



GBC

GBC is the home of Enigma Motion Pictures, British Lion Cinemas, The Enigma Channel, Enigma Radio Network, AIM Distribution

GBC, The Enigma Channel, Enigma Motion Pictures USA Legal Affairs Dept.

DATE: February 14th 2012

To: Jon Goldman, Ishay Pnueli (Qlipso Inc. www.veoh.com), Erel N. Margalit (Jerusalem Venture Partners)

Christopher Everard
GBC (Europe)
LA BENNAGUE
34450
Vias
HERAULT
FRANCE

Re: Copyright Infringement & unauthorized broadcasting & exploitation of IP rights, Mutilation & Modification of copyrighted films owned by GBC & Mr Christopher Everard

International Phone:
0033 977 516 562

Sat-phone:
0033 66 64 57 267

Email:
EnigmaMotionPicturesUSA@Cox.net

Dear Sirs,

We regret to inform you that the lawful and reasonable terms of our CEASE & DESIST order served upon your office on February 2nd 2012 have NOT been met.

VEOH/Qlipso Inc. have **continued**, beyond the deadline affixed, to exploit & infringe GBC/Mr Everard's motion picture documentaries.

VEOH have even failed to police their website and do the most simple keyword search for 'Chris Everard', which is perhaps the simplest of all methods VEOH/Qlipso Inc. could have used to avoid infringing our copyrights.

Since our CEASE & DESIST order was served on your office, VEOH/Qlipso Inc. have continued to display adverts for Snickers chocolate bars, Jaguar Cars, Google, Insurance companies, Gambling and other adverts that are attached/superimposed to clips of our motion picture documentaries. Our Cease & Desist letter emphatically asked for the infringing clips to be expeditiously removed. In an act of Corporate Arrogance, VEOH/Qlipso Inc. has continued to



broadcast **mutilated** and **modified** versions of Mr Everard's films, even when under Legal Notification by way of our DMCA Notification & Cease & Desist order, which invoked the Berne provisions.

The contents of your reply to our CEASE & DESIST order is copied below and we are writing to affirm that VEOH/Clipso Inc.'s **lax supervision of your website has incurred substantial financial costs to GBC & Mr Everard by way of forcing us to expend our resources detecting & logging the infringing clips which you failed to remove expeditiously.**

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It is apparent that VEOH.com and it's parents, Clipso/Jerusalem Venture Partners have, without doubt, the simple ability to enforce the rights of copyright holders such as Mr Everard by employing a simple KEYWORD filter based on the REPRESENTATIVE LIST of film titles provided in our CEASE & DESIST order. This you have refused to do.

It is regrettably proven that Veoh's conduct is not in accordance with the law and has violated Title 17 of the US Code & Trademark Act.

Veoh's e-mail reply to our Cease & Desist is reproduced below, received in our office on Saturday, February 4, 2012 10:22 AM:

From: Stacie Simons <ssimons@veoh.com>
Date: Saturday, February 4, 2012 10:22 AM
To: enigmamotionpicturesusa@cox.net
Subject: Cease and Desist Letter
Size: 4 MB
Attachments:
GBC cease and desist VEOH.pdf (4548.9 KB)
Dear Mr. Everard:



Veoh.com takes the rights of intellectual property owners very seriously, and complies as a service provider with all applicable provisions of the Digital Millennium Copyright Act ("DMCA"). Our policy is to respond to valid notices of infringement received according to the DMCA, 17 U.S.C. § 512(c), by expeditiously removing allegedly infringing materials and terminating users, when appropriate, according to our repeat infringer policy.

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We are in the process of handling your request based on the exact titles that you provided. In the meantime, are you able to provide us with a comprehensive list of titles beyond the representative list in your email, as well as information that will allow us to locate the alleged infringing content? The easiest way to provide this information is to provide the URL or Permalink for the videos as they appear on Veoh. The URL/Permalink can be found in the URL bar of your browser when looking at the page that displays the video preview or in the "share" option under permalink.

We hope that this additional information is helpful and that you will help us by providing the additional information required to allow us to immediately disable access to any allegedly infringing content.

Veoh respects the rights of intellectual property owners, and is not interested in harboring unauthorized works on its site.

Sincerely,

Stacie Simons

-

The contents of your e-mail reply, with regards to paragraph 1: The violation and infringements clearly listed in Mr Everard's CEASE & DESIST letter dated February 4, 2012 are clearly not 'alleged' but **ACTUAL violations** and infringements. Our primary objections are the DEROGATORY TREATMENT which mutilate our films - primarily caused by your 'Flash' video transcoding and the slicing of our documentaries into 'parts' or 'chunks'.



Our Cease & Desist letter made it perfectly clear that Mr Everard objects to his documentary motion pictures being broadcast on Veoh.com alongside child pornography.

The contents of your e-mail, with regards, again, to paragraph 1: The 'expeditious' removal of infringing video clips, as clearly required under law and demanded in Mr Everard's CEASE & DESIST letter dated February 2nd, 2012 have **NOT** been sufficiently, nor quickly removed.

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Since we served our CEASE & DESIST letter on your office, VEOH have **continued to broadcast** and **make profits** from our films.

One such example is the clip with the URL suffix: **/yapi-ddhJGarJmx0**

which has continued to be exploited long after our CEASE & DESIST letter was received, even though the video clip clearly reads "**© copyright THE ENIGMA CHANNEL & Christopher Everard 2008 ALL RIGHTS RESERVED This videogramme is a copyrighted work and is protected by international law**" - VEOH have continued to exploit the popularity of Mr Everard's film, with this particular clip showing 8,044 viewers reported in our CEASE & DESIST letter, and more than a thousand broadcasts of this clip have taken place since serving of our Cease & Desist letter. The clip in question now has a running total of 9,100+ total viewings/unauthorized broadcasts.

Each and every one of these unauthorized broadcasts, totaling aprox. 31,398, which have taken place since we served our Cease & Desist Order on your offices, will now be invoiced to Veoh's parent company Qlipso & JVP, who are your venture capital owners.



