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July 19, 2007

By Certified Mail, Facsimile (215-508-4428), and email (Legal@1and1.com)

1&1 Internet Inc.
c/o J. Christopher Erb
The Erb Law Firm, PC
5901 Ridge Avenue
Philadelphia, PA 19128

Re: *alamoministrieswatch.org – copyright infringement, harm to minors,
defamation, invasion of privacy, harassment, threats*

Dear Mr. Erb:

We write to you in your capacity as the Designated Agent of 1&1 Internet Inc. (“1&1”) for reporting copyright infringement by a web site -- www.alamoministrieswatch.org -- for which 1&1 provides Private Domain Name Registration Services and also, we believe, web hosting services.

We also report to you content that constitutes threats of harm to children, invasion of privacy, defamation, and harassment, including the harassing and threatening posting of photographs of minor children. We believe the operators of this web site, which is operated anonymously, are engaging in serious tortious and infringing conduct, and further that the operators have violated and continue to violate multiple provisions of 1&1’s General Terms & Conditions agreement (“T&C”), and the Terms & Conditions For Private Domain Name Registration. We therefore demand immediate action by 1&1 in compliance with the Digital Millenium Copyright Act, 17 U.S.C. § 512 (“DMCA”), as well as the removal of the offending material, including the immediate termination of the identified web site.

Copyright Infringement Notification

This law firm represents Tony Alamo, and is authorized to act on his behalf as the owner of an exclusive copyright that is being infringed at the identified web site. The copyrighted work that is being infringed is “The Many Wives of the Holy Men of God (The Polygamists).” This work was first published in the United States on August 1, 1993, and was registered with the United States Copyright Office on April 10, 2007. A copy of that registration is enclosed.

This copyrighted and registered work has been copied verbatim and in its entirety on the identified web site. The web page <http://www.alamoministrieswatch.org/category/tony-alamo-in-his-own-words/alamo-tracts-of-interest/> provides at least three hyperlinks to the copyrighted work, “The Polygamist,” by Tony Alamo, all of which contain the full text of the copyrighted work. One of the hyperlinks on that page links to the full text of the copyrighted work at <http://www.alamoministrieswatch.org/99/tony-alamos-the-polygamists-tract.php>. The other two links download a pdf file of the copyrighted work as published in its entirety. The web site expressly admits that the material constitutes Tony Alamo’s own words, and identifies the author as Tony Alamo. The copyrighted work, as copied on the web site, further expressly identifies Tony Alamo as the author.

My and my law firm’s contact information is provided above, and in the email that attaches this letter.

This law firm and Tony Alamo have a good faith belief that use of the identified material in the manner complained of above is not authorized by Tony Alamo, the copyright owner, or any agent of Tony Alamo, or by the law.

To the best of the undersigned’s belief, the information in this notification is accurate, and under penalty of perjury I am authorized to act on behalf of Tony Alamo, the owner of the exclusive copyright in the identified infringing work.

Pursuant to the copyright laws of the United States, including the DMCA, we demand the immediate removal of the infringing material. In addition, we note that the posting of this infringing material is prohibited by several provisions of 1&1’s T&C (and the Private Domain Name Registration agreement, which incorporates the T&C), and that such agreements authorize 1&1 to remove such infringing content and to terminate the web site. T&C, §§ 2.1.7, 7.3, 7.9, 7.10, 14.3-14.5.

Other Tortious Conduct

The web site contains several photographs of identified minor children of Tony Alamo, without the authorization or permission of Tony Alamo or the mother of any of the children. These photographs, and multiple links to these photographs, are in a “Picture Gallery” of “Children” at <http://www.alamoministrieswatch.org/category/picture-gallery/the-children/>

Specific photographs are at:

<http://www.alamoministrieswatch.org/wp-content/uploads/2007/02/sion.jpg>

<http://www.alamoministrieswatch.org/wp-content/uploads/2007/02/1993-tony-and-tabor-alamoson-with-lydia-willis2.jpg>

<http://www.alamoministrieswatch.org/wp-content/uploads/2007/02/sharon-and-sion.jpg>

<http://www.alamoministrieswatch.org/wp-content/uploads/2007/02/lizzy-gutierrez-2.jpg>

Other links to these photographs are found in other pages on the web site, including throughout the "Picture Gallery."

