times* —or *The New Yorker*, for that matter—without paying for them would harm the people who worked for those publications in the past and who write for them today."

See, http://www.newyorker.com/magazine/letters/2013/03/25/130325mama_mail1_

So, both John Seiver and I were partially correct. If Comcast were to send CEG's complete DMCA notice to its subscribers, they would have the opportunity to settle the infringements committed through their Internet subscriptions without all the additional expenses and the imposition of statutory damage awards.

Respectfully submitted,

Ira M. Siegel

Attorney for Plaintiffs in

Metro Media Entertainment, LLC v. Richard Steinruck, United States District Court for the District of Maryland Case No. 8-12-cv-00347-DKC

Third Degree Films v. Named Defendant, United States District Court for the District of Maryland Case No. 8-12-cv-00349-JFM

Patrick Collins, Inc. v. Osburn, United States District Court for the District of Maryland Case No. 8-12-cv-01294-PWG

cc (w/encl.):

John D. Seiver, by email: johnseiver@dwt.com

Jon A. Hoppe, by email: jhoppe@mhhhlawfirm.com

Lawrence R. Holzman, by email: <u>lholzman@theholzmanlawfirm.com</u>

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John Lowe, by email: johnlowe@johnlowepc.com

Christina Boffen, by email: <u>cboffen@gmail.com</u>

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LAW OFFICES OF IRA M. SIEGEL INTELLECTUAL PROPERTY PROTECTION AND ENFORCEMENT PATENT, TRADEMARK AND COPYRIGHT LAW

433 N. Camden Drive, Suite 970 Beverly Hills, California 90210 Tel: 310-435-7656 Fax: 310-657-2187 email: irasiegel@earthlink.net

April 1, 2013

by email: MDD_RWTChambers@mdd.uscourts.gov MDD_PWGChambers@mdd.uscourts.gov

Hon. Roger W. Titus, United States District Judge Hon. Paul W. Grimm, United States District Judge United States District Court Greenbelt Division 6500 Cherrywood Lane Greenbelt, Maryland 20770

Re: Malibu Media, LLC v. John Doe Cases in the District of Maryland

Dear Judges Titus and Grimm,

Thank you for conducting the extended hearing regarding the "gateway" issues discussed on Monday, March 25, 2013. Obviously, much more discussion could be had.

Please consider the following supplemental discussion regarding a specific disagreement that arose between Comcast's counsel, John D. Seiver, and me.

I had stated that (i) CEG sends "DMCA" notices to ISPs, (ii) when ISPs forward those notices on to their subscribers, such subscribers have an early opportunity to settle the monitored infringement inexpensively, and (iii) while some ISPs do forward CEG's notices to their respective subscribers, Comcast and AT&T do not do so, and Comcast and AT&T thereby deny their subscribers the opportunity to reach inexpensive settlements.

AT&T's counsel made no representation to the Court in this regard, and in fact AT&T does <u>not</u> forward CEG's DMCA notices to AT&T's subscribers.

Mr. Seiver, however, stated that Comcast does forward CEG's DMCA notices. So, there is a disagreement between Mr. Seiver and the undersigned, and it turns out that in a way we are both correct. That is, Comcast does send notices to its subscribers, but it deletes all information that would enable a subscriber to explore early settlement.

Attached as Exhibit A is a sample of the DMCA notice that CEG has sent to Comcast with respect to the movie "*Fat Kid Rules the World*" (hereinafter "*Fat Kid*"). Attached as Exhibit B is a sample DMCA notice that Comcast does send to its subscribers. CEG's notice and Comcast's notice are shown below side-by-side so that the Court can graphically observe that Comcast's notice does not include the information that follows the "Evidence"

Hon. Roger W. Titus, United States District Judge Hon. Paul W. Grimm, United States District Judge April 1, 2013 Page 2 of 5

section, information which would provide to its subscribers the opportunity to settle inexpensively and obtain a release against a future lawsuit. (The texts are "anchored" to each other around the Evidence section, the only portions that are substantially the same as each other. The font size has been substantially reduced in the illustration below. The text is more readable in the exhibits.)

Sample Fat Kid DMCA Notice from CEG to Comcast	Sample DMCA Notice in Turn Sent to Subscriber			
	Notice of Action under the Digital Millennium Copyright Act			
	Abuse Incident Number: XXxxxxxxxxxxx Report Date/Time: XX Mar 2013 xx:xx:xx -0400			
	City, State Zip+Code			
	Dear Comcast High-Speed Internet Subscriber:			
	Comcast has received a notification by a convright owner, or its			
	authorized agent, reporting an alleged infringement of one or more copyrighted works made on or over Comcast's High-Speed Internet			
	at the time as the source of the infringing works. The works			
	identified by the copyright owner in its notification are listed below.			
	and may result in the suspension or termination of your Service			
		account.		
	Dear Comcast High-Speed Internet Subscriber:Comcast has received a notification by a copyright owner, or its authorized agent, reporting an alleged infringement of one or more copyrighted works made on or over Comcast's High-Speed Internet service (the 'Service'). The copyright owner has identified the Internet Protocol ('IP') address associated with your Service account at the time as the source of the infringing works. The works identified by the copyright owner in its notification are listed below. 			
	them to Comcast			
	in writing by sending a letter or e-mail to:			
	Comcast Customer Security Assurance			
***NOTE TO COMCAST CABLE: PLEASE FORWARD THIS	Comcast Cable Communications, LLC			
ENTIRE NOTICE TO ACCOUNT HOLDER OF IP ADDRESS				
March 5, 2013				
Re: Notice of Unauthorized Use of Copyrights Owned by Outsider				
Pictures Case #: Pxxxxxx				
CEG TEK International ("We") represent Outsider Pictures.				
Outsider Pictures owns all right, title and interest, including				
copyrights, in and to the work listed below. (Some individuals may				
find certain words in titles of works to be offensive. We apologize in advance if this is the case.)	clicking on the Terms of Service link at http://www.comcast.net.			
	Sincerely,			
This notice is intended solely for the primary Comcast Cable	Comcast Customer Security Assurance			
internet service account holder. Someone using this account has engaged in the unauthorized copying and/or distribution of the work	Copyright work(s) identified in the notification of claimed			
listed below.	infringement:			
Puid-see				
Evidence: Work Title: Fat Kid Rules the World	Evidence: Work Title: XxxxxXxXxXxXxXxXxxXxxXx			
Copyright Owner: Outsider Pictures	Copyright Owner: XXXxXxXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX			
Unauthorized File Name; [www.UsaBit.com] - Fat Kid Rules The	Unauthorized File Name: XxxxXxxxxxXxxxXxXxXXXxxxXxxxx			
World 2012 DVDRip XviD-IGUANA.avi	-Xxxx			

