

WEB SHERIFF®
Creative Protection™
Incorporating Entertainment Law Associates™

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NOTIFICATION – pursuant to

UNITED STATES DIGITAL MILLENNIUM COPYRIGHT ACT (COPYRIGHT INFRINGEMENT NOTICE)

UNITED KINGDOM COPYRIGHT, DESIGNS & PATENTS ACT (COPYRIGHT INFRINGEMENT NOTICE)

EUROPEAN UNION COPYRIGHT DIRECTIVE (COPYRIGHT INFRINGEMENT NOTICE)

– and –

CALIFORNIA CIVIL CODE §1770 et seq (CONSUMER PROTECTION NOTICE)

UNITED STATES FEDERAL TRADE COMMISSION E-COMMERCE REGULATIONS (CONSUMER PROTECTION NOTICE)

UNITED KINGDOM CONSUMER RIGHTS ACT (CONSUMER PROTECTION NOTICE)

EUROPEAN UNION E-COMMERCE DIRECTIVE (CONSUMER PROTECTION NOTICE)

– and –

NOTIFICATION OF BREACH OF ISP'S PUBLISHED TERMS OF SERVICE

NOTIFICATION OF BREACH OF SITE'S PUBLISHED TERMS OF SERVICE

*** COPYRIGHT ADVISORY – For the avoidance of doubt, the copyright in the relevant images (the details of which are set-out in the notification below) has been assigned to the Rights Owners (as also specified in the notification below) for the remaining period of copyright in all countries of the world (including, but not limited to, the United States of America). Any unauthorized use or exploitation of the relevant copyrights – whether in connection with third party advertising, product endorsement or generally and otherwise – constitutes a clear infringement of the Rights Owners' copyright as well as, as applicable, an infringement of the right-of-publicity of the subject of the relevant images, plus such party's goodwill and all other applicable rights of an intellectual property nature (whether vesting in such party and / or the Rights Owners). Such activities also blatantly infringe and contravene – inter alia – United States, United Kingdom, European Union and international copyright laws, as well as, subject to the context in which the said images are published or otherwise exploited, a violation of all pertinent data protection laws, privacy laws, protection from harassment laws, malicious communications laws and consumer protection laws. ***

*** GOODWILL SUBSTITUTION ADVISORY – As a gesture of goodwill and subject, simply, to due and timely compliance with this copyright notification, the Rights Owners are happy to offer the following, more up-to-date, official photographs of THE WEEKND™ and for on-line reproduction under a limited, non-commercial and

revocable, so-called 'creative commons' license (and to be accompanied by a copyright credit to the Rights Owners specified herein) :- www.dropbox.com/s/g4nqkih3kho3ji3/N9A3803.jpg?dl=0 and / or www.dropbox.com/s/0scet933xnxppu5/N9A4174.jpg?dl=0 ***

*** ISP & SITE TERMS OF SERVICE ADVISORY – The Rights Owners specified in the notification below are legally entitled to expect both the Infringing Web-Site (as again specified / defined below) and its pertinent ISP to uphold / enforce their own, respective, published Terms & Conditions / Acceptable Use Policies, as such Rights Owners are parties who may, with reasonable foresight, suffer loss and damage by reason of any failure to uphold such published Terms & Conditions / Acceptable Use Policies through the unauthorized and unlicensed publishing – or the enablement of such publishing – of the Rights Owners' copyrights and other intellectual property. ***

*** CACHE ADVISORY – For the further avoidance of doubt, this DMCA request relates to both A. the infringing / violating web-images notified below and, equally, B. the source files and so-called 'robots.txt' files containing and otherwise relating to these images on the Infringing Web-Site's servers (as specified / defined below and as applicable). Accordingly, please ensure the removal of all relevant server-stored images and robots.txt files at the same time as the corresponding web-images are taken-down and in order to also ensure that any such server-stored images and files are not indexed / re-indexed and published by internet search engines (and, equally, so that such search engines' listings and caches can be properly cleared of the pertinent, violating and infringing content). Thank You. ***

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This Notice is the Copyright of WEB SHERIFF®

