



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 Legal Affairs Dept.

DATE: February 2nd 2012

To: Jon Goldman, Ishay Pnueli (www.veoh.com)

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

Qlipso & Subsidiary 'Veoh':
1512 11th Street, Suite 207
Santa Monica, CA 90401

Re: Copyright Infringement & unauthorized
broadcasting & exploitation of IP rights

International Phone:

0033 977 516 562

Sat-phone:

0033 66 64 57 267

Email:

EnigmaMotionPicturesUSA@Cox.net

Dear Sirs,

It has come to our attention that Veoh (www.veoh.com), and it's parent Qlipso, have caused the display/creation and distribution of a collection of infringing video clips which reproduce the characters, images, voices, sounds and other distinctive elements of the copyrighted motion picture documentaries owned by GBC's proprietor, **Mr Christopher Everard**.

Veoh are violating the Berne Convention on Copyright Protection, by allowing False Attribution of Mr Everard's copyrighted works. Mr Everard is a citizen of the United Kingdom, and his films are Berne works fully protected under English law and the TRIPS & Berne treaties to which the United States are signatories.

We have assembled a dossier of evidence proving;

a. URL web page addresses from your servers which display our **trademarks** & display unauthorized video clips of our documentaries - this **Reference List** is available from our of-

PAGE 1 - DATE 3 February 2012 21:19 - our ref; **GBC cease and desist**
VEOH.pages



office in the United Kingdom and our office in the USA upon request:

- we hereby supply you with a **REPRESENTATIVE LIST** of our film titles under the terms of the Digital Millennium Copyright Act of our copyrighted works:

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

THE ILLUMINATI - All Conspiracy, No Theory
THE ILLUMINATI - The AntiChrist Conspiracy
THE ILLUMINATI - Murdered by the Monarchy
THE ILLUMINATI - Murdered by the Monarchs
THE ILLUMINATI - V
SECRET SPACE - The Illuminati's Conquest of Space
SECRET SPACE II - Alien Invasion
SPIRITWORLD
SPIRITWORLD II - The Alien Kabbalah
SPIRITWORLD III
LADY DIE
SUPERSTATE

Your website has been causing **CONFUSION** by displaying derivative and adapted Titles of Mr Everard's copyrighted works & our trademarked TV network logo.

You must now, under the terms of the Digital Millennium Copyright Act use the film titles provided in our Representative List to expeditiously remove and therefore cease infringement.

b. We have collected evidence from your website & proof of **MUTILATION** of our copyrighted works, presenting the video and audio content of our documentaries in a derogatory way which harms the reputation of Mr Everard as a professional film maker

c. Proof of **FALSE ATTRIBUTION** by users of your website.



GBC/Mr Christopher Everard owns all rights under copyright and trademark in these motion picture documentaries. Your creation and distribution of these infringing video clips & assistance in unverified FALSE ATTRIBUTION & mutilation/modification of our intellectual properties patently and unavoidably infringes GBC/Mr Everard's rights.

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

Mr Everard, as a British citizen, is at liberty to exercise his Exclusive rights to his films under the provisions of the **Berne Convention**, exercising the penalties under the protection of Her Majesty's Copyright Designs & Patents Act (1988) and EC Directive Laws within the jurisdiction of the USA.

The illegal conduct of Veoh employees, executives and/or website members exposes Veoh to substantial monetary damages and injunctive relief in favor of GBC/Mr Everard in the USA, Ireland, France and also the United Kingdom.

As you are aware, such damages for copyright infringement can include statutory penalties circa \$100,000 - \$200,000 for each individual willful infringement, damages under laws governing trademarks, plus punitive damages under laws of unfair competition. Damages for the libel & malicious falsehood published by Veoh will also be sought in the jurisdiction of the United Kingdom & USA. Trademark infringement damages may be sought in France, UK, Israel & USA.