GBC has every right in accordance with Title 17 U.S.C. to raise an invoice detailing **individual broadcast license fees of £1,560.00 per unauthorized broadcast** which took place AFTER our Cease & Desist letter was acknowledged as received.

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On February 2nd, GBC supplied sufficient Legal Notice and even illustrations of the infringing clips broadcast on Veoh. We supplied illustrations of infringing clips, a Representative List of titles and URLs in a universally compatible **PDF document** which allows Veoh staff to **use the VIEW tool in any PDF reader to clearly see the URLs**. VEOH have failed to expeditiously remove the infringing clips in question and our legal representatives have attested that the infringing material was still being broadcast & exploited by Veoh more than 10 days after our Cease & Desist letter was received at your offices in California.

These charges are made in accordance with U.S. statutes for the protection of copyright holders vis; Statute Title 17 U.S.C., including it's September 1995 amendments, now entered and active of legislation at the United States Patent and Trademark Office (USPTO):

Title 17 stipulates that courts in the jurisdiction of the United States may award Mr Everard & GBC;

"(5) in its discretion may award reasonable attorney's fees to the prevailing party; and
"(6) may, as part of a final judgment or decree finding a violation, order the remedial modification or the destruction of any device or product involved in the violation that is in the custody or control of the violator or has been impounded under subsection (2).*



Our Cease & Desist letter requires the handing over of the unlawful video clips of Mr Everard's films - and this lawful demand, to date, has been disregarded.

Also; U.S. law allows GBC to now claim Damages - re;

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"(c) AWARD OF DAMAGES. --

"(1) IN GENERAL. -- a violator is liable for either (i) the actual damages and any additional profits of the violator, as provided by subsection (2) or (ii) statutory damages, as provided by subsection (3).

"(2) ACTUAL DAMAGES. -- The court shall award to the complaining party the actual damages suffered by him or her as a result of the violation, and any profits of the violator that are attributable to the violation and are not taken into account in computing the actual damages, if the complaining party elects such damages at any time before final judgment is entered.

"(3) STATUTORY DAMAGES. --

"(A) At any time before final judgment is entered, a complaining party may elect to recover an award of statutory damages for each violation of section 1201 in the sum of not less than \$200 or more than \$2,500 (equivalent to £1,560 GB pounds) per device, product, offer or performance of service, as the court considers just.*

VEOH have continued to exploit and profit from the popularity of Mr Everard's films. Since we



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issued the Cease & Desist order we have witnessed advertisements for Google Chrome, Orange Telecom and Citroen motor cars. When these infringements were first reported, on February 2nd 2012, GBC's films were being illegally used by Veoh as an advertising vehicle for the Oprah TV network, Disney and others - and this was clearly stated as causing Mr Everard great distress. Mr Everard's documentary films cover historical subjects such as warfare, murder, notorious criminals & paranormal events - Mr Everard considers his films to be made for a well educated and mature audience and having his documentaries broadcast alongside children's cartoons and Disney advertisements is very very inappropriate.

GBC/Mr Everard own a legitimate TV network which has been financially injured by this unlawful exploitation of our films.

We demand, as the law allows, the advertising revenue which has earned unjust riches for Qlipso/VEOH since our Cease & Desist order was issued.

GBC considers VEOH to have violated section 1202 of the United States law and shall compel full damages in accordance with section 1202. The fine for knowingly violating GBC's copyright is described in section 1204;

"Any person who violates section 1202 with intent to defraud shall be fined not more than \$500,000 or imprisoned for not more than 5 years, or both."*

* <http://www.uspto.gov/web/offices/com/doc/ipnii/>

Our Cease & Desist Order, served successfully on your office, and acknowledged as such by your staff, stipulated that GBC required a pub-



lished **APOLOGY**. VEOH have failed to apologize and have failed to even acknowledge the lawful & reasonable demands in our Cease & Desist letter.

EVIDENCE PACK 1 - see below:

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With regards to paragraph 2 of Stacie Simons' e-mail reply: The violation and infringements of Mr Everard's films have been adequately annotated & VEOH were provided with a comprehensive **Representative List** of titles which violate Mr Everard's copyrights, plus, in the PDF version of our Cease & Desist order (which is confirmed as being received in your e-mail), it is undeniable and apparent that the relevant URLs had been provided in accordance with United States Digital Millennium Copyright Act legislation, and illustrated clearly enough in the aforementioned CEASE & DESIST letter, which VEOH have **failed to study & expeditiously** act upon. See **EVIDENCE PACK 2** below.

From the REPRESENTATIVE LIST provided in our original Cease & Desist Order, it should have been apparent that the unauthorized clips of our film, such as (just one example) **SECRET SPACE** were the same as "SECRET of SPACE" - by just viewing 1 minute of each clip for comparison, it should have been obvious to Veoh employees that it is the SAME motion picture documentary. This lax supervision of the Veoh website and failure to expeditiously remove the infringing clips has now caused financial injury to Mr Everard & GBC.

