

June 13, 2008

11 100-00000044 0806 6

Legal Department  
[Redacted]  
[Redacted]

**Re: Unauthorized Use of Getty Images' Photograph  
Reference Number 4930098 - 867947**

It has come to our attention that you are using an image (or images) represented by Getty Images for online promotional purposes. We have searched our records and have not found a valid license for the use of the image(s). Attached for your reference is a copy of the image(s) in question and the usage found on your company's website.

As you may know, use of an image without a valid license is considered copyright infringement in violation of Title 17 U.S.C.S., the Copyright Act of 1976. Also attached, is a demand representing a settlement that Getty Images would expect to receive for the unauthorized use of the image(s) should no licenses exist.

The following action must be taken within 14 days of the date of this letter:

- If a valid license has been issued for the image(s) and use, please provide license information by emailing [licensecompliance@gettyimages.com](mailto:licensecompliance@gettyimages.com). This includes the sales order or invoice number of the license purchase. If the image(s) was licensed under an alternate company name (dba) or in the name of a third party, such as an advertising agency, please provide the company name and phone number. The subject line of the email must include your company name and reference number as they appear on the attached settlement demand.
- If you cannot provide proof that the image(s) has been properly licensed, you must cease and desist use of the image(s). In addition, payment for the attached demand amount must be received within 14 days of the date of this letter. Ceasing use of the image(s) does not eliminate liability for payment of fees due. Payment details are included on the demand, and additional payment information is provided below.
- If you desire continued use of the image(s), please contact our License Compliance team at the number listed below. A new license must be issued for the image(s), or use of the image(s) must cease by June 27, 2008.

Please read the attached Frequently Asked Questions (FAQ) for more information related to this matter. If you do not respond within the timeframe provided, we will presume that you do not intend to do so and will take action accordingly. For questions, or to settle this matter, please contact [licensecompliance@gettyimages.com](mailto:licensecompliance@gettyimages.com) or dial 1-800-972-4170. If you believe you have received this letter in error, please contact us immediately.



Getty Images is committed to investigating licensing infractions not only to protect our interests, but also to protect the interests of the photographers whom we represent. We are committed to protecting the intellectual property rights and livelihood of the artists whose work we license. We must enforce our licensing conditions rigorously and feel that your cooperation regarding this matter should be promptly forthcoming. This letter is without prejudice to Getty Images' rights and remedies, all of which are expressly reserved.

In an effort to resolve this quickly, Getty Images is offering a one time discount of 10% on this settlement demand if payment is received by June 27, 2008.

The total amount due, less the discount is \$1,170.00 USD.

Sincerely,

License Compliance Team  
Getty Images



## Frequently Asked Questions

If you believe that you have received this notification in error, please email us at [LicenseCompliance@gettyimages.com](mailto:LicenseCompliance@gettyimages.com) or dial 1-800-972-4170. Please be sure to provide the reference number found on your settlement demand, as well as your name and company contact information.

### **Who is Getty Images?**

Getty Images represents some of the world's best photographers and filmmakers. Getty Images has contractual agreements with its photographers to represent certain Rights-Managed imagery exclusively and to license the use of these images to companies all over the world. The images Getty Images provides can be found in magazines, websites, and billboards, marketing collateral, product packaging and mobile devices, to name only a few. Getty Images, on behalf of itself and its represented photographers and artists, is committed to protecting its imagery from unauthorized use.

### **Somebody else created my company's website.**

Getty Images understands that a third-party designer, former employee, or intern may have been contracted to design and develop your company's website. However, if no licenses from Getty Images exist, the liability of any infringement ultimately falls on the company (the end user) who hired that third-party, employee, or intern. Getty Images recommends that your company contact the third-party, employee, or intern to see if any licenses from Getty Images surrounding the specific use of the images in question exist. Please provide an invoice number or sales order number and Getty Images will research as appropriate.

### **We have removed the images and now consider this matter closed.**

Getty Images appreciates the removal of its represented images from your company's website. However, removal of the images in question solves only part of the issue, as Getty Images will continue to require full payment of the demand presented to settle the matter and avoid further escalation.

### **We found these images on the Internet or the Getty Images website and thought they were Royalty Free.**

The images in question are Rights-Managed images represented by Getty Images. The use of Rights-Managed images represented by Getty Images requires an appropriate license covering each and every use. Although Royalty-Free images from Getty Images are different from Rights-Managed images, a license must still be purchased for Royalty-Free image use.

### **We didn't know these images were represented by Getty Images and had to be licensed.**

Unfortunately, despite the fact that your company may not have known, this does not excuse your company's unauthorized use, nor does it relieve you of the obligation to pay the demand to settle Getty Images claim of copyright infringement.

### **We purchased these images from a company we found online as part of a web template.**


As the end user of Getty Images' imagery, you are ultimately responsible for insuring that you have obtained the appropriate rights to use the imagery. That means that if you acquire imagery from a web template provider or other such company, you are still liable for copyright infringement if that provider or other such company did not properly license the imagery for your use.



## Settlement Demand

---

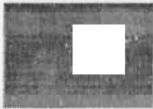
**Reference No:** 4930098  
**Case No:** 867947  
**Settlement Demand Date:** June 11, 2008  
**Source Code:** UUPW

Legal Department  
  
United States

**Payment terms:** Due on Receipt

## Detail

---



200151240-001 (RM) Seagull (Larus canus) in flight

Image Price:  
\$1,300.00 USD

Collection: Photographer's Choice  
Photographer: Martin Barraud  
Usage: Web - Corporate or promotional site  
Placement: Repeated icon  
Territory: United States  
Release Information: No release.

Notes: This settlement demand does not represent an approval on the part of Getty Images for the unauthorized use or uses of this image identified to date and referenced herein. The payment of this settlement demand together with your immediate cessation of use of the image (unless you have separately licensed this image for future use), including uses by your owners, directors, employees, agents, clients and/or licensees, in any and all media, will release you from any legal claims by Getty Images relating solely to this identified past infringement.

## Total

---

Subtotal:	\$1,300.00 USD
Tax	\$0.00 USD
Total Due Upon Receipt:	\$1,300.00 USD

Please include remittance with payment



# Remit To

---

Getty Images Inc  
PO Box 84434  
Seattle, WA 98124-5734

**Phone:** 1-800-972-4170  
**Email:** [licensecompliance@gettyimages.com](mailto:licensecompliance@gettyimages.com)

**Reference No:** 4930098  
**Settlement Demand Date:** June 11, 2008

<b>Payment Terms</b>	Due on Receipt
<b>Subtotal</b>	\$1,300.00 USD
<b>Tax</b>	\$0.00 USD
<b>Total</b>	\$1,300.00 USD



**Report Data:**

**Name:**



**Home Page:**

.com/

**Contact details:**

PMB 110

Phone:

Fax: 88

E-mail:

.com

**Remarks:**

E-mail:

.com

**Catalog Image No.**  
200151240-001



**Screen Capture**