In view of the foregoing, we hereby demand that Veoh do the following:

1. Immediately cease and desist all further creation, distribution, advertising, promotion,



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

posting or any other exploitation of the referenced infringing film titles, or any other activity which utilizes the titles, names, characters, images, voices, sounds, designs or other elements of our motion picture documentaries in any way whatsoever; Your future vigilance is expected under law to protect Mr Everard's rights in perpetuity. Failure to comply will render your Veoh service as a website which lacks sufficient supervision of it's members and shall invoke a lawsuit citing *A&M Records, Inc. v. Napster, Inc.*, 114 F. Supp. 2d 896 (N.D. Cal. 2000) etc.

2. Immediately order all Veoh subsidiaries and/or any third party video sharing partners to remove linked/embedded versions of our copyrighted works.

3. To avoid further vicarious liability, Veoh must police its website to the fullest extent, referencing all future uploads and broadcasts using the supplied Reference List & Mr Everard's name. Our case evidence dossier already proves that Veoh/Clipso have turned a blind eye to detectable acts of infringement for the sake of profit and this gives rise to liability.

Deliver to a designated representative of our office all disks containing such infringing video clips which you, or your partners may have on file and all related JPEG Thumbnail & search directory images which have been used without our consent by Veoh; The supplied data must be accompanied by a printed list signed-off by a Veoh executive which details in writing;

- displayed TITLE of each video clip which has been removed (including all foreign titles)

GBC

- date each infringing clip was uploaded/
displayed
- real name of the uploader/website member who
falsely claimed ownership of our copyrights
- machine ID number and/or IP address of up-
loader's computer
- full postal address of uploader, including
zip code and country of residence
- postal address with GPS coordinates of each
and every Data Centre where the infringing
clips were stored and/or transited

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

4. Provide GBC/Mr Everard with an itemized ac-
counting of any and all **revenues** (including
grants or gifts to Veoh) resulting from exploi-
tation of such infringing video clips so that
GBC/Mr Everard can determine its damages; Our
case dossier has recorded Mr Everard's films
being exploited to earn revenue from Advertis-
ers on www.Veoh.com, which include:-

- Walt Disney World
- Ford
- Snickers
- HRBlock
- ABC Television Network
- ESPN Television Network
- Cheerios
- TWIX
- MicroSoft
- Oprah TV Network
- & others

4a. A payment of **£2,690,000** GB pounds sterling
as restitution & compensation for such unjust
riches earned from the unlicensed broadcasts &
exploitation by way of advertising of Mr Ever-
ard's films is now demanded. Failure of



Qlipso/Veoh executives to come to an expeditious settlement regarding this compensation will compel us to contact said advertisers and further legal, accounting, invoicing & bailiff costs. The restitution shall be made in all goodwill without ill favour to GBC, it's subsidiaries or Mr 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

5. Provide GBC/Mr Everard with the names and addresses of all persons to whom such infringing video clips have been sold and/or distributed, or who are known to you to have received, used and/or further distributed such infringing video clips. In addition, please provide GBC/Mr Everard with the names/rack IDs of all internet servers on which you know such infringing video clips have been posted/stored, including third party websites which may have received embedded URL links to Mr Everard's documentaries via your servers.

6. Confirm to the undersigned in writing, by letter received in our office not later than 5:00 p.m. London GMT on February 6th, 2012, that you shall fully and promptly comply with each of the foregoing demands (at which time specific arrangements for turnover of materials & restitution can be finalized) at the offices of our designated agent in the United States.

6a. Provide us with the verified name, address and telephone contact details of every member on Veoh who has **downloaded** our copyrighted works.

7. A written undertaking that all infringing video clips on Veoh and the Veoh search listings displayed by Veoh will be replaced with a live, clickable link which sends viewers to our official portal at THE ENIGMA CHANNEL <http://www.EnigmaTV.com> This clickable link shall be displayed in perpetuity with apology:

PAGE 6 - DATE 3 February 2012 21:19 - our ref; **GBC cease and desist**
VEOH.pages



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

"Veoh apologize for the unauthorized broadcast & exploitation of documentaries directed & produced by Christopher Everard, we also apologise for the False Attribution, please visit THE ENIGMA CHANNEL to view the official versions of his documentaries at <http://www.EnigmaTV.com> All Veoh members are advised that films produced by Chris Everard and The Enigma Channel are no longer available from Veoh, and that all member accounts which refuse to abide by our Terms & Conditions regarding The Enigma Channel's copyrighted films shall be terminated without further notice. The information published by Veoh wrongly attributed Mr Everard's copyrights to be registered as a 'Creative Commons' works or 'public domain' works, which they are NOT. Veoh apologizes for allowing anonymous persons to download Mr Everard's films"