With regards to paragraph 3 of your reply - Quoted verbatim: "**help us by providing the additional information required to allow us to immediately disable access to any allegedly infringing content**". According to Veoh's request cited above, the further detection and logging and reporting of other infringements has caused



Mr Everard/GBC substantial **administration costs** since the issue of our Cease & Desist Order. **These costs are now entirely the responsibility of VEOH and your parent company Olipso/JVP;** vis;

Each and every video clip which violates Mr Everard's copyrights at www.Veoh.com has had to be detected via the following 20 stages;

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- CONFIRM TITLE: the title of each clip has to be discovered first - it can be in any language - and is often modified
- FINDING ALL PARTS: Mr Everard's films are mutilated, chopped into bite-size chunks by www.veoh.com - every clip has to be found *
- CHECKING FOR TRADEMARK INFRINGEMENT: the entire clip has to be watched & trademark violations logged
- CHECKING FOR IMAGE QUALITY: Is the video mutilated? *
- CHECKING FOR AUDIO QUALITY: Is the audio mutilated? Have unauthorized additions to the soundtrack been made?*
- CHECKING FOREIGN LANGUAGE DUBBED VERSIONS for unauthorised additions to voiceover and/or picture *
- CHECKING FOR THE © COPYRIGHT EMBLEM: Any clip featuring this should NEVER have been accepted by www.veoh.com
- LOGGING & SAVING the URL of each clip
- LOGGING/SAVING/ VERIFYING if an EMBED Link exists *
- SEARCH the Worldwide Web to find unauthorised embedded links provided by www.veoh.com *
- IDENTIFYING & MAKING CONTACT with third party embedders (most of whom are pirates who hide their identity) *
- SENDING Legal Warnings & Requests for third parties to delete the embedded links provided by www.veoh.com *
- LOGGING ORIGINAL DATE CLIP WAS UPLOADED for legal presentation in court *
- RE-CHECKING the URL to see if the clip has been shifted or moved from one www.veoh.com server to another *
- LOGGING NUMBER OF PEOPLE WHO VIEWED THE CLIP - in all countries
- LOGGING THE NAME OF THE UPLOADER - which is ALWAYS a FAKE name *
- CHECKING for FALSE ATTRIBUTION - many times, people make bogus claims to Mr Everard's copyrights - such as "CoPeerRight Agency" *
- CHECKING & cross-referencing the RUNNING TIME of each clip against previously logged clips *
- CHECKING for MODIFICATION of each clip when bogus WATERMARKS are added either by www.veoh.com or Third Parties *
- LODGING a REPORT on each clip with attorneys in different jurisdictions



*** costs marked with an asterisk are costs directly caused by www.veoh.com's 'Pirate' business model & are not linked to any one particular copyright violation**

This is what it has cost since your request dated: Saturday, February 4, 2012 10:22 AM: for us to provide the further evidence.

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See **EVIDENCE PACK 2** below & a supplementary dossier of further evidence which shall be forwarded with an invoice:

Each stage of detecting, confirming, translating, previewing, logging, reporting & challenging each infringement has cost several full-time members of Mr Everard's staff to accomplish;

Each of the 20 stages outlined above has cost: **£80.00** GB pounds sterling

14 of the stages are directly attributable to www.veoh.com's Business Model and LAX ENFORCEMENT of Copyright Law & lax supervision of your website members.

Therefore, each individual infringing video clip is invoiced to www.veoh.com/Olipso at **£1,120 GB** sterling **per clip**.

(NOTE: Current invoice for VEOH does not cover the extra expenses of lawyers or the cost of sending you our Cease & Desist Letter, nor does it cover any future costs on filing lawsuits in various jurisdictions or taking specialist legal advice from copyright specialists, nor does it take into account lost travel expenses and office time for the monitoring of legal actions and presentation of Mr Everard's internationally respected copyrights).



Regardless of VEOH's attempts to suppress, cloak, or deny infringement, Mr Everard reserves his Exclusive Right to all reported articles of evidential violation per his rights under the terms of the Berne Convention, which include, and, are not limited to, FALSE ATTRIBUTION and MUTILATION of Mr Everard's copyrighted Berne Works.

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Israel is assigned to the Berne Convention, as is the USA and United Kingdom.

Destruction of electronic files of the infringing works cited in this document are hereby forbidden.

Our Cease & Desist letter required the offering up of all infringing files which are the property of GBC/Mr Everard. Veoh/Qlipso have so far ignored the statutory deadline given in our Cease & Desist order.

VEOH and it's parent company, Qlipso, have hereby been found to:

a. **MUTILATE** the copyrighted motion picture documentaries of Mr Everard/GBC & Enigma Motion Pictures by way of offering and exhibiting "MPG" versions of very poor video & audio quality

b. Violate Mr Everard's Exclusive Rights by way of **FALSE ATTRIBUTION**, allowing countless numbers of anonymous persons to claim copyright & credit for Mr Everard's films - sometimes on the **SAME** film, multiple times

c. Cause **SECONDARY INFRINGEMENT** by way of offering PERMALINK/EMBED codes and vis; INDUCEMENT to anonymous persons to copy the Permalink/Embed code provided at www.veoh.com onto third party websites in direct contravention of international ACTA and TRIPS treaties



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on copyright protection, to which the United States government is assigned. All embedded versions of Mr Everard's works provided by VEOH fall outside any implied 'contract' or Terms of Service which VEOH and it's parent company, Qlipso, have provided, as each and every one of the embedded versions of Mr Everard's films can be viewed without ever visiting, nor being aware of any Terms stated on your www.VEOH.com website.

d. Some of the infringing clips identified and adequately reported in our CEASE & DESIST ORDER featured the term "**DVD Rip**" and, as such, further compensation is required, as each and every viewing of these clips represents a loss of DVD sales to GBC/Mr Everard. The mere listing of the phrase " **DVD rip** " shows contempt for the law and is considered 'contributory infringement'.

e. During the process of evidence gathering, we discovered on 6th February at 17.18PM an infringing clip of one of Mr Everard's documentaries which entices and advertises with overlaid captions a TORRENTS website stacked full of illegal digital files of Mr Everard's films.

Notwithstanding the above costs and violations, it is indeed apparent that Veoh, and it's parent company, Qlipso/JVP, have earned **advertising revenue** by way of using Mr Everard's films as an advertising vehicle and gained Unjust Riches as a consequence. GBC hereby urge Veoh/ Qlipso to compensate Mr Everard for these unjust riches.