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Hon. Roger W. Titus, United States District Judge Hon. Paul W. Grimm, United States District Judge April 1, 2013 Page 3 of 5

Unauthorized Hash: 90061dc47f29bae9ea29a6247acf02d16d4ff8a1 Unauthorized File Size: 730707969 Unauthorized Protocol: BitTorrent

Timestamp: 2013-03-03 22:35:22 North American Eastern Time Unauthorized IP Address: xx.xxx.xxx Unauthorized Port: xxxxx

The following files were included in the unauthorized copying and/or distribution: File 1: [www.UsaBit.com] - Fat Kid Rules The World 2012

DVDRip XviD-IGUANA.avi

You are hereby notified that unauthorized copying and/or distribution of Outsider Pictures's Work is a violation of the U.S. Copyright Act, 17 U.S.C. 106. In this regard, request is hereby made that you and all persons using this account immediately and permanently cease and desist the unauthorized copying and/or distribution of the registered copyrights listed in this notice or otherwise owned by Outsider Pictures.

You may also be held liable for monetary damages, including court costs and/or attorney fees if a lawsuit is commenced against you. You have until Thursday, April 4, 2013 to access the settlement offer and settle online. To access the settlement offer, please visit https://www.copyrightsettlements.com/and enter Case #: Pxxxxxxa and Password: xxxx. To access the settlement offer directly, please visit https://www.copyrightsettlements.com/xx=Pxxxxxxxxxxx

Settlement Information:

Direct Settlement Link: https://www.copyrightsettlements.com/xx=Pxxxxxxxxxxx Settlement Website: https://www.copyrightsettlements.com/ Case #: Pxxxxxx Password: xxxx

If you fail to respond or settle within the prescribed time period, the claim(s) will be referred to our attorneys for legal action. At that point the original settlement offer will no longer be an option and the amount will increase as a result of us having to involve our attorneys.

Nothing contained or omitted from this correspondence is, or shall be deemed to be either a full statement of the facts or applicable law, an admission of any fact, or waiver or limitation of any of the Outsider Pictures's rights or remedies, all of which are specifically retained and reserved.

The information in this notice is accurate. We have a good faith belief that use of the material in the manner complained of herein is not authorized by the copyright owner, its agent, or by operation of law. We declare under penalty of perjury, that we are authorized to act on behalf of Outsider Pictures.

Sincerely,

Ira M. Siegel, Esq. Legal Counsel CEG TEK International 8484 Wilshire Boulevard, Suite 220 Beverly Hills, CA 90211 Toll Free: 877-526-7974 Email: suppot@copyrightsettlements.com Website: www.copyrightsettlements.com

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Hon. Roger W. Titus, United States District Judge Hon. Paul W. Grimm, United States District Judge April 1, 2013 Page 4 of 5

The early "settlement experience" is illustrated in Exhibit C. A subscriber goes online and goes to the settlement website landing page (Ex. C, p. 1). There, the subscriber certifies that he is at least 18 years old and agrees to the website's terms (as is commonly done on websites involving transactions), enters the case number and password that appears on the DMCA notice, and clicks through to the "review activity details" page (Ex. C, p. 2). On that page is the legend "Do not take action based on any information obtained from copyrightsettlements.com and/or CEG TEK International (CEG) without first consulting with your own attorney," and the subscriber has the opportunity to confirm the title of the work involved, and to add more works if he had received multiple DMCA notices. He also sees the amount required for settlement with respect to the work (or works) listed. He then clicks through to the "settlement information" page (Ex. C, p. 3). There he is offered three forms of payment options. (The aforementioned legend also appears.) For purposes of illustration, the exhibit shows the subscriber selecting the "mail settlement" option, which would get him another version of the "settlement information" page (Ex. C, p. 4), where he is given the further option of settling anonymously. After inputting identifying information (or, if he chooses to settle anonymously, "Doe" information), he clicks through to the "settlement confirmation" page (Ex. C, p. 5), where he receives instruction to print out a settlement by mail form (Ex. C, p. 6), which he is to mail to CEG along with his settlement payment. Upon CEG's receipt of his payment, the subscriber receives a release (Ex. C, pp. 7-8).

For the Court's information, *Fat Kid* was very favorably reviewed by Roger Ebert of the *Sun Times*. See,

http://rogerebert.suntimes.com/apps/pbcs.dll/article?AID=/20121128/REVIEWS/121129986

Just like most of the movies that are the subject of the cases before the Court, the "*Fat Kid*" movie was made by an independent producer, and to the extent any substantial revenues will be obtained by such studios (to recapture the investments made in payments to employees of various occupations and to pay money to profit participants without whom the movie could not have been made), those revenues will be made through Internet sales (through DVDs ordered online or through downloads) or through "on demand" offerings through the Internet, or cable or satellite TV.

Also like most of the other movies before the court, "*Fat Kid*" is available for legal purchase through Internet portals. Attached as Exhibit D are screen shots from various websites showing that infringers could easily (as in even more easily than in engaging in BitTorrent file sharing, but for the parting with payment to make a legitimate purchase) obtain "*Fat Kid*" on DVD, digital download, rental or streaming video from several online vendors, including Amazon, iTunes, Blockbuster, Walmart, redbox, Best Buy, Netflix, and Verizon, and apparently soon on Comcast's Xfinitiy. Depending on the image resolution

Hon. Roger W. Titus, United States District Judge Hon. Paul W. Grimm, United States District Judge April 1, 2013 Page 5 of 5

desired and whether or not the viewer wants a copy to keep, this movie can be viewed for as little as \$1.31 or as much as \$21.99.

In just the 80 days from January 7, 2013 to March 27, 2013, CEG sent DMCA notices to Comcast regarding "*Fat Kid*" infringements through about 3100 unique IP addresses. (Comcast subscribers accounted for over 30% of the "*Fat Kid*" infringements by BitTorrent file sharers that were discovered.) With Comcast apparently soon to be making "*Fat Kid*" available through its Xfinitiy service, it would seem to be in its own best interest to forward CEG's complete notice to its subscribers so that they can see that there is a real consequence of their infringing activities.