The above apology with live clickable link will replace the URLs which currently violate Mr Everard's Exclusive Rights and shall also be displayed in perpetuity at;

<http://www.veoh.com/list/c/Veoh-Editor-Picks>

<http://www.veoh.com/list/webseries>

<http://www.veoh.com/bulletin>

<http://www.veoh.com/publish/video?source=navbar>

8. A written undertaking that Mr Everard's administration costs of identifying, tracking &



reporting the infringing content in our Reference List will be reimbursed by Veoh, without delay, and in good faith and without ill favour to Mr Everard, Enigma Motion Pictures or GBC.

If we have not received your full and voluntary compliance with each of the foregoing demands by the deadline specified, be advised that we shall, without further notice to Veoh, take all available legal action to compel the discontinuation of your use and exploitation of Mr Everard's films, to recover monetary damages to the full extent allowed by laws in France, Ireland, United Kingdom and USA, including attorney's fees and costs of suit, and to obtain such additional legal and/or equitable relief as the court may allow in the circumstances.

Your current AdSense income may become the subject of an injunction should you ignore your lawful obligations as set forth in this order.

We hope that your voluntary compliance with ALL foregoing reasonable and lawful demands will make the initiation of legal action against Veoh unnecessary.

Finally, be advised that nothing contained in this letter as, or may be deemed or construed to constitute, a waiver or relinquishment of any of GBC/Mr Everard's rights and remedies in the premise, all of which are hereby expressly reserved.

An invoice for the time this matter has cost us shall be calculated in due course and immediate reimbursement of our administration costs and the compensation for unauthorized re-commercialization as outlined above is expected in good faith.

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



Notification Date February 3rd 2012

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

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

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

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.

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.

Very truly yours,

GBC

Chris Everard

signed
Mr C Everard

cc.
GBC central archive
Legal Department

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

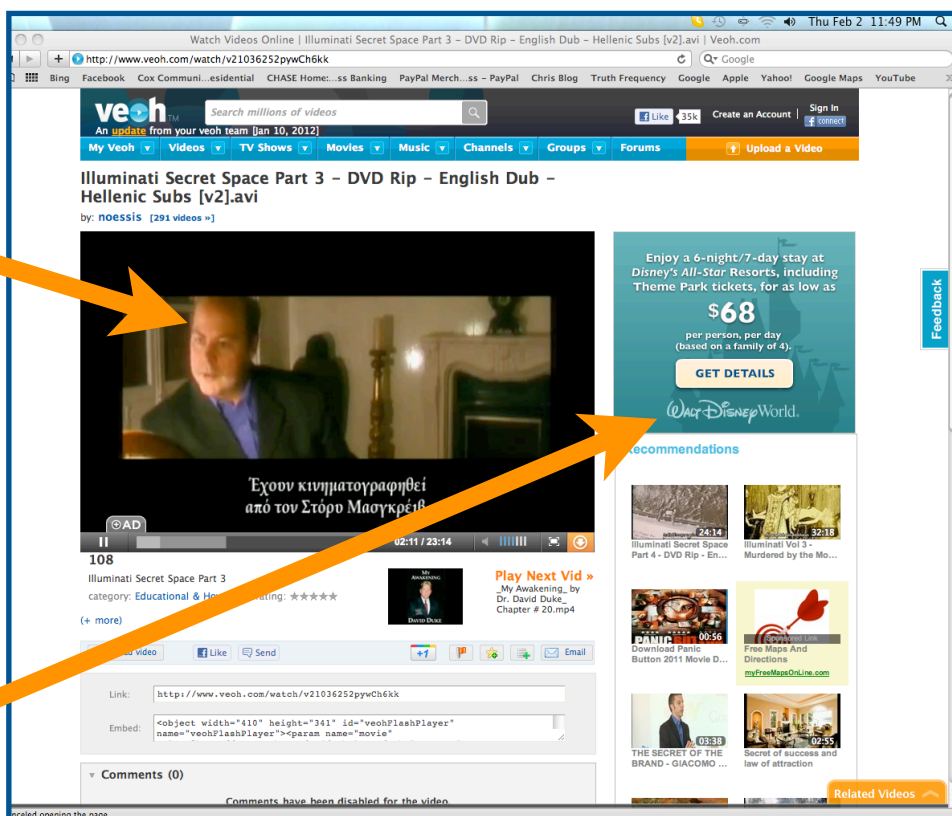
International Phone:
0033 977 516 562
Sat-phone:
0033 66 64 57 267