Also, during the process of detecting & logging infringing material, GBC staff discovered circumstantial evidence of **collusion to defraud** by way of bogus copyright claims with a former/ current employee of Google - discovered on Monday 6th February 2012 22.38PM that is linked to



an organization listed as "**CoPeerRight Agency**"
at Veoh.com

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Since the acknowledged receipt of Mr Everard's Cease & Desist order & DMCA complaint, we hereby provide **FURTHER EVIDENCE**, as per the request of Veoh employee Stacie Simons, proving VEOH's ignorance of the requirement in the Digital Millennium Copyright Act legislation to EXPEDITIOUSLY remove infringing content.

Because infringing video clips which were adequately listed and even illustrated in the CEASE & DESIST order are still to be found beyond our stipulated deadline at www.veoh.com, VEOH and it's parent Qlipso, are now LIABLE.

Proven by your reply, annotated above, this 'EXPEDITIOUS' requirement of the Digital Millennium Copyright Act has been ignored/ circumvented and violated by VEOH and it's parent Qlipso and is evidenced by the following - found **after** the aforementioned CEASE & DESIST order was served on your premises:

EVIDENCE PACK 1: The following photographs from the Veoh website prove that Veoh & it's parent company, Qlipso, continued to exploit and profit from clips originally reported in our Cease & Desist letter, and have therefore failed to adhere to the terms of the Digital Millennium Copyright Act:

GBC

The video clip below clearly says “© copyright THE ENIGMA CHANNEL & Christopher Everard 2008 ALL RIGHTS RESERVED This videogramme is a copyrighted work”. This clip was reported in our Cease & Desist order & acknowledged as received on February 4th 2012 at the offices of VEOH in California. At the time of reporting, this clip showed 8,044 Veoh viewers. Veoh FAILED to remove this infringing clip and continued to sell and exploit adverts superimposed and alongside Mr Everard’s film:

THREE DAYS after the DMCA complaint, Veoh had attracted 812 new viewers with this single clip and profited from advertising for;

- ORANGE TELECOM

- CITROEN CARS

& others. Mr Everard’s staff continued to monitor the VEOH website...

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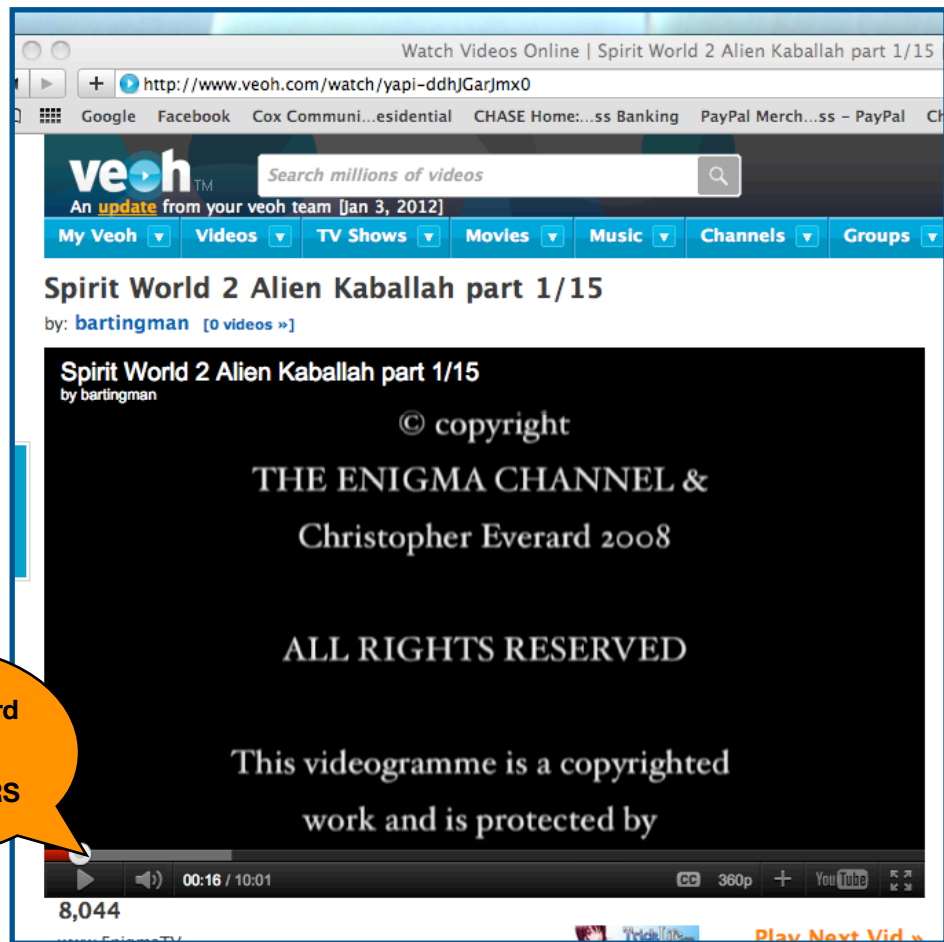
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FEBRUARY 3rd
2012:
8,044 VIEWERS