In any context, these photographs of identified minors are inappropriate and should be removed. In the context of this web site, which seeks to incite hatred and anger against Tony Alamo and others associated with him for their religious beliefs, these photographs constitute dangerous harassment and threats, as well as invasion of privacy. These photographs and the accompanying text violate 1&1's T&C, including, without limitation, §§ 7.4 (prohibiting storage or transmission of any data or other matter which "could ... cause harm to minors"); 7.8 (authorizing removal of content and termination of website for posting content "which could otherwise result in harm to minors"); 7.3 (requiring compliance with "all applicable laws"); 7.12 (prohibiting content that is "harmful, violent, threatening, abusive or hateful"). The T&C (incorporated into the Private Domain Name agreement) authorizes the removal of this content and termination of the website. T&C, §§ 2.1.7, 7.8, 7.9, 14.3-14.5.

The anonymous web site also contains substantial content that is defamatory of Tony Alamo, that invades his privacy, including content concerning his minor children, and that is harassing, threatening and intimidating to Tony Alamo. Such defamatory and other tortious content is so extensive that it pervades virtually the entire web site, and makes the entire content of the web site actionable.

The defamatory and other tortious materials on the website violate the T&C, including, without limitation, §§ 7.3, 7.9, 7.11, 7.12. The T&C (incorporated into the Private Domain Name agreement), authorizes the removal of this content and termination of the website. T&C, §§ 2.1.7, 7.9, 14.3-14.5.

In light of all these numerous flagrant and substantial violations of law, including the threatening and harassing material concerning the minor children, we have no choice but to demand the immediate termination of the web site. In the event that 1&1 refuses at this time to terminate the web site, we demand that 1&1 remove all content that is infringing, defamatory, threatening, harassing, abusive, that invades the privacy of Tony Alamo or any of his minor children, or that otherwise depicts, describes or identifies any minor children on the web site.

Nothing herein should be construed to limit the claims or relief that Tony Alamo or any others may seek with respect to the identified web site, the web host, or the registrar of the web site. We reserve all rights. We thank you in advance for your expeditious cooperation.

Sincerely,


Eric M. Lieberman

Enc.

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

Short Form TX
For a Nondramatic Literary Work
UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER

TX 6-553-120



Effective Date of Registration

4/10/07

Examined By

cc

Correspondence

Deposit Received

One

Fee Received

APR 10 2007
Two

TYPE OR PRINT IN BLACK INK. DO NOT WRITE ABOVE THIS LINE.

Title of This Work:	1	The Many Wives of the Holy Men of God (The Polygamists)
Alternative title or title of larger work in which this work was published:		
Name and Address of Author and Owner of the Copyright:	2	Tony Alamo P.O. Box 6467 Texarkana, TX 75505 United States of America Phone (903) 293-4143 Fax () Email taoffice@aol.com
Nationality or domicile: Phone, fax, and email:		
Year of Creation:	3	1993
If work has been published, Date and Nation of Publication:	4	a. Date August 1 1993 (Month, day, and year all required) Month Day Year b. Nation: United States of America
Type of Authorship in This Work:	5	<input checked="" type="checkbox"/> Text (includes fiction, nonfiction, poetry, computer programs, etc.) <input type="checkbox"/> Illustrations <input type="checkbox"/> Photographs <input type="checkbox"/> Compilation of terms or data
Check all that this author created.		
Signature:	6	I certify that the statements made by me in this application are correct to the best of my knowledge.* Check one: <input type="checkbox"/> Author <input checked="" type="checkbox"/> Authorized agent X <i>Christopher S. Klatell</i> CHRISTOPHER S. KLATELL
Registration cannot be completed without a signature.		
Name and Address of Person to Contact for Rights and Permissions:	7	<input checked="" type="checkbox"/> Check here if same as #2 above. Phone () Fax () Email
Phone, fax, and email:		

8 Certificate will be mailed in window envelope to this address:

Name ▼	Rabinowitz, Boudin et al. PC, ATTENTION: Christopher J. Klatell
Number/Street/Apt. ▼	111 Broadway, 11th Floor
City/State/Zip ▼	New York, New York 10006

9 Deposit account # _____
Name _____

DO NOT WRITE HERE Page 1 of 1 pages

*17 USC § 506(e) Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408, or in any written statement filed in connection with this application, shall be fined not more than \$2,500.