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See, http://www.newyorker.com/magazine/letters/2013/03/25/130325mama_mail1

So, both John Seiver and I were partially correct. If Comcast were to send CEG's complete DMCA notice to its subscribers, they would have the opportunity to settle the infringements committed through their Internet subscriptions without all the additional expenses and the imposition of statutory damage awards.

espectfully submitted, 10APA

Attorney for Plaintiffs in Metro Media Entertainment, LLC v. Richard Steinruck, United States District Court for the District of Maryland Case No. 8-12-cv-00347-DKC

Third Degree Films v. Named Defendant, United States District Court for the District of Maryland Case No. 8-12-cv-00349-JFM

Patrick Collins, Inc. v. Osburn, United States District Court for the District of Maryland Case No. 8-12-cv-01294-PWG

cc (w/encl.):

John D. Seiver, by email: johnseiver@dwt.com Jon A. Hoppe, by email: jhoppe@mhhhlawfirm.com Lawrence R. Holzman, by email: lholzman@theholzmanlawfirm.com Jason E. Sweet, by email: jsweet@boothsweet.com Bart W. Huffman, by email: bhuffman@lockelord.com John Lowe, by email: johnlowe@johnlowepc.com Christina Boffen, by email: cboffen@gmail.com

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NOTE TO COMCAST CABLE: PLEASE FORWARD THIS ENTIRE NOTICE TO ACCOUNT HOLDER OF IP ADDRESS xx.xxx.xxx.xx March 5, 2013

Re: Notice of Unauthorized Use of Copyrights Owned by Outsider Pictures Case #: PXXXXXX

CEG TEK International ("We") represent Outsider Pictures. Outsider Pictures owns all right, title and interest, including copyrights, in and to the work listed below. (Some individuals may find certain words in titles of works to be offensive. We apologize in advance if this is the case.)

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Evidence:

Work Title: Fat Kid Rules the World Copyright Owner: Outsider Pictures Unauthorized File Name: [www.UsaBit.com] - Fat Kid Rules The World 2012 DVDRip XviD-IGUANA.avi Unauthorized Hash: 90061dc47f29bae9ea29a6247acf02d16d4ff8a1 Unauthorized File Size: 730707969 Unauthorized Protocol: BitTorrent Timestamp: 2013-03-03 22:35:22 North American Eastern Time Unauthorized IP Address: xx.xxx.xxx Unauthorized Port: xxxx The following files were included in the unauthorized copying and/or distribution: File 1: [www.UsaBit.com] - Fat Kid Rules The World 2012 DVDRip XviD-IGUANA.avi

You are hereby notified that unauthorized copying and/or distribution of Outsider Pictures's Work is a violation of the U.S. Copyright Act, 17 U.S.C. 106. In this regard, request is hereby made that you and all persons using this account immediately and permanently cease and desist the unauthorized copying and/or distribution of the registered copyrights listed in this notice or otherwise owned by Outsider Pictures.

Settlement Information: Direct Settlement Link: https://www.copyrightsettlements.com/xx=Pxxxxxxxxxx Settlement Website: https://www.copyrightsettlements.com/ Case #: Pxxxxxxx Password: xxxx

If you fail to respond or settle within the prescribed time period, the claim(s) will be referred to our attorneys for legal action. At that point the original settlement offer will no longer be an option and the amount will increase as a result of us having to involve our attorneys.

Nothing contained or omitted from this correspondence is, or shall be deemed to be either a full statement of the facts or applicable law, an admission of any fact, or waiver or limitation of any of the Outsider Pictures's rights or remedies, all of which are specifically retained and reserved.

The information in this notice is accurate. We have a good faith belief that use of the material in the manner complained of herein is not authorized by the copyright owner, its agent, or by operation of law. We declare under penalty of perjury, that we are authorized to act on behalf of Outsider Pictures.

Sincerely,

Ira M. Siegel, Esq. Legal Counsel CEG TEK International 8484 Wilshire Boulevard, Suite 220 Beverly Hills, CA 90211 Toll Free: 877-526-7974 Email: support@copyrightsettlements.com Website: www.copyrightsettlements.com Notice of Action under the Digital Millennium Copyright Act

Abuse Incident Number: Report Date/Time: XXxxxxxxxxxx XX Mar 2013 xx:xx:xx -0400

First Name Last Name Street Address City, State Zip+Code

Dear Comcast High-Speed Internet Subscriber:

Comcast has received a notification by a copyright owner, or its authorized agent, reporting an alleged infringement of one or more copyrighted works made on or over Comcast's High-Speed Internet service (the 'Service'). The copyright owner has identified the Internet Protocol ('IP') address associated with your Service account at the time as the source of the infringing works. The works identified by the copyright owner in its notification are listed below. Comcast reminds you that use of the Service (or any part of the Service) in any manner that constitutes an infringement of any copyrighted work is a violation of Comcast's Acceptable Use Policy and may result in the suspension or termination of your Service account.

If you have any questions regarding this notice, you may direct them to Comcast in writing by sending a letter or e-mail to:

> Comcast Customer Security Assurance Comcast Cable Communications, LLC 1800 Bishops Gate Blvd., 3rd Floor East Wing Mount Laurel, NJ 08054 U.S.A. Phone: (888) 565-4329 Fax: (856) 324-2940

For more information regarding Comcast's copyright infringement policy, procedures, and contact information, please read our Acceptable Use Policy by clicking on the Terms of Service link at http://www.comcast.net.