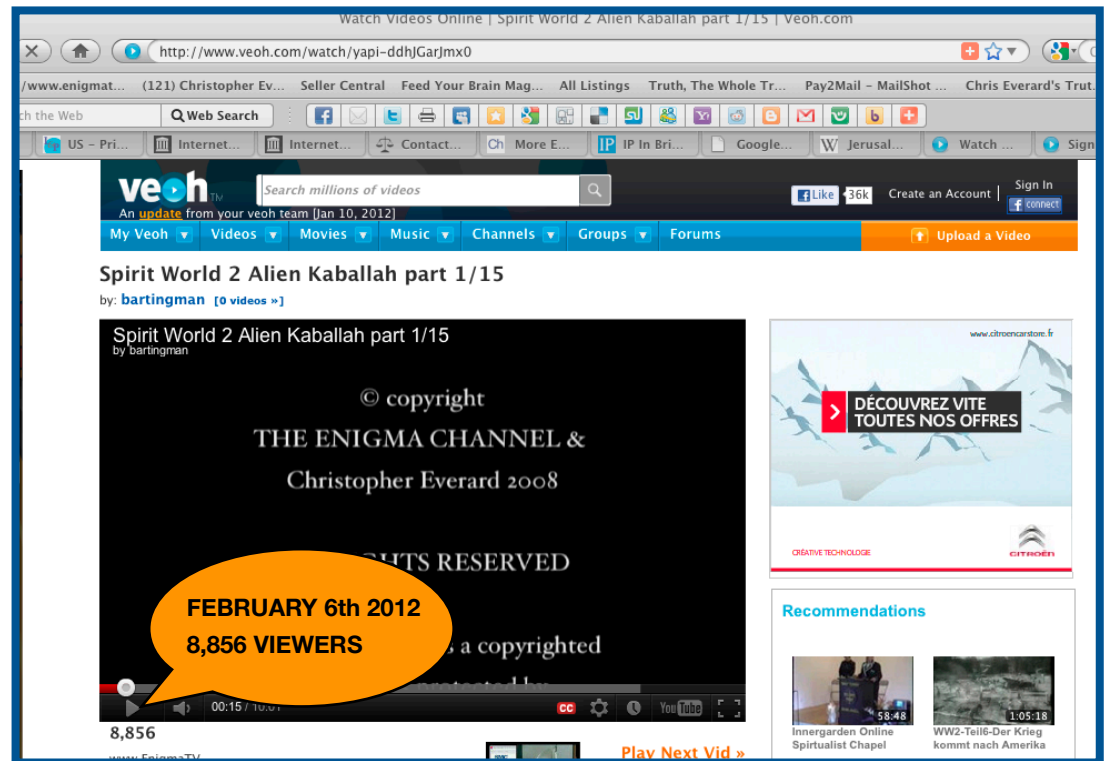


VEOH deliberately did not remove the infringing video clips and went on to earn unjust riches from using Mr Everard's film to attract advertising from CITROEN - who pay VEOH to advertise alongside Mr Everard's film.

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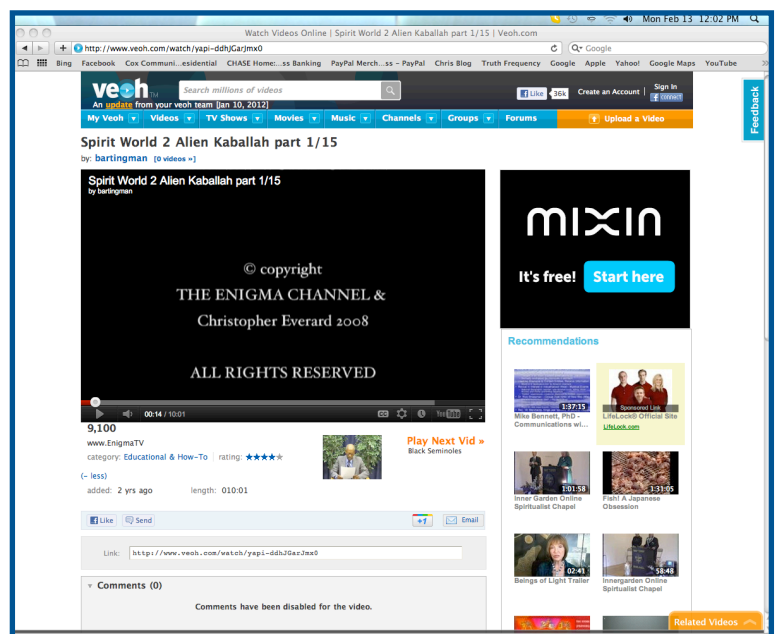
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VEOH were issued a deadline which passed at 5pm GMT on February 6th 2012. If VEOH had responsibly used their website to search for the name CHRIS EVERARD - then the infringing clip would have been easily been detected and should have been expeditiously removed. Mr Everard's film was also included in the REPRESENTATIVE LIST and the original URL was annotated in the original Cease & Desist letter.

By 5pm GMT on February 13th 2012, Mr Everard's attorneys witnessed the viewings of this single clip rise to 9,100. That is an increase of 1,056 viewings in 9 days. This film's distinctive title was included in the REPRESENTATIVE LIST and could have easily been detected and removed by Stacie Simons. VEOH's own metatag data confirms this clip has been online for 2 years - that is, approx. 104 weeks. The viewing figures are most likely to have been altered to limit vicarious liability - as the average viewing rate logged by Mr Everard's staff suggest that the total viewings should have totaled around 94,000 during the last 2 years. VEOH's system allows anonymous members of the public who do not have a VEOH account and who have NOT read the VEOH Terms of Service to download and store Mr Everard's film. Mr Everard's film has been mutilated and chopped into at least 15 'chunks'.



