

31 January 2018

WordPress
Automattic

Attention: Copyright Infringement Notification Department
Submitted by email: [REDACTED]@automattic.com

Dear Sirs,

RE: NOTIFICATION OF COPYRIGHT INFRINGEMENT AND OTHER LEGAL CLAIMS

We refer to the above matter and confirm that we act for Serge Benhayon, Universal Medicine (ABN 98 465 168 863) and Co-Creative (ABN 91 147 446 639) (collectively, "our client"). We refer you to the details of two pieces of intellectual property protected under copyright, detailed below, owned by our client:

Details of our client's copyright-protected material

COPYRIGHT MATERIAL: 2 VIDEOS:

Video 1: Unpacking Universal Medicine – Introduction

Video 2: Unpacking Universal Medicine Episode 1 - Mystifying Sex

COPYRIGHT JOINT OWNERS:

Serge Benhayon

Universal Medicine (ABN 98 465 168 863)

and

Co-Creative (ABN 91 147 446 639)

Details of the infringement of our client's copyright

We draw your attention to the following blog post hosted on your platform that contains embedded videos:

<https://factsaboutuniversalmedicine.wordpress.com/2018/01/10/introducing-unpacking-universal-medicine-video-series/> - titled 'Universal Medicine Scam Exposed' (the "Blog").

You are hereby notified once more that the embedded videos ("Embedded Videos") accessible on the Blog through the above link infringe our client's copyright in Video 1 and Video 2.

For the record, our client first emailed a takedown request to WordPress on 11 January 2018 in relation to 'Video 1'. Universal Medicine received a reply from 'Knox' - a WordPress 'Community Guardian' - on 16 January as attached below (Attachment A). A similar request was sent to WordPress, also on 12 January 2018, by our client in relation to Video 2. Follow up correspondences were sent on 19 January 2018 as detailed below (see Attachment B below).

Separately, Co-Creative (the other joint copyright owner and also our client, as noted above) lodged a takedown notice on 12 January 2018 for Video 1. WordPress did not respond to Co-Creative's notice.

For the record and for the sake of completeness, in addition to the Embedded Videos/links (details of which are provided above) provided on the abovementioned blog posts, the posts also contain a raft of other problematic claims discussed below.

The publication of the Embedded Videos on your platform constitutes a contravention of our client's copyright in the original recorded material Video 1 and Video 2. We assume that in posting this material the user in question is also in breach of your user terms and conditions. We are instructed that the user in question is Ms Esther Rockett.

The Embedded Videos and the Blog

Given the nature of the claims made on the Blog, quite distinct from any copyright considerations, it is clear that the claims made are defamatory, misleading and deceptive and amount to clear misrepresentations.

With respect to copyright, **for the record, the Embedded Videos do not fall under the definition of fair use/fair dealing with copyright in Australia.** The Embedded Videos contain a significant amount of content illegally obtained in breach of various rights of the website platforms that originally hosted the material. The material clearly violates copyright law without any applicable or legitimate defence. The material is also clearly in breach of the moral rights provisions of the Australian copyright legislation. The material is defamatory and contains various misrepresentations. All of the above negates any fair dealing defence as the publication of the material is clearly not motivated for instance by news reporting, for parody/satirical purposes or for the purpose of review or valid criticism of the content, but instead has clearly malevolent intentions.

Furthermore, we are instructed to inform you on behalf of our client that the Blog author and user that posted the Embedded Videos is a defendant in two separate proceedings currently before the Courts in the states of New South Wales and Queensland respectively, here in Australia, relating to the claims made and the content of the Embedded Videos and WordPress supported blogs including the Blog.

On the basis of all of the above, we strongly recommend you take down the Blog and disable all links to any other blog hosted by the user in this instance.

Regardless of your conduct, WordPress is again put on notice of our client's rights and the nature of the claims made.

In summary, WordPress is put on notice of the above, and reminded that under Australian law WordPress is liable as a re-publisher of defamatory content and of the copyright infringing material, not to mention any liability WordPress may have by virtue of the other causes of action flagged above.

Finally, our client reserves all rights, including to join WordPress to any future proceedings, and/or those currently under way in Australia, in respect of the publication or re-publication of the problematic material.

If you have any queries or wish to discuss the above please contact the writer at [REDACTED]@[REDACTED].com.au or by telephone in our Melbourne office.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'clint', with a long horizontal flourish extending to the right.

Clint Phillipou
Managing Director, Melbourne | Principal
Anisimoff Legal

Attachment A

Knox (Automatic)

Jan 16, 14:24 UTC

<<https://factsaboutuniversalmedicine.wordpress.com/2018/01/10/introducing-unpacking-universal-medicine-video-series/>>
<<https://factsaboutuniversalmedicine.wordpress.com/2018/01/10/introducing-unpacking-universal-medicine-video-series/>>>.

Hello,

The material at issue — which has been directly linked or embedded from another site — is not hosted on [WordPress.com](https://www.wordpress.com). Please file a complaint with the third party site or its web host to have the material removed.

To help determine the host of the material, it's often possible to open embedded content in a new tab or window in your web browser by right (or secondary) clicking. The web address (URL) in the new tab or window will show you where the material was uploaded.

You can learn more about locating the hosts of online content here:

<https://www.plagiarismtoday.com/stopping-internet-plagiarism/3-finding-the-host/>

Thank you,

Knox | Community Guardian | [WordPress.com](https://www.wordpress.com)

This email is a service from Automatic.

Attachment B**Support**

[-] Infringement of Copyright

To: Alan Johnston

17 January 2018 at 9:26 am

S

##- Please type your reply above this line -##

Knox (Automatic)

Jan 16, 22:26 UTC

<https://factsaboutuniversalmedicine.wordpress.com/2018/01/10/introducing-unpacking-universal-medicine-video-series/>

<https://factsaboutuniversalmedicine.wordpress.com/2018/01/10/introducing-unpacking-universal-medicine-video-series/>

I'm sorry, but the DMCA notice you have submitted is incomplete.

Specifically, you have not provided us with:

- A statement by you: (a) that you believe in good faith that the use of the content that you claim to infringe your copyright is not authorized by the copyright owner, its agent, or the law; (b) that the information in the notice is correct; and (c) that under penalty of perjury, you are either the copyright owner or a person authorized to act on their behalf.

Please respond at your convenience with a complete DMCA notice by using the following form:

<http://automattic.com/dmca>

Alternatively, please respond with the missing information described above, along with the information from your previous email to submit a complete DMCA notice.

Thank you for your cooperation in this matter.

Knox | Community Guardian | WordPress.com

This email is a service from Automattic.