

## OpenAd Standard letter from Submitter where copyright infringement is suspected

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Dear \_\_\_\_\_

It has come to my attention that your company has published \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

which reproduce substantial elements of a work of which I am the author and copyright owner. My work, a copy of which is enclosed with this letter along with a copy of your \_\_\_\_\_, is included in

the OpenAd service and I have received from OpenAd a copy of their computer log which shows that one or more

individuals from your company viewed my work on the OpenAd web site on \_\_\_\_\_.

I also understand that OpenAd has no record of any agreement with your company authorising the use of my work.

Your use of my work without a licence constitutes an infringement of my copyright. Please, therefore, provide me with full details of all uses of my work which have been made or authorised to date by your company, to enable me to assess the compensation due to me for your infringement of my copyright. Please also provide me with your written undertaking immediately to cease all further use of all materials incorporating any elements of my work.

I look forward to hearing from you within seven days from the date of this letter with the information and undertaking requested in the previous paragraph, failing which I reserve the right to take all appropriate action including commencing legal proceedings against your company to enforce my rights.

Yours faithfully

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**For your information only:**

PLEASE NOTE:

1. The purpose of this letter is to put the suspected infringer on notice of the Submitter's claim and to give the infringer the opportunity to initiate settlement negotiations by providing full details of the infringement to date (allowing compensation to be calculated). The Submitter has a stronger negotiating position if the infringement is continuing and the infringer wishes to license continuing use of the work rather than risk the possibility of an injunction (court order) preventing further infringement.
2. Like all standard letters, this letter may need to be adapted for the specific circumstances of each case.
3. Legal rights and enforcement procedures vary from country to country. Neither OpenAd nor Clintons Solicitors can guarantee that this letter will be appropriate in all jurisdictions. The Submitter is advised to seek legal advice before sending this or any other letter to the suspected infringer. Neither OpenAd nor Clintons Solicitors can accept responsibility for any adverse consequences arising out of the pursuit by the Submitter of legal claims without specific advice from Clintons Solicitors.