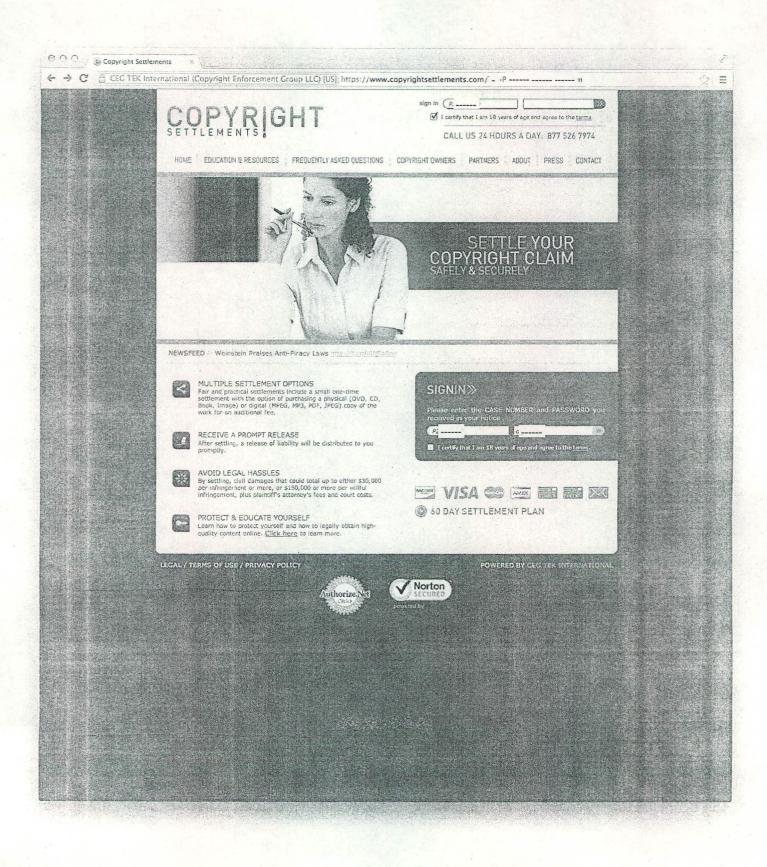
Sincerely,

Comcast Customer Security Assurance

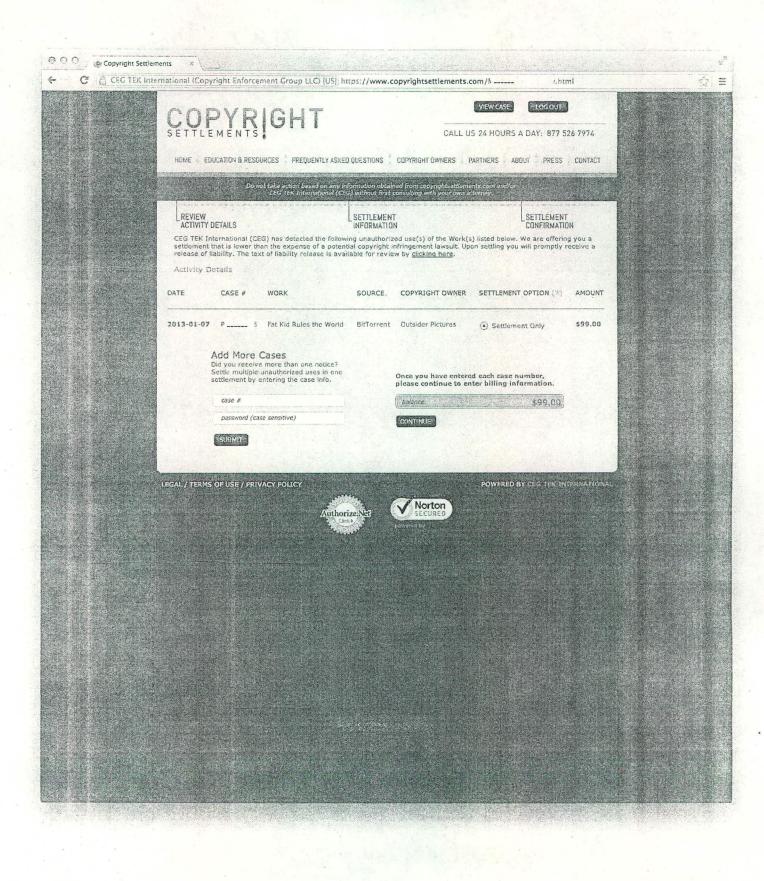
Copyright work(s) identified in the notification of claimed infringement:

Evidence:

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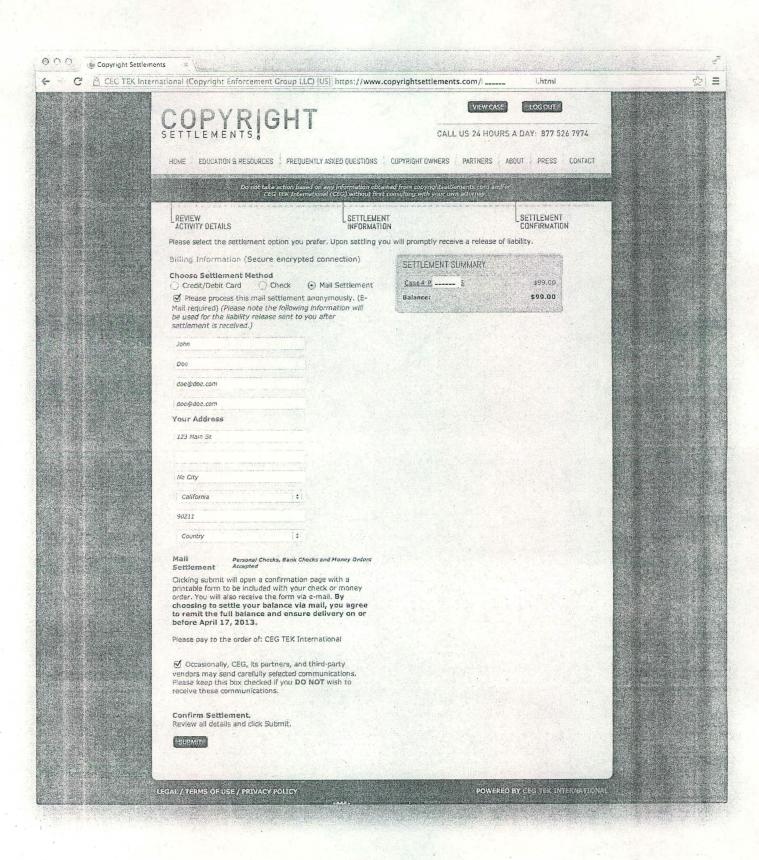
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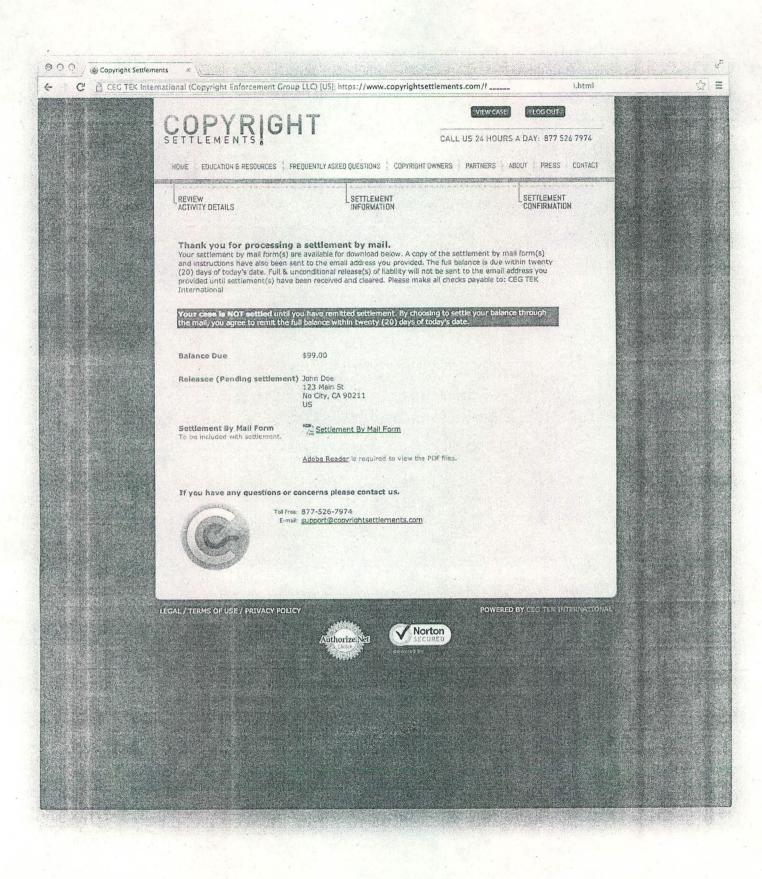
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COPYRIGH SETTLEMENTS, HOME EDUCATION & RESOURCES FREE		CALL US 24 HOU COPYRIGHT OWNERS PARTNERS	RS A DAY: 877 526 7974	
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COPYRIGHT