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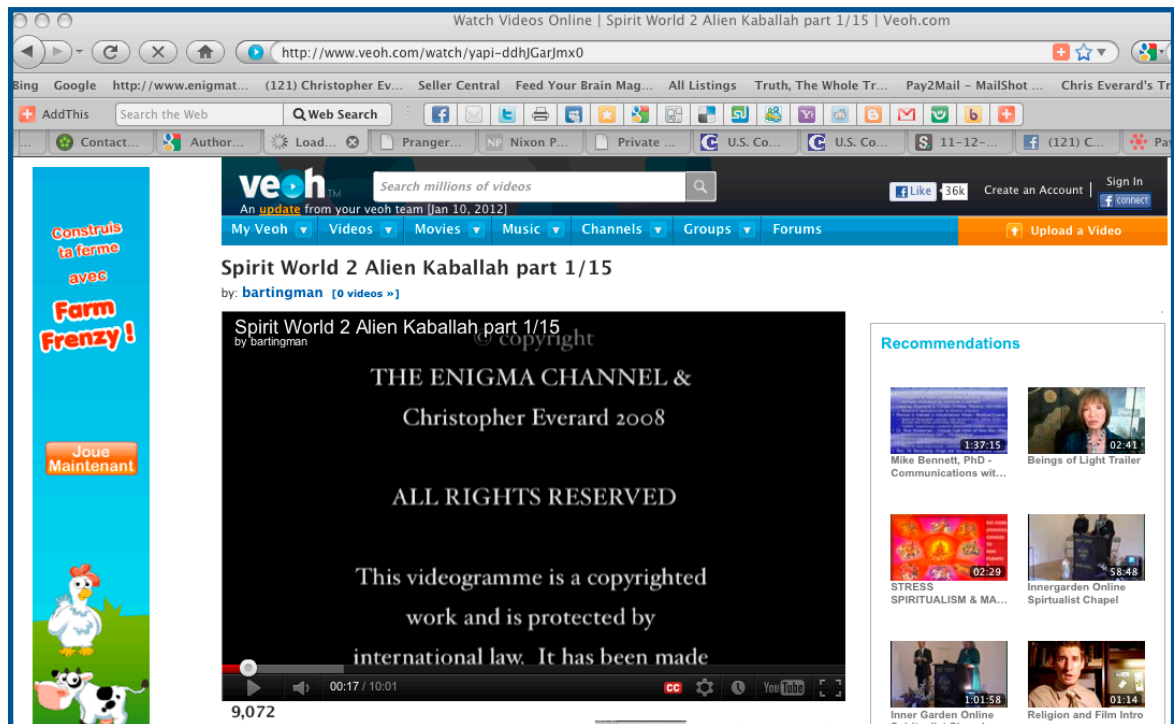
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Mr Everard's film title has a very unusual subtitle - which was also included in the REPRESENTATIVE LIST. VEOH failed to expeditiously remove the clip above - which could have easily been detected by searching their website for "Alien Kabbalah" which is part of the VEOH generated page name or 'meta-tag'. Viewed from the French office of Mr Everard, it was revealed that France's biggest telecommunications company - ORANGE/LIVEBOX - were paying to advertise alongside the infringing clip. The above photo is attested as a true and accurate electronic document, ready for entry as evidence and assigned as being genuine on February 7th 2012 by Mr Everard's legal representatives in France.

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Mr Everard's film, included in the REPRESENTATIVE LIST continued to be exploited by VEOH attracting international advertising revenue and was falsely attributed to 'bartingman' and others. Mr Everard's documentaries are produced for an educated and mature audience - covering subjects such as warfare, Hitler, Jack the Ripper, the murder of Rasputin and other subjects which could be disturbing to children. VEOH - in their greed to exploit the popularity of Mr Everard's films - have used Mr Everard's films as an advertising vehicle for children's games.

EVIDENCE PACK 2:

Providing, on the following pages, as requested by Stacie Simons of VEOH, further evidence of infringing material at Veoh.com - The following selection of clips should have been detected and removed by Veoh employees using the REPRESENTATIVE LIST of film titles and URLs supplied in our Cease & Desist letter, but instead, Veoh requested Mr Everard and GBC staff report these violations.

GBC

Accordingly, each of these violations will be invoiced to Veoh/Qlipso at £1,120 GB sterling per clip. If Veoh had performed a simple keyword search on their servers, using the REPRESENTATIVE LIST of film titles, then Mr Everard and his staff would not have had to work all day, all night and through the weekends to report these infringing clips from the Veoh server network.

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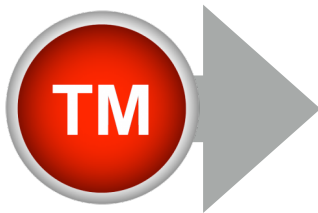
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Our dossier proves VEOH/Qlipso Inc. has violated:

- Lanham Act Trademark provisions
- Online Copyright Infringement Liability Limitation Act 1988
- The Berne Convention
- Copyright Remedy Clarification Act 1990
- The Intellectual Property and High Technology Technical Amendments Act 2002
- The Prioritizing Resources and Organization for Intellectual Property Act 2008
- Digital Theft Deterrence and Copyright Damages Improvement Act 1999
- Piracy and Counterfeiting Amendments Act 1982
- No Electronic Theft (NET) Act 1997 (section 506)*
- The Artists' Rights and Theft Prevention Act of 2005

* This Act directed the United States Sentencing Commission to "ensure that the applicable guideline range for a defendant convicted of a crime against intellectual property is sufficiently stringent to deter such a crime" and to "ensure that the guidelines provide for consideration of the retail value and quantity of the items with respect to which the crime against intellectual property was committed." ref; Pub. L. No. 105-147, 111 Stat. 2678, 2680.