1. Rights Owners : WEEKND XO, LLC
2. Rights Agent : WEB SHERIFF®
3. Infringed / Violated Rights : COPYRIGHT / MORAL RIGHTS / RIGHT-OF-PUBLICITY (NAME & IMAGE RIGHTS) / PERSONAL GOODWILL & REPUTATION / BUSINESS GOODWILL & REPUTATION / CONSUMER PROTECTION RIGHTS – as applicable
4. Infringed Individuals / Entities : WEEKND XO, LLC & ABEL TESFAYE (P.K.A. "THE WEEKND™" AND THE SUBJECT OF THE PHOTOGRAPHS IN QUESTION)
5. Infringing / Violating Materials : PUBLISHED IMAGES THAT INFRINGE THE RIGHTS OWNERS' COPYRIGHT & MORAL RIGHTS / PUBLISHED IMAGES THAT INFRINGE THE RIGHTS OWNERS' RIGHT-OF-PUBLICITY / PUBLISHED IMAGES THAT INFRINGE PERSONAL GOODWILL & REPUTATION / PUBLISHED IMAGES THAT INFRINGE BUSINESS GOODWILL & REPUTATION / PUBLISHED IMAGES THAT VIOLATE CONSUMER PROTECTION RIGHTS – ALL IN BREACH OF ISP'S / HOST'S PUBLISHED TERMS OF SERVICE / ACCEPTABLE USE POLICY AND ALL IN BREACH OF INFRINGING WEB-SITE'S PUBLISHED TERMS OF SERVICE / ACCEPTABLE USE POLICY (as applicable – PLEASE SEE URL LIST BELOW & DMCA APPENDIX ATTACHED)
6. Infringing / Violating Activity :
 - A. COPYRIGHT INFRINGEMENT (UNAUTHORIZED EXPLOITATION & DIGITAL DISTRIBUTION OF COPYRIGHT MATERIALS PLUS, AS APPLICABLE, FALSE ENDORSEMENT OF THIRD PARTY GOODS & SERVICES THROUGH UNAUTHORIZED EXPLOITATION & DIGITAL DISTRIBUTION OF COPYRIGHT MATERIALS IN DIRECT CONJUNCTION WITH & JUXTAPOSITION WITH UNAUTHORIZED ADVERTISING FOR SUCH THIRD PARTY GOODS & SERVICES)

B. MORAL RIGHTS INFRINGEMENT (UNAUTHORIZED EXPLOITATION & DIGITAL DISTRIBUTION OF COPYRIGHT MATERIALS EMBODYING MORAL RIGHTS PLUS, AS APPLICABLE, FALSE ENDORSEMENT OF THIRD PARTY GOODS & SERVICES THROUGH UNAUTHORIZED EXPLOITATION & DIGITAL DISTRIBUTION OF COPYRIGHT MATERIALS EMBODYING MORAL RIGHTS IN DIRECT CONJUNCTION WITH & JUXTAPOSITION WITH UNAUTHORIZED ADVERTISING FOR SUCH THIRD PARTY GOODS & SERVICES)

C. RIGHT-OF-PUBLICITY INFRINGEMENT (UNAUTHORIZED EXPLOITATION & DIGITAL DISTRIBUTION OF NAME AND / OR LIKENESS PLUS, AS APPLICABLE, FALSE ENDORSEMENT OF THIRD PARTY GOODS & SERVICES THROUGH UNAUTHORIZED EXPLOITATION & DIGITAL DISTRIBUTION OF NAME AND / OR LIKENESS IN DIRECT CONJUNCTION WITH & JUXTAPOSITION WITH UNAUTHORIZED ADVERTISING FOR SUCH THIRD PARTY GOODS & SERVICES)

D. PERSONAL GOODWILL & REPUTATION INFRINGEMENT (UNAUTHORIZED EXPLOITATION OF PERSONAL GOODWILL & REPUTATION PLUS, AS APPLICABLE, FALSE ENDORSEMENT OF THIRD PARTY GOODS & SERVICES THROUGH UNAUTHORIZED EXPLOITATION OF PERSONAL GOODWILL & REPUTATION IN DIRECT CONJUNCTION WITH & JUXTAPOSITION WITH UNAUTHORIZED ADVERTISING FOR SUCH THIRD PARTY GOODS & SERVICES)

E. BUSINESS GOODWILL & REPUTATION INFRINGEMENT (UNAUTHORIZED EXPLOITATION OF BUSINESS GOODWILL & REPUTATION PLUS, AS APPLICABLE, FALSE ENDORSEMENT OF THIRD PARTY GOODS & SERVICES THROUGH UNAUTHORIZED EXPLOITATION OF BUSINESS GOODWILL & REPUTATION IN DIRECT CONJUNCTION WITH & JUXTAPOSITION WITH UNAUTHORIZED ADVERTISING FOR SUCH THIRD PARTY GOODS & SERVICES)

F. CONSUMER PROTECTION RIGHTS VIOLATIONS (VIOLATION OF INTERNATIONAL & DOMESTIC CONSUMER PROTECTION LEGISLATION THROUGH, AS APPLICABLE, MISLEADING AND DECEPTIVE TRADE PRACTICES & FALSE ENDORSEMENTS AND THROUGH FAILURE TO PUBLISH LEGAL OWNERSHIP DETAILS OF INFRINGING WEB SITE AND FAILURE TO PUBLISH FULL, ADDRESS AND CONTACT DETAILS FOR INFRINGING WEB SITE)