SETTLEMENT BY MAIL FORM

PLEASE PRINT & RETURN A COPY OF THIS FORM WITH YOUR SETTLEMENT

Thank you for processing a mail settlement. A release of liability will be emailed to you as soon as your settlement is received and funds are cleared. The case number(s) below will remain open and subject to civil prosecution until settlement is received and fully processed.

DUE DATE: April 17, 2013

CASE NUMBER(S):

AMOUNT DUE: \$99.00

CONTACT INFORMATION: John Doe

123 Main St No City, CA 90211 US

MAIL SETTLEMENT TO: CEG TEK International P.O. Box 515381 #23722 Los Angeles, CA 90051-6681

Notice: Do not send cash. Only cashier's checks, money orders, and personal checks are accepted (please make payable to: CEG TEK International). You will be charged an additional \$15.00 for all returned checks and be required to replace the returned check with a cashier's check or money order. Failure to immediately replace the returned check will result in the matter being turned over to our legal department for further action. CEG TEK International is not legally responsible for any lost, stolen, or delayed mail settlements.

Questions/Concerns: Contact us by phone at 877-526-7974



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COPYRIGHT SETTLEMENTS,

LIABILITY RELEASE

Thank you for your settlement. Your liability release is below. PLEASE PRINT AND RETAIN A COPY OF THIS DOCUMENT - IT RELEASES YOU FROM LIABILITY.

Settlement Date:

March 29, 2013

Title: Fat Kid Rules the World

File Name: Fat Kid Rules The World 2012 DVDRip XviD-IGUANA.avi

RELEASOR:

Outsider Pictures, LLC 1127 9th Street #104 Santa Monica, CA 90403 Case Number: Pxxxxxxx

Infringement IP Address: xx.xx.xxx.xxx

Source & Timestamp: BitTorrent - 03 Mar 2013 22:35:22 -0400

RELEASEE: John Doe

123 Main St No City, CA 90211 US

Release Security Code: 9X43G85AB8INFRING3M3NT4321

(Please note: the Release Security Code is unique to this case and cannot be replicated.)

RELEASEE understands that RELEASOR asserts that, before the Settlement Date set forth above, infringement of the copyright in the above-titled work occurred on the computer associated with the IP Address and Timestamp listed above. RELEASOR and RELEASEE are willing to settle and resolve any claim against RELEASEE for that alleged infringement under the terms and conditions set forth herein, it being understood by both that this Liability Release represents a compromise and that nothing herein is to be construed as an admission of liability on the part of RELEASEE.

RELEASEE represents and warrants to RELEASOR that, to the extent, if any, that RELEASEE has ever had an unauthorized copy of the above-titled work in RELEASEE's possession, RELEASEE has removed any and all copies of the above-titled work from all of RELEASEE's computers and has destroyed all other copies of the work prior to the Settlement Date written above except for any copies lawfully obtained from RELEASOR.

Case Number: Pxxxxxxx | Case IP: xx.xx.xxx | Settlement Date: March 29, 2013 Release Security Code: 9X43G85AB8INFRING3M3NT4321

CEG TEK International | 8484 Wilshire Boulevard, Suite 220 | Beverly Hills, CA 90211 support@copyrightsettlements.com | www.copyrightsettlements.com Toll Free: 877-526-7974