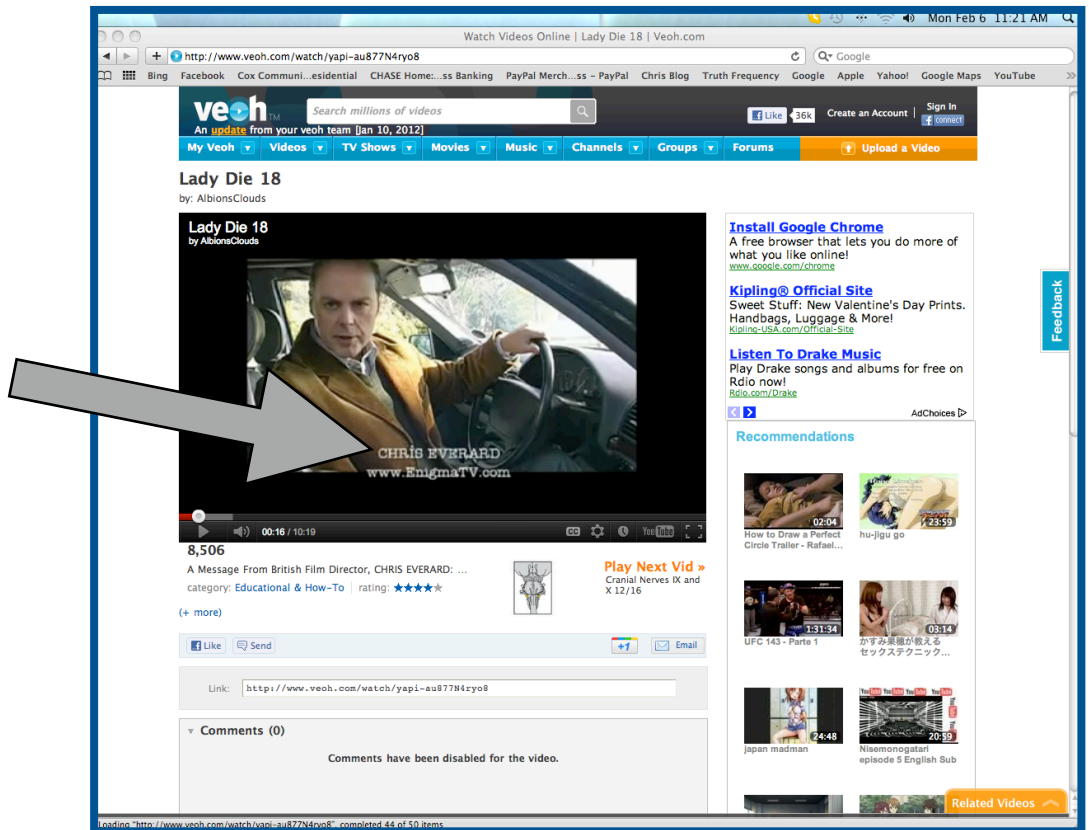
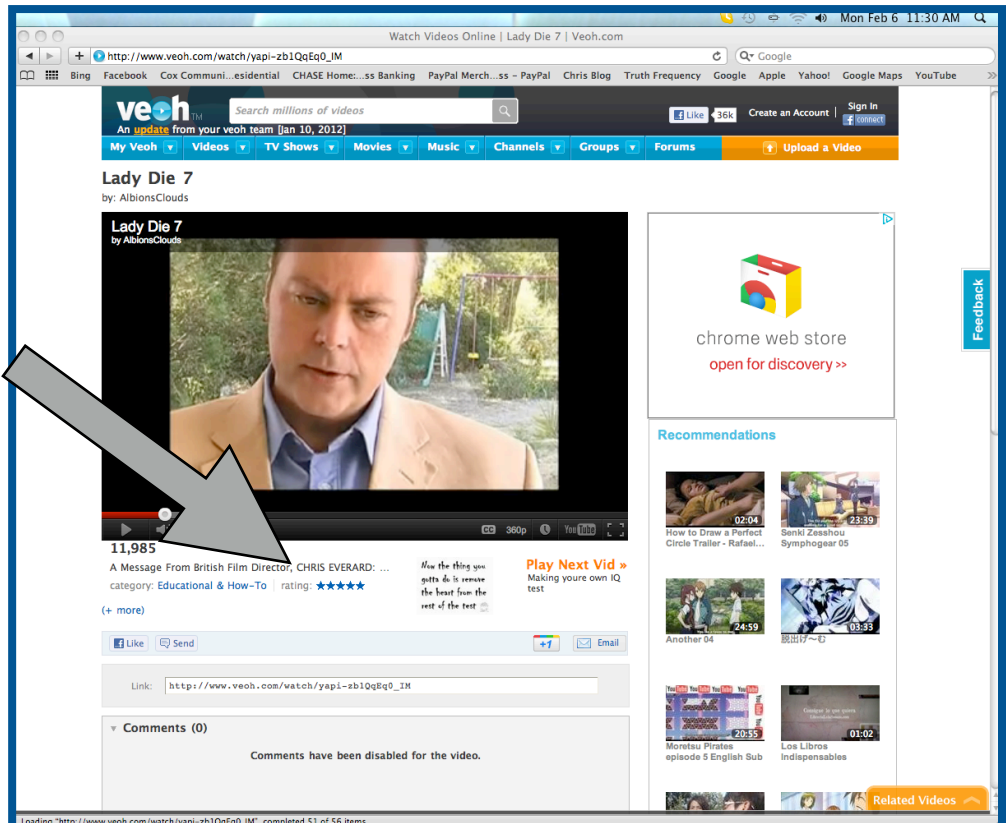
A marker, pictured left, denotes that the clips in question violate Mr Everard's internationally recognized Trademarks and have caused confusion with Mr Everard's subscribers to his legitimate ENIGMA CHANNEL TV network; 53 such Trademark violations have been logged & recorded in a supplementary dossier of evidence.

Even after Mr Everard had provided a signed declaration of his Exclusive Rights, VEOH still CONTINUED to exploit his films - even though VEOH could have easily disabled the infringing material by way of a simple keyword search for "CHRIS EVERARD"

