

YouTube, Inc.
DMCA Complaints
1000 Cherry Ave
Second Floor
San Bruno, CA 94066

October 29, 2007

RE: Mistaken Removal

Dear YouTube, Inc.:

Please find attached to this letter a list of material removed by you pursuant to 17 U.S.C. Section 512. We have a good faith belief that this material was removed or disabled in error as a result of mistake or misidentification of the material. We declare that this is true and accurate under penalty of perjury under the laws of the United States of America.

For the purposes of this matter, we consent to the jurisdiction of the Federal District Court for the judicial district in which we reside. We also consent to service of process by the person providing notification under Section 512(c)(1)(C) or that person's agent. However, by this letter, we do not waive any other rights, including the ability to pursue an action for the removal or disabling of access to this material, if wrongful.

Having complied with the requirements of Section 512(g)(3), we remind you that you must now replace the blocked or removed material and cease disabling access to it within fourteen (14) business days or your receipt of this notice. Please notify us when this has been done.

We appreciate your prompt attention to this matter. If you have any questions about this notice, please do not hesitate to contact us.

Cordially,

Jacob Payne
EMAIL ADDRESS
TELEPHONE NUMBER
Full Signal Media/Page One/The 'Ville Voice
STREET ADDRESS
CITYSTATEZIP

Richard Redding
EMAIL ADDRESS
TELEPHONE NUMBER
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STREET ADDRESS
CITYSTATEZIP

Enclosure

October 29, 2007

Materials mistakenly removed from YouTube on Oct 25, 2007

Ten videos from the account of user "kentuckyinsider" (location: youtube.com/kentuckyinsider/):

WHAS11 Covers the Bristol Protest: http://www.youtube.com/watch?v=hl_Sg31BAkw
Mitch McConnell Caught in an SCHIP Smear Lie: <http://www.youtube.com/watch?v=msj-gYgeG6U>
Steve Beshear & Kentucky Central: <http://www.youtube.com/watch?v=hlZgRw3O4PM>
Mike Sodrel Runs AGAIN: <http://www.youtube.com/watch?v=d6S0ZxbK7CE>
Louisville Library Tax - David Jones, GLL: http://www.youtube.com/watch?v=MwzZvI6c_D4
The Bristol Discriminates Against Man with Cerebral Palsy: <http://www.youtube.com/watch?v=FIYbb4mMKGy>
Louisville Teamsters Oppose Library Tax Increase: <http://www.youtube.com/watch?v=C0YEvXygb0A>
JaJuan Spillman Goes to Trial: <http://www.youtube.com/watch?v=Hz6DGRVhZFY>
Highlights from KY Gubernatorial Debate: Guns & Hunting: <http://www.youtube.com/watch?v=xoBDAICxxM4>
Highlights from KY Gubernatorial Debate: Gays & Equal Rights: <http://www.youtube.com/watch?v=IOCA-viFv4I>

To Whom It May Concern:

We are the publishers of media and political criticism sites TheVilleVoice.com and PageOneKentucky.com. We have covered politics and media in the state of Kentucky and city of Louisville with the help of YouTube for nearly a year. In fact, we have uploaded over 50 original videos to the site.

Our websites are two of the most influential news sites in Kentucky. Our coverage has been featured on mainstream national programming, in local media and on numerous national news websites. In fact, one of us is an award-winning journalist who writes a weekly media criticism column for a major news publication: *Louisville Eccentric Observer* – one of the most well-known and praised newsweeklies in the country founded by now U.S. Representative John Yarmuth.

We write simply to say we are responsible YouTube users who utilize the site as a journalistic tool, and in a manner which has been praised and celebrated. We aren't merely teenagers attempting to pirate material unlawfully. We have a deep respect for media, freedom of speech and the process of democracy.

On October 25, 2007, without warning, our YouTube videos were taken offline. Our account represents nearly a year of work and over 50 original news reports.

That evening, for the first time ever, we received notice that our videos had been removed for alleged "copyright infringement." We were in the midst of covering the most prominent gubernatorial election in the country, major discrimination cases and serious instances of public corruption by elected officials. We posted videos with clips and segments from local television stations contrasting/discussing/criticizing/reviewing reports on these matters over the past several months. We have been understandably critical of WHAS11-TV and other news outlets. That has apparently embarrassed WHAS11-TV and they filed complaints to have our videos removed in retaliation.

While we believe our use of video falls under the "Fair Use" provision, we completely understand if YouTube doesn't want to get involved with that particular matter. If given the chance, we would have taken down the videos in question. We would have worked professionally with our reputation at stake.

But we weren't given that chance. Our inbox shows a notice of video removal delivered after business hours at 7:10 P.M. When we checked our e-mail the following morning only then were we made aware that our content had been removed.

To reiterate, we are responsible YouTube users. We are members of the press and as a company that creates daily media content, we respect copyright law.

We are willing to remove the videos in question (which represent less than 25% of our total YouTube inventory), but we really need to have complete access to our content as soon as possible.

We have considered YouTube a novel partner in our business model, a partnership which has worked well for a year. This is the speed bump and we hope that it is possible to get through this interruption as promptly as possible.

Sincerely,

Jacob Payne
Full Signal Media/Page One/The 'Ville Voice
TELEPHONE NUMBER
EMAIL ADDRESS

Richard Redding
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