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COPYRIGHT Settlements

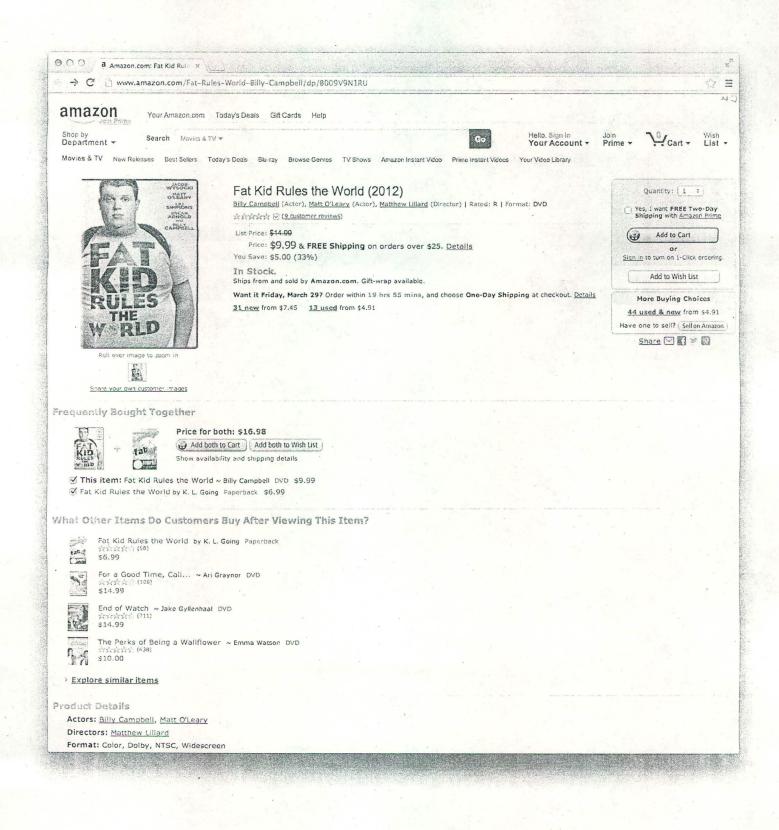
RELEASEE further represents and warrants that RELEASEE will not hereinafter make any copy of the work except as may be allowed by law, and that RELEASEE will not engage, directly or indirectly, in any reproduction or distribution of the above-titled work on the Internet.

In reliance on the representations and warranties made above by RELEASEE, and in consideration of the settlement amount received by RELEASOR from RELEASEE on the Settlement Date, RELEASOR hereby releases and discharges the RELEASEE, and RELEASEE's heirs and successors, from and against all claims, causes of actions, lawsuits, damages and demands whatsoever, specifically arising from, relating to, or in connection with RELEASEE's alleged infringement prior to the Settlement Date of the copyright in the above-titled work on the computer associated with the IP Address and Timestamp listed above. This Liability Release applies to no other claims, causes of action, lawsuits, damages and demands that RELEASOR may have against RELEASEE (e.g., for subsequent infringement of the same work or for any infringement at any time of the copyright in another work), any and/or all of which, if existing, shall survive this Liability Release applies to no infringements of the copyright in the above-titled work on the copyright in the above-titled work that have occurred on computers or other devices outside of RELEASEE's household.

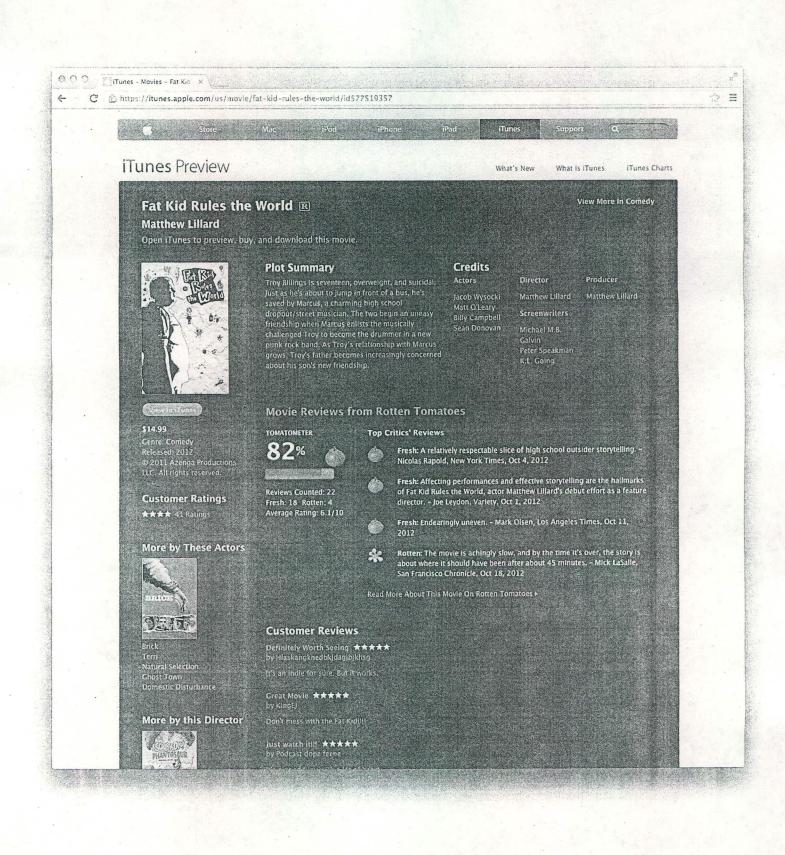
Case Number: Pxxxxxxxx | Case IP: xx.xx.xxx | Settlement Date: March 29, 2013 Release Security Code: 9X43G85AB8INFRING3M3NT4321