G. BREACH OF ISP'S / HOST'S PUBLISHED TERMS OF SERVICE / ACCEPTABLE USE POLICY (BY REASON OF THE ABOVE INFRINGEMENTS & VIOLATIONS)

H. BREACH OF INFRINGING / VIOLATING WEB SITE'S PUBLISHED TERMS OF SERVICE / ACCEPTABLE USE POLICY (BY REASON OF THE ABOVE INFRINGEMENTS & VIOLATIONS)

**** TRADEMARK & GENERAL RESERVATION OF RIGHTS **** ALL REGISTERED, COMMON-LAW & PENDING TRADEMARK RIGHTS ARE HEREBY STRICTLY RESERVED – AS ARE ALL OTHER RIGHTS OF AN INTELLECTUAL PROPERTY NATURE (WHETHER EXPOUNDED HEREIN OR OTHERWISE).

7. Infringing / Violating Web-Site : WIKIPEDIA.ORG / WIKIMEDIA.ORG

8. Infringing / Violating File Location(s) :

https://ro.wikipedia.org/wiki/The_Weeknd

https://upload.wikimedia.org/wikipedia/commons/thumb/f/f7/The_Weeknd_August_2017.jpg/220px-The_Weeknd_August_2017.jpg

https://en.wikipedia.org/wiki/File:The_Weeknd_August_2017.jpg

https://commons.wikimedia.org/wiki/File:The_Weeknd_August_2017.jpg



9. USDMCA / UKCDPA / EUCD / Notification Request : Please remove Infringing / Violating Materials and Infringing / Violating Activity from the Infringing / Violating File Location(s) on the Infringing / Violating Web-Site ASAP : Thank you.

10. Signature :



[Redacted]

for and on behalf of
WEB SHERIFF®

Incorporating Entertainment Law Associates™

London Office : [Redacted]

Affiliated Offices

Los Angeles Office : [Redacted]

New York Office : [Redacted]

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(Signed as Duly Authorized Rights Agent of the Rights Owners Specified Herein)

"I have a good faith belief that use of the copyrighted – and other infringing and violating – materials I will submit via e-mail (as applicable) and allege to be infringing (and, as applicable, violating) are not authorized by the owners of the pertinent rights, their agents, or the law. I swear, under penalty of perjury, that the information I submit in each and every notification I will send shall be accurate and that I shall be, at the time of notification, either the intellectual property rights owner or authorized to act on behalf of the owners of the exclusive rights that are allegedly infringed (and, again as applicable, the rights that are allegedly violated)."

NOTE 1 :

As per the above declaration, the information contained in this notification is accurate and, under penalty of perjury, Web Sheriff® is authorized to act on behalf of the exclusive owners of the rights alleged to have been infringed and otherwise violated in this notification. Both Web Sheriff® and the Rights Owners specified herein have a good faith belief that the infringing party identified above has no right or entitlement to exploit or otherwise impinge upon the Infringed / Violated Rights specified herein.

NOTE 2 :

This notification is issued without prejudice (save as to costs) to the accumulated, worldwide rights and civil, regulatory and criminal remedies of the Rights Owners specified herein and in relation to the infringements and violations specified herein – including, but not limited to, the right to seek injunctive relief, disclosure, damages and costs and the right to pursue regulatory and criminal prosecutions – all of which rights are hereby reserved in full.

NOTE 3 :

The above Infringing / Violating Activity breaches – inter alia – numerous provisions of the relevant internet service provider's Terms of Service / Acceptable Use Policy. Moreover, the Rights Owners and the Infringed Individuals / Entities have a right to expect the relevant internet service provider to enforce its own, published Terms of Service / Acceptable Use Policy in an expeditious and proactive manner. As such, all accumulated, worldwide rights and civil and regulatory remedies remain reserved in full.



NOTE 4 :

As publisher of the Infringing / Violating Materials, the Infringing / Violating Web-Site is liable to the Rights Owners and the Infringed Individuals / Entities in multiple, international jurisdictions for the multiple infringement of the Rights Owners' and the Infringed Individuals' / Entities' rights. Moreover, the above Infringing / Violating Activity breaches – inter alia – numerous provisions of the Infringing / Violating Web-Site's published Terms of Service / Acceptable Use Policy and the Rights Owners and the Infringed Individuals / Entities have a right to expect the Infringing / Violating Web-Site to enforce its own, published Terms of Service / Acceptable Use Policy in an expeditious and proactive manner. As such, all accumulated, worldwide rights and civil and regulatory remedies similarly remain reserved in full.

NOTE 5 :

In addition to constituting infringements of intellectual property rights, the above Infringing / Violating Activity may (or may not – as applicable) constitute criminal infractions and / or a violation of international and domestic consumer protection and anti-money-laundering legislation and treaties. As such, all accumulated, worldwide rights and regulatory and criminal remedies remain reserved in full.

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WEB SHERIFF® – Creative Protection™

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DMCA APPENDIX



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