Christopher Everard
GBC (Europe)
LA BENNAGUE
34450
Vias
HERAULT
FRANCE

International Phone:
0033 977 516 562
Sat-phone:
0033 66 64 57 267

Email:
EnigmaMotionPicturesUSA@Cox.net



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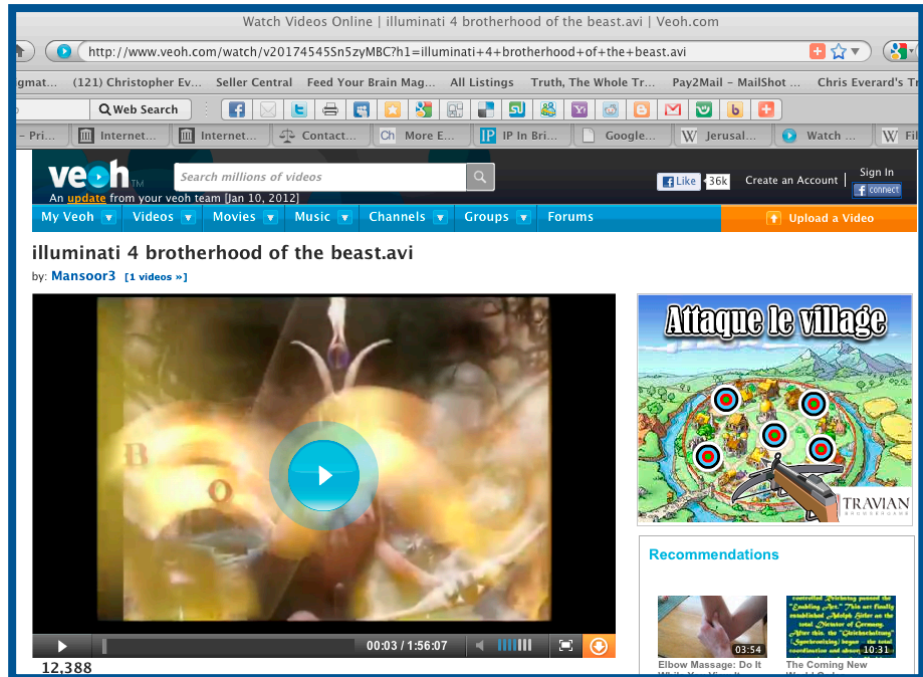
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This clip could have been easily discovered using the Representative List supplied in Mr Everard's complaint - the VEOH metatag information clearly says "Chris Everard" - and it was Mr Everard himself who signed the Cease & Desist letter received at the offices of VEOH in California.

Mr Everard is extremely aggrieved that the superimposed/over laid advertisement and the unauthorized foreign language sub-titles have obscured his company's official URL/Trademark and indeed has deliberately effaced Mr Everard's own name from the clip. This clip has been used as an advertising vehicle to promote GOOGLE CHROME and is displayed alongside pornographic images, some of which are designed to cause erotic, moral harm to children.



This clip is typical: It could have been easily discovered using the Representative List supplied in Mr Everard's complaint - but instead continued earning VEOH advertising revenue: Clip violates FAIR USE guidelines because it contains the ENTIRE film - not excerpts. **12,388** unauthorized viewings/downloads of this video clip alone, results in LOSS of official DVD sales, official subscriptions to The Enigma Channel and loss of genuine advertising revenue - which are now being invoiced to VEOH.





An invoice (#: **GBC-E-14/02/12-VOH/JVP#010**) for the infringements occurring after our Cease & Desist letter was received shall be presented along with a supplementary dossier of evidence.

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Our invoice shall detail:

- 557,723+ unauthorized broadcasts by VEOH, of which 31,398 unauthorized broadcasts took place **AFTER** receipt of our Cease & Desist letter & Veoh knew that significant infringement was taking place on their website
- 53 trade mark violations
- 86 mutilations of GBC's documentary films
- unauthorized modifications of our Berne works
- secondary infringements
- false attribution & 'passing off'
- £2,690,000+ claim for unjust riches earned by VEOH by way of exploiting GBC/Mr Everard's films
- Damages for libel and slander
- 140+ logged URLs in our full report, each of which shall be invoiced at £1,120 per URL

All of the above articles of evidence violate Mr Everard's Exclusive Rights (including Moral Rights) as a Berne Works author and violate Title 17 U.S.C. and are violations which took place **AFTER** Veoh's employee Stacie Simons had acknowledged receipt of our Cease & Desist letter.

The court shall be asked to take into consideration an extra pleading for £566,000 lost DVD sales, caused by the unbridled 'embedding' and sharing of Mr Everard's films, facilitated by website features created & managed by VEOH employees.



Our complaint and Cease & Desist order is offered under the provisions of Title 17 of the United States Code of Copyright Law, vis;

Christopher Everard
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§ 501. Infringement of copyright

(a) Anyone who violates any of the exclusive rights of the copyright owner as provided by sections 106 through 122 or of the author as provided in section 106A(a), is an infringer of the copyright or right of the author.

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Sat-phone:
0033 66 64 57 267

Email:
EnigmaMotionPicturesUSA@Cox.net

We secondarily commit our action under the international protections of the Berne Convention and FOR COURTESY: Yet another, second, notification is hereby proffered;

I, the undersigned, state UNDER PENALTY OF PERJURY that:

I am the owner of certain intellectual property rights ("IP Owner");

I have a good faith belief that the website or webpage located at the URL indicated herein - <http://www.veoh.com> - sells, offers for sale, broadcasts or makes available goods and/or services that infringe the IP Owner's intellectual property rights and a REFERENCE LIST in accordance with the Digital Millennium Copyright Act has been provided.

I have a good faith belief that use of the copyrighted materials described above on the allegedly infringing web pages is not authorized by the copyright owner, its agent, or the law.

GBC

I swear, under penalty of perjury, that the information in this notification is accurate and that I am the copyright owner of an Exclusive Right & Rights that are infringed by Veoh/ Qlipso Inc. and their parent Jerusalem Venture Partners JVP resident at 41 Madison Ave, New York.

Christopher Everard
GBC (Europe)
LA BENNAGUE
34450
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FRANCE

Very truly yours,



signed; Mr Chris Everard

cc.

GBC (Europe) central archive
Enigma Motion Pictures USA LLC Legal Department

International Phone:
0033 977 516 562
Sat-phone:
0033 66 64 57 267

Email:
EnigmaMotionPicturesUSA@Cox.net

post script: A full dossier of logged URLs shall be forwarded in due course with an invoice for the substantial administration charges detailed above.

A presentation dossier for jury trial has been prepared which demonstrates that all GBC motion picture documentaries are issued on DVD with a sophisticated DRM protection tagging and tracking system called **Wormcode & Wormcodex** - and that VEOH/Qlipso Inc. allowed the broadcasting of video clips proclaiming "**fuck wormcode**" and induced infringement by overlaying unauthorized captions featuring website URL addresses which enticed Veoh website members to visit websites where further illegal "**DVD ripped**" versions of Mr Everard's intellectual properties could be accessed, alongside listings of 'cracked' and 'hacked' copies of software products owned by Apple Computer Inc. & articles of child pornography.