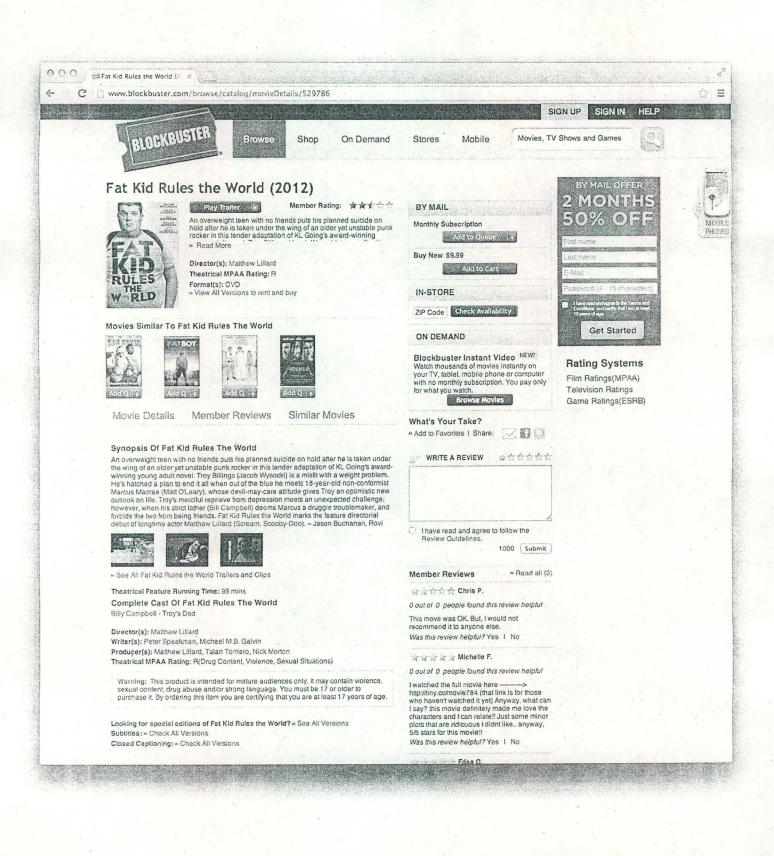
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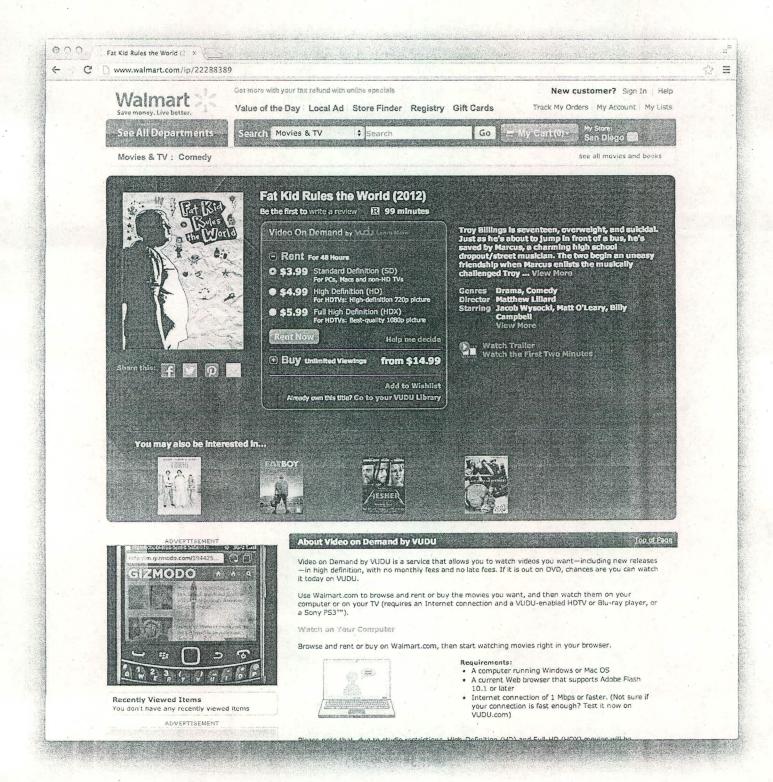
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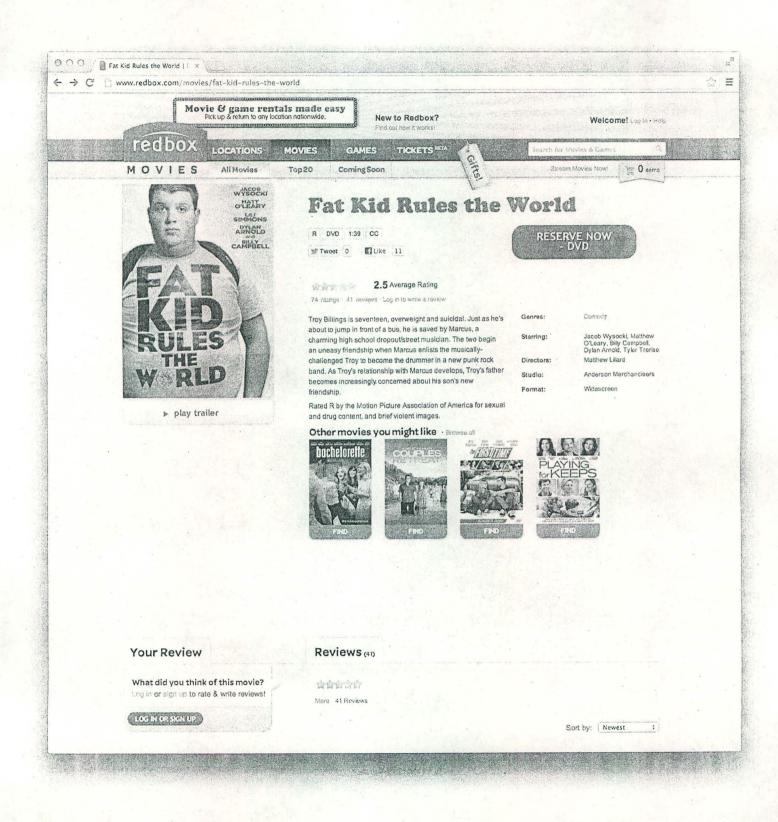


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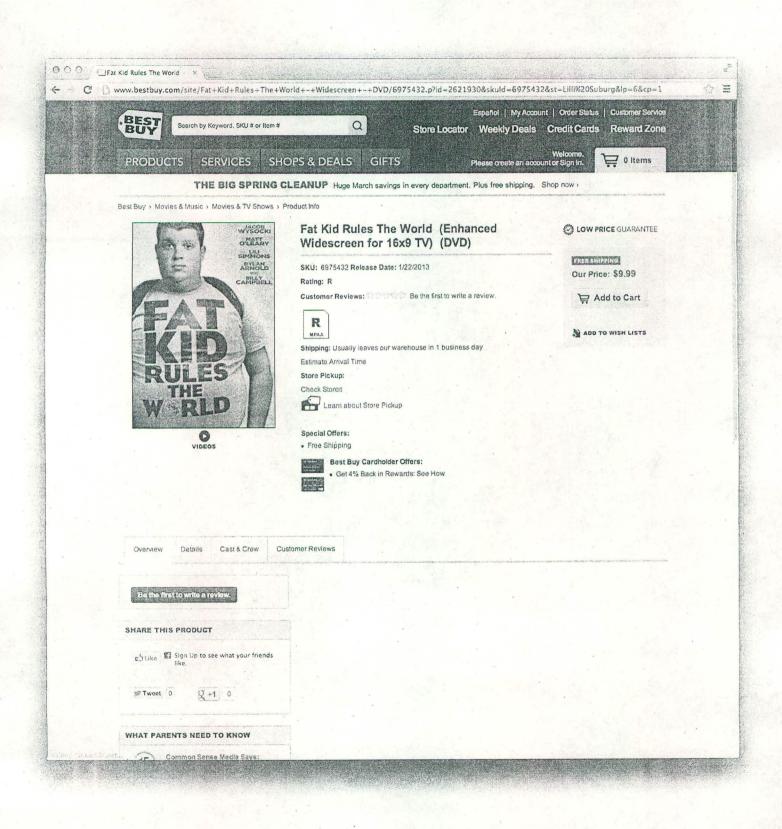








