

April 19, 2021
Resent/revised: May 11, 2021

Tony Sebro
Designated Agent
Wikimedia Foundation
c/o CT Corporation System
818 West Seventh Street
Los Angeles CA 90017
fax: 415-882-0495
legal@wikimedia.org

Re: **DMCA Takedown Notice - Copyright Infringement Notification**

Dear Mr. Sebro and/or Designated Agent:

I am the legal representative of an artist, Koya Abe. This notice is submitted to the designated agent for Wikimedia / Wikimedia Commons / Wikimedia Foundation, as identified for the purpose of demanding the removal of material that is an infringement of Mr. Abe's copyright protected artwork.

Wikimedia pages are displaying an unauthorized copy of Koya Abe's artwork and have falsely identify it as a public domain work. The artwork is not in the public domain. Koya Abe did not authorize the reproduction and has not given any permission for display on Wikimedia.

The page must be removed immediately from Wikimedia Commons and from any other related websites or web pages that display it.

The infringing image appears here:

https://commons.wikimedia.org/wiki/File:After_Koshu_Kajikazawa.png

It is also shown in searches, such as:

<https://commons.wikimedia.org/w/index.php?search=Koya+abe&title=Special:MediaSearch&go=Go&type=image>. The file history indicates a user named "Necrocancer."

An image of the infringed artwork is shown on Koya Abe's official website at:

www.koyaabe.com/i_pages/animism/ch6_18.html and <http://koyaabe.com/chapter6.html> and on the home page at <http://koyaabe.com>.

The work was completed in 2011, as indicated, the artist, Koya Abe is living, and he owns the copyright in the work. An image of the work from his website is attached.

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The infringing copy appears to have been taken without authorization from the website of the British Museum which clearly states that the work is "not available for download" and indicates Mr. Abe's copyright. Thus, it is apparent that the individual who posted this work on Wikimedia knew or should have known that taking the image was unlawful and falsely stated on the Wikimedia page that it is public domain.

Again, the work is not in the public domain. The inaccurate label is highly injurious to the artist and his market and it may have already caused damage to his interests. On his behalf, I must demand that the images of the artwork be removed from the webpages immediately.

Complainant Information:

Jennifer L. Unruh, Esq. (representing Koya Abe)

[REDACTED]
Astoria, New York 11102

[REDACTED]
[REDACTED]@me.com

Copyright Owner:
Koya Abe

[REDACTED]
Astoria, New York 11102
[REDACTED]

I affirm that I am a lawyer in the State of New York and I am authorized by Koya Abe to represent him in this matter, and I further affirm that the statements herein are true and correct to the best of my knowledge.

Please contact me at any time to confirm that the infringing display has been removed or if you need further information. Thank you for your assistance.

Sincerely,

[REDACTED]
Jennifer L. Unruh