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October 20, 2009

**E-mail and Fax to 510-580-4151**

Mike Leber  
President  
Hurricane Electric  
760 Mission Court  
Fremont, CA 94539  
510-580-4100

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

Dear Mr. Leber:

We are writing on behalf of our client, the U.S. Chamber of Commerce (the "Chamber of Commerce"). The Chamber of Commerce is the world's largest business federation and represents 3 million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations. It is well known within the United States, and a recent survey found the Chamber of Commerce among the top five best-known and respected organizations in Washington, D.C. The Chamber of Commerce is the owner of numerous copyrights, including, *inter alia*, those covering the design of its distinctive website.

Against this background, the 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 Hurricane Electric Internet Services ("Hurricane Electric") is the Internet Service Provider (ISP). The Website infringes the Chamber of Commerce's copyrights by directly copying the images, logos, design, and layout of the Chamber of Commerce's copyright-protected official website, located at [www.uschamber.com](http://www.uschamber.com). The unauthorized exploitation of the 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 Hurricane Electric to legal liability.

To assist Hurricane Electric, and in accordance with the terms of the DMCA, 17 U.S.C. §512, we are providing you with notice that: (i) The 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 Chamber of Commerce's materials and/or infringing its copyrights, for example, the websites located at:

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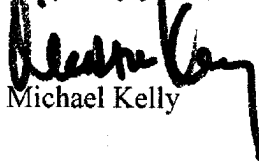
[http://www.chamber-of-commerce.us/090118tid\\_prosperity.html](http://www.chamber-of-commerce.us/090118tid_prosperity.html) and <http://www.chamber-of-commerce.us/091019enterprise.html>, as well as the links and graphics found within each website; (iii) the Chamber of Commerce has a good faith belief that use of this material is not authorized by the 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. 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 websites identified above, and cancel the accounts of those users that have posted infringing material.

The users who have posted this infringing material appear to have also violated Hurricane Electric's Terms of Service agreement, which states that "All data stored or transmitted must be legal under all applicable US laws," and Hurricane Electric's Acceptable Use Policy, which states that "no Hurricane customer shall . . . [d]o anything illegal or anything that adversely affects Hurricane's legal interests." Furthermore, we note that Hurricane Electric understands the serious nature of copyright violations, as Hurricane Electric's own "Copyright Notice & Disclaimer" expressly states that "Willful violation of the Copyright Law will be prosecuted to the fullest extent of the law."

Because the identified infringing material infringes our client's rights, is in violation of United States law, and is in breach of Hurricane Electric's Terms of Service and Acceptable Use Policy, we ask that Hurricane Electric take down all such infringing material 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 that your response to this letter by no later than October 22, 2009. We appreciate your cooperation.

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

Very truly yours,



Michael Kelly