Email:
EnigmaMotionPicturesUSA@Cox.net

This is Mr Everard himself

Veoh are using Mr Everard as an advertising vehicle for WALT DISNEY WORLD without a valid license, nor agreement. Mr Everard's documentary films are suitable for an educated, mature audience - not children. Mr Everard's documentaries feature historical subjects such as Hitler, Jack the Ripper, Warfare, and are totally unsuitable for the Disney audience.

post script: A sample of some of the unauthorized exploitations by way of advertising revenue on www.Veoh.com is shown below - all the displayed advertisements are either superimposed on top of, or spliced into, or displayed alongside Intellectual Properties owned by Mr Everard:



GBC

Veoh are using Mr Everard's film about THE ANTI-CHRIST as an advertising vehicle for OPRAH WINFREY TV NETWORK without a valid license, nor agreement. Mr Everard's documentary films are suitable for an educated, mature audience - not daytime TV Oprah fans. Mr Everard's films are always broadcast by legitimate broadcasters after 9.30pm

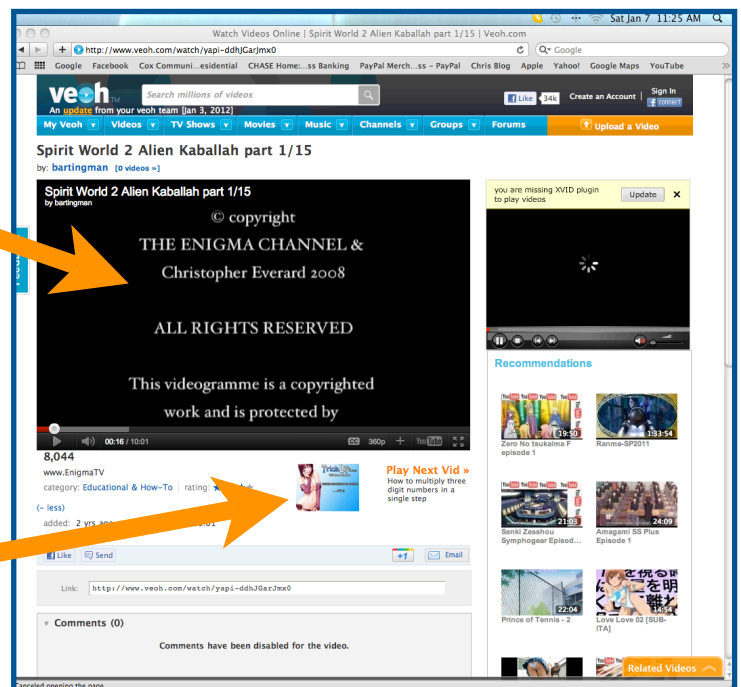
Christopher Everard
GBC (Europe)
LA BENNAGUE
34450
Vias
HERAULT
FRANCE

