



Derek Slater <[REDACTED]>

FW: Recent cyber.law DMCA notice

Walden, Tracy Lee <[REDACTED]>

Fri, Apr 22, 2016 at 8:07 AM

To: "[REDACTED]" <[REDACTED]>
Cc: "dmca2 dmca2 (dmca2@fas.harvard.edu)" <dmca2@fas.harvard.edu>

Hi Derek,

I serve as DMCA Agent for Harvard University and received the below notice for allegedly infringing material hosted by the Berkman Center. I forwarded the notice to staff at the Berkman yesterday asking them to remove/disable the material. They let me know that the material is from a post on a blog which belongs to you, and that they contacted you. They have removed/disabled the material. If you choose to, you may file a counter notice with me. Sincerely, Tracy

Tracy Walden

Harvard University Information Technology
IT Security
P 617 496 8515
1414 Massachusetts Avenue, Room 346
Cambridge, MA 02138
www.harvard.edu/huit

Begin forwarded message:

>
> From: <notices@ifpi.org>
> Subject: DMCA Notice (REF: C16725669)
> Date: April 20, 2016 at 7:48:12 AM EDT
> To: <netmanager@harvard.edu>
> Reply-To: <notices@ifpi.org>
>
> April 20, 2016
>
>
> Ref: C16725669
> Re: <http://cyber.law.harvard.edu/blogs/gems/cmusings/04VariousArtistsOneBigHolidam.mp3>
>
>
> Dear Sir/Madam,
>
> I am contacting you on behalf of the International Federation of the Phonographic Industry (IFPI) and the record companies it represents. The IFPI is a trade association that represents over 1,400 major and independent record companies in the US and internationally who create, manufacture and distribute sound recordings (the "IFPI Represented Companies").
>
> Under penalty of perjury, we submit that we are authorized to act on behalf of the IFPI Represented Companies in matters involving the infringement of their sound recordings, including enforcing their copyrights and common law rights on the Internet.
>
> We have learned that your service is hosting the above web pages on your network. These web pages are offering direct links to files for other users to download containing sound recordings by the artists MY MORNING JACKET. The copyright in these sound recordings is owned or exclusively controlled by certain IFPI Represented Companies.

>
> We have a good faith belief that the above-described activity is not authorized by the copyright owner, its agent, or the law. We assert that the information in this notification is accurate, based upon the data available to us.
>
> We are asking for your immediate assistance in stopping this unauthorized activity. Specifically, we request that you remove the infringing links from your system or that you disable access to the infringing links, and that you inform the site operator(s) of the illegality of his or her conduct.
>
> Our top priority is to prevent the continued availability of the IFPI Represented Companies' content on the internet. Unauthorized copies of sound recordings that are freely available, especially pre-release recordings, cause substantial damage to the IFPI Represented Companies every hour and day they remain available. In sending this notice we are seeking to ensure that infringing content is removed from the internet as quickly as possible through your cooperation. However, please note that we do not admit that we or the IFPI Represented Companies are responsible for detecting infringing material and notifying you of it.
>
> Our use of a notice in this form, as required by you, is meant to facilitate your removal of the infringing material listed above and we neither admit nor accept that you are a 'service provider' for the purposes of the DMCA or that it is necessary to serve, or that you are entitled to be served, a notice in compliance with the DMCA. IFPI itself and on behalf of the IFPI Represented Companies expressly reserves all rights in this regard.
>
> In addition, this notice does not constitute a waiver of any right to recover damages incurred by virtue of any unauthorised activities described in this notice, and such rights as well as claims for other relief are hereby expressly reserved.
>
> You may contact me at IFPI Secretariat, 10 Piccadilly, London W1J 0DD, United Kingdom or email Notices@ifpi.org, to discuss this notice.
>
> We await your response.
>
> Sincerely,
>
>
> Jeremy Banks
> Director, Anti-Piracy
> IFPI
> 7 Air Street
> London
> W1B 5AD
> United Kingdom
> Email: Notices@ifpi.org
> Tel: +44 (0)20 7878 7900
> Fax: +44 (0)20 7878 7950
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