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October 27, 2009

**Fax to 202-318-4089 and email to abuse@Hosting.com**

W. David Snead, P.C.  
Attention: Hosting.com DMCA Agent  
P.O. Box 53249  
Washington, D.C. 20009

Re: Infringement of U.S. Chamber of Commerce's Intellectual Property Rights

Dear Mr. Snead:

We are writing on behalf of our client, the U.S. Chamber of Commerce. The U.S. Chamber of Commerce is the world's largest business federation, representing businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations. A recent survey found the U.S. Chamber of Commerce among the top five best-known and respected organizations in Washington, D.C. The U.S. Chamber of Commerce is the owner of numerous copyrights, including, *inter alia*, those covering the design of its distinctive website.

Against this background, the U.S. Chamber of Commerce recently learned of the existence of its copyright-protected material on the website located at [www.chamber-of-commerce.us](http://www.chamber-of-commerce.us) (the "Website"), a site for which Hosting.com is the Internet Service Provider (ISP). The Website infringes the U.S. Chamber of Commerce's copyrights by directly copying the images, logos, design, embedded software and layout of the U.S. Chamber of Commerce's copyright-protected official website, located at [www.uschamber.com](http://www.uschamber.com). The unauthorized exploitation of the U.S. Chamber of Commerce's copyrighted material constitutes a violation of United States copyright law, including, without limitation, the Digital Millennium Copyright Act ("DMCA"). Continuing to be the ISP for this material could subject Hosting.com to legal liability.

We sent the Website's previous ISP a DMCA notice; and that ISP decided to take down the infringing Website. However, it appears that the responsible infringers simply substituted the services of Hosting.com for those of the previous ISP without addressing the serious intellectual property violations at issue. While we uphold the rights of all who wish to participate in the debate of important issues, this Website is a fraud which attributes to our client certain false statements, and intentionally infringes on our client's intellectual property rights to confuse and deceive the public. That the infringers in this case seek to continue their

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fraud with services of different ISPs, after their original site was removed under the DMCA, only underscores their bad faith and willful conduct.

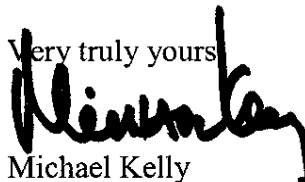
To assist Hosting.com, and in accordance with the terms of the DMCA, 17 U.S.C. §512, we are providing you with notice that: (i) The U.S. Chamber of Commerce is the exclusive owner of the identified infringing material on [www.chamber-of-commerce.us](http://www.chamber-of-commerce.us); (ii) [www.chamber-of-commerce.us](http://www.chamber-of-commerce.us) features materials directly copying the U.S. Chamber of Commerce's materials and/or infringing its copyrights, for example, the websites located at: [http://www.chamber-of-commerce.us/090118tjd\\_prosperity.html](http://www.chamber-of-commerce.us/090118tjd_prosperity.html) and <http://www.chamber-of-commerce.us/091019enterprise.html>, as well as the links and graphics found within each website; (iii) the U.S. Chamber of Commerce has a good faith belief that use of this material is not authorized by the U.S. Chamber of Commerce, its agents or the law; and (iv) this notice is accurate, and under the penalty of perjury, we are authorized by our client to act on its behalf.

The users who have posted this infringing material appear to have also violated Hosting.com's Acceptable Use Policy, which states that "Transmission, storage, or presentation of any information, data or material in violation of any applicable law, regulation, this AUP, or our TOS, is prohibited. You may not use the Service to directly facilitate the violation of any law or regulation."

Because the identified infringing material infringes our client's rights, is in violation of United States law and violates Hosting.com's Acceptable Use Policy, we request your immediate assistance in stopping this unauthorized activity. Specifically, we request that you immediately take down all such infringing material, including but not limited to, the Website identified above, supply us with the user identity and contact information associated with the Website and cancel the accounts of those users that have posted the infringing material.

We are certain that you can understand our client's concerns, and its need to protect its intellectual property. In order to help our client in dealing with this matter, we request your response to this letter by no later than October 29, 2009. We appreciate your cooperation.

This letter is sent without prejudice to any and all other rights and remedies which the U.S. Chamber of Commerce may have in connection with the above-referenced matter, which are hereby expressly reserved.

Very truly yours  
  
Michael Kelly