

GANNETT

Polly Grunfeld Sack
Sr. Vice President, Secretary and Chief Legal Officer
Direct Dial (585) 598-0032 • Fax (585) 248-9562

January 24, 2020

Turtleboysports.com
Email: turtleboysports@gmail.com

Re: *UNAUTHORIZED USE OF CONTENT*

Dear Ladies and Gentlemen:

I am the General Counsel of Gannett Media Corp. ("Gannett"). Telegram & Gazette is a member of Gannett family of publications.

It has come to our attention that *turtleboysports.com* has used content and/or photographs from stories and other exclusive content published and owned by Gannett specifically the Telegram & Gazette). Examples of such content, as they appeared on your website recently, are set forth in Exhibit A, attached hereto.

We wish to advise you that the content and/or photographs that you are copying are the copyrighted property of Gannett, and that your copying constitutes infringement of Gannett's rights under U.S. Copyright law. This infringement is not excused by links to the original stories or by indicating the name of the publication in which the content originated.

We further believe that your use of Gannett content does not qualify as "fair use" under U.S. Copyright law because wholesale copying is being done solely for commercial purposes, in a manner that is highly prejudicial to Gannett's business and because the copied material constitutes the totality of the news stories. Furthermore, your infringing actions adversely affect Gannett's ability to exploit its original work by copying the portions having the greatest commercial value and usurping "the potential market for or value of the copyrighted work" 17 U.S.C. § 107(4). In summary, we have a good faith belief that use of the material in the manner complained of is not authorized by us as the copyright owner, any of our agents, or the law.

While content and/or photographs appearing on Gannett websites is published using a Creative Commons License, the license covering this material is an "Attribution-Noncommercial-No Derivative Work" license and is not available for commercial uses of the headlines. Your copying of this material is clearly commercial, and there can be no claim to a Creative Commons license for your activity.

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We request that you immediately remove all Gannett copyrighted and/or licensed material from *turtleboysports.com* and that you discontinue any copying and future plans to copy any content and/or photographs from Gannett websites and publications. We further request that you provide us your written assurance that no such copying will occur by no later than 5:00 p.m. ET, Monday, January 31, 2020.

Your prompt acknowledgment and compliance with our request may avoid the necessity of our taking further legal action. Gannett hereby reserves all rights and remedies with respect to the subject matter of this letter, which are not prejudiced or waived in any way by the demands made herein.

The information in this letter is accurate and, under penalty of perjury, Gannett is authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

Very truly yours,



Polly Grunfeld Sack

Sr. Vice President, Secretary and Chief Legal Officer

cc: Dave Nordman

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Exhibit A

<https://turtleboysports.com/poon-cleaver-arrested-for-leaving-3-crotch-fruits-in-ratchet-den-home-all-day-was-on-dr-phil-because-she-was-going-to-bring-kids-to-new-york-after-a-psychic-told-her-to/>