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C ndvd.netflix.com/Movie/Fat-Kid-Rules-the-World/70234447

NETELOX

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Fat Kid Rules the World

2012 11 94 minutes

食食食食食食

Depressed, obese teen Troy is about to step in front of a bus and end it all when fate enters in the form of Marcus, a free-spirited street musician. Under his samaritan's nonjudgmental wing, talentless Troy finds acceptance in Marcus's punk band.

Cast: Jacob Wysocki, Matt O'Leary Director: Matthew Lillard Genre: Comedy Format: DVD and streaming

Member Reviews

Reviews Voted Most Helpful

T Not Yet Rated T

This is a fabulous movie. Can't wait for it to be released. In the words of film critic Daniel Carlson (Houston Film Critics Society): "Fat Kid Rules the World is one of the most authentic, moving high school stories in a long time. In a net ao ginsoaked horrors like Project X, it's giorious to see that there are still people out there willing to tell real stories of hearthreak and victory, and that those stories will always and forever outshine the rest."

20 out of 26 people found this review helpful.

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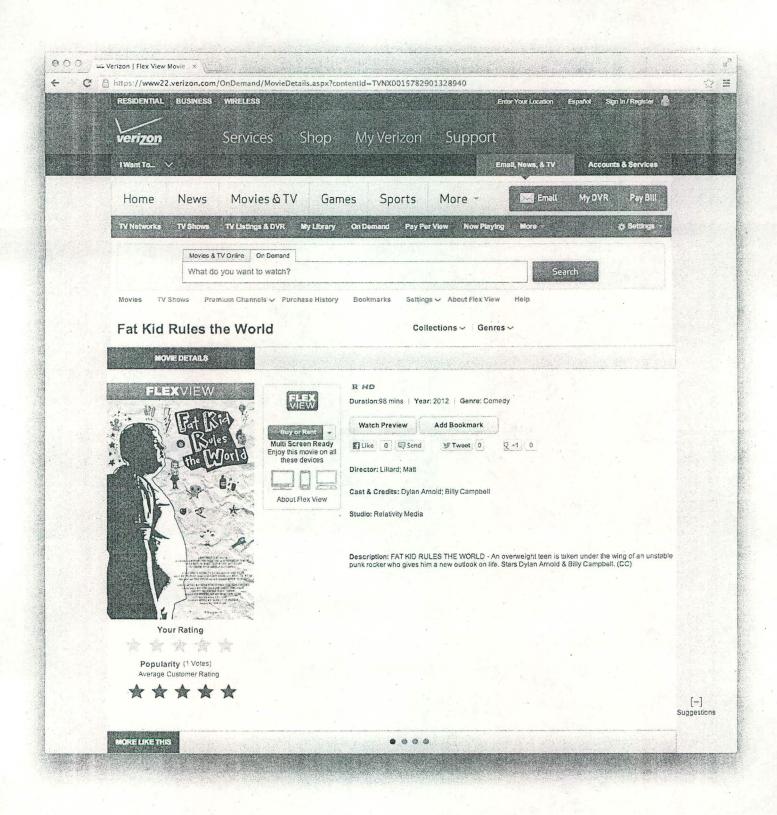
I think at some point we have all been where Troy is: he doesn't fit in, he isn't happy with his life, and he feels he has nobody to turn to. Despite all this, Troy is able to help his new friend Marcus, while Marcus shows Troy a world he never knew existed. Dong to e fooled - the title of this film screams "another stupid teen movie", but in actuality it is anything but stupid. The usual fat jokes one would expect are pretty much nonexistent. The comedy is pretty subtle, and in fact there is as much drama as comedy with neither being too heavy. The movie also works because Troy's father is level-headed and actually cares about Troy's well-being (unlike most seen movies where the parents are the villains and are totally unreasonable). The last scene of the movie was maybe a bit over the top compared to the rest of li, but overall a very good movie. Again, do not expect to see a typical teen comedy or you will be disappointed.

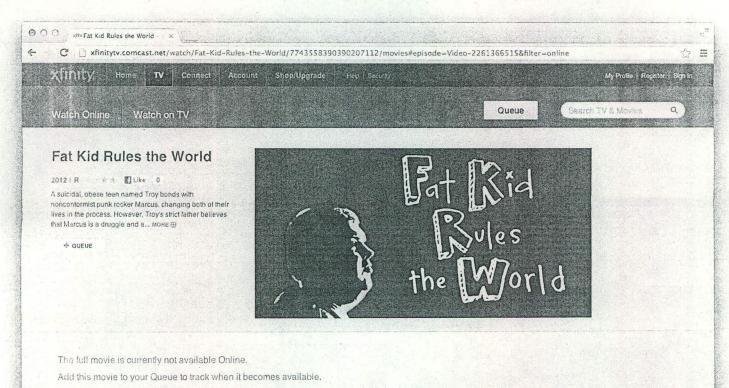
6 out of 7 people found this review helpful.

含含含立位

3 and 1/2 stars. You certainly don't have to be overweight to relate to Troy's sense of being a lonely outcast, and this film explores that special hell that high school can be in a thoughtful, understated manner. Along the way it manages to avoid -

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Clips & Trailers

Trailer Fat Kid Rules The World

Fat Kid Rules The World

Adapted from K. L. Going's young adult novel, the film centers around Troy Billings who is seventeen, overweight and suicidal. Just as ne's about to jump in front of a bus, he's saved by Marcus, a charming high school drop out / street musician. The two begin an unlikely friendship when Marcus enlists the musically challenged Troy to become the drummer in a new punk rock bank. As Troy's relationship with Marcus grows, Troy's tather becomes increasingly concerned about his son's new friendship.

XFINITY ON DEMAND^{*} PG I 90 sec Arc Entertainment FRAN