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

Email:
EnigmaMotionPicturesUSA@Cox.net

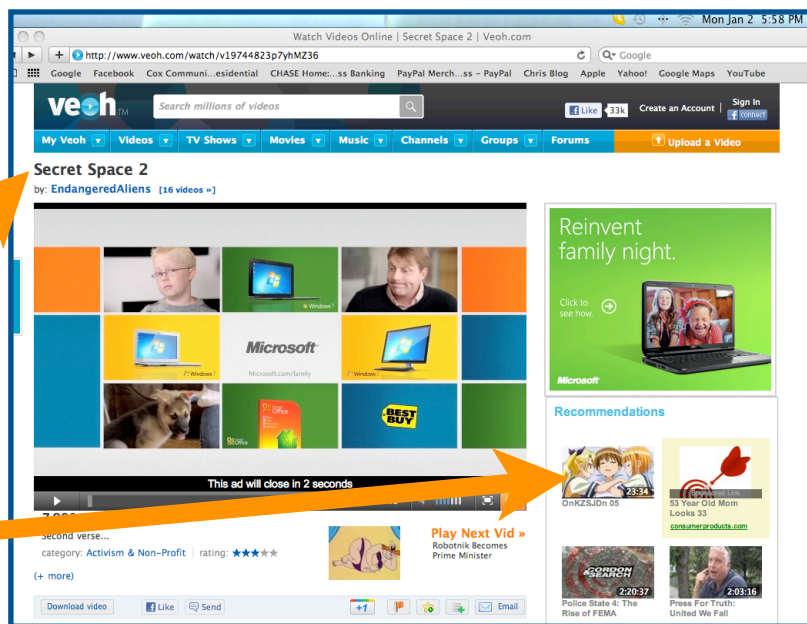
Video says "© copyright THE ENIGMA CHANNEL & Christopher Everard 2008 ALL RIGHTS RESERVED" This videogramme is a copyrighted work. 8,044 Veoh viewers

Veoh are advertising
SOFT PORN/DATING
websites alongside
Mr Everard's films

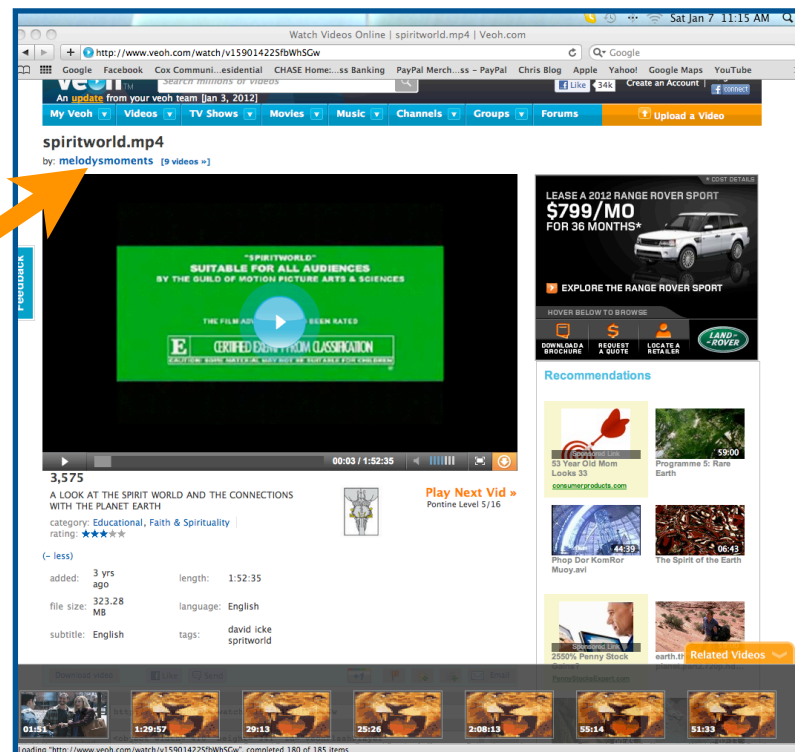


GBC

Unauthorized broadcast of Mr Everard's film "Secret Space" features a MicroSoft advertisement spliced into Mr Everard's film. Falsely attributed to "Endangered Aliens" 7,990 Veoh viewers.



Veoh are advertising CHILD PORNOGRAPHY CARTOONS alongside Mr Everard's films



Unauthorized broadcast of Mr Everard's film "SpiritWorld" features a LAND ROVER advertisement displayed beside Mr Everard's film. 3,575 Veoh viewers.

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

NOTE: The court shall be asked to take twenty-eight (28) other violations into consideration for their verdict, plus a pleading for £566,000 lost DVD sales & unjust riches from unauthorized exploitation by way of advertising revenue as detailed above.