

EXHIBIT BB

(MDY's SDF)

Lance Venable

From: hotguides@earthlink.net
Sent: Monday, December 12, 2005 7:51 PM
To: Greg Beck
Subject: Fw: eBay Listing Removed: VeRO: Software Licensing Issues (=IS &7335JM4472994)

The Ultimate World of Warcraft Guide
<http://www.ultimatewowguide.i8.com>
----- Original Message -----
From: "Rigole, Rod" <Rod.Rigole@vugames.com>
To: <hotguides@earthlink.net>
Sent: Friday, November 18, 2005 2:26 PM
Subject: RE: eBay Listing Removed: VeRO: Software Licensing Issues (=IS &7335JM4472994)

Dear Sir,

The removal of your auction did not involve software piracy. However, it did involve the infringement of Blizzard Entertainment's intellectual property, specifically the World of Warcraft / WoW trademarks and copyrights.

You are not allowed to sell an unauthorized "guide" that attempts to trade off the substantial good will and recognition that Blizzard has built up in connection with its World of Warcraft product.

If you send me a copy of your "Ultimate World of Warcraft Leveling Gold Guide" I can further address your inquiry.

Please consider this a warning. If you continue with the aforementioned activities, we will have not other alternative but to review all legal remedies available to us including taking formal legal action to protect our rights.

Let me know if you have any further questions, otherwise I will consider this matter closed.

Sincerely,

Rod Rigole
Vice President, Legal Affairs
Vivendi Universal Games, Inc.
(310) 431-4099 (direct)

-----Original Message-----
From: hotguides@earthlink.net [mailto:hotguides@earthlink.net]
Sent: Friday, November 18, 2005 10:43 AM
To: VUG Legal
Subject: Fw: eBay Listing Removed: VeRO: Software Licensing Issues (=IS &7335 JM4472994)

you guys are good, software piracy? no this is not any software at all.
It
is guides I've obtained from other people with absolutely no software.

please turn these back to ebay to let them go back up thank you

----- Original Message -----

From: <ended@ebay.com>

To: <hotguides@earthlink.net>

Sent: Friday, November 18, 2005 1:36 PM

Subject: eBay Listing Removed: VeRO: Software Licensing Issues (=IS
&7335

JM4472994)

> Dear hotguides88,

>

> Thank you for your recent listing on eBay. Unfortunately, we removed
the

> following item(s):

>

> 6989125211 - The Ultimate World of Warcraft Leveling Gold Guide

> 8234600507 - The Ultimate World of Warcraft Leveling Gold Guide

> 8234600513 - The Ultimate World of Warcraft Leveling Gold Guide

>

>

> because Vivendi Universal Games reported it to us for violating their
> intellectual property rights. When eBay is notified by a rights owner
of

> an intellectual property rights infringement, eBay must remove the
item in

> order to meet certain legal requirements.

>

> The following information may help explain the reason for your
listing(s)

> removal:

>

> eBay prohibits the sale or purchase of software which is offered in

> violation of a license or user agreement. Software usually comes with

> licensing restrictions that limit where and when the software can be
sold.

> Some common types of software with license agreement restrictions
include

> academic software, beta software, and OEM software. It is illegal and

> against eBay policy to violate the software's licensing agreement.
Please

> verify with the manufacturer that you are licensed to sell this
software.A

> software manufacturer or rights owner has notified eBay that this item

> violates a licensing agreement. Violations of licensing agreements
are

> both illegal and against eBay policy. When eBay is notified by an

> intellectual property rights owner of an intellectual property rights

> violation, eBay removes the posting in order to meet certain legal

> requirements. Please check with the rights owner if you have any

> questions about their claim. For more information on Software Licen!

> sing Issues visit the following Help page:

>
>
> <http://pages.ebay.com/help/confidence/vero-rights-owner.html>
>
> Questions about the specific violation should be addressed to Vivendi
> Universal Games at the following email address: vuglegal@vugames.com
>
> Your eBay fees for this item have been credited to your account. All
> bidders on this item have been notified of its cancellation.
>
> IMPORTANT NOTICE: Repeated violations of this or other eBay policies
may
> result in the suspension of your account.
>
> eBay understands that it can be frustrating to have a listing removed.
If
> you have further questions, you can take the following steps:
>
>
> - Take eBay's brief tutorial on Intellectual Property Policies and
VeRO
> - Read the ended listings FAQ at
> <http://pages.ebay.com/help/confidence/vero-removed-listing.html>
> - Ask eBay a question using the link on the above help page
>
> Thank you in advance for your cooperation.
>
> Regards,
>
> VeRO Program
> eBay Trust & Safety

Vivendi Universal Games- <http://www.vugames.com> :
The information transmitted is intended only for the person or entity to
which it is addressed and may contain confidential and/or privileged
material
of Vivendi Universal Games which is for the exclusive use of the individual
designated above as the recipient. Any review, retransmission, dissemination
or other use of, or taking of any action in reliance upon, this information
by persons or entities other than the intended recipient is prohibited. If
you
received this in error, please contact immediately the sender by returning
e-mail and delete the material from any computer. If you are not the
specified recipient, you are hereby notified that all disclosure,
reproduction, distribution or action taken on the basis of this message
is prohibited.

Lance Venable

From: snps@earthlink.net
Sent: Monday, December 12, 2005 7:48 PM
To: Greg Beck
Subject: Fw: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

The Ultimate World of Warcraft Guide
<http://www.ultimatewowguide.i8.com>
----- Original Message -----
From: "Rigole, Rod" <Rod.Rigole@vugames.com>
To: <snps@earthlink.net>
Sent: Thursday, November 10, 2005 2:45 PM
Subject: RE: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

I am not here to guide you or explain the law to you ... I am here to tell you that your actions are infringing Blizzard Entertainment's intellectual property rights. If you would like legal advice, please consult with counsel.

I really do not have the time to go back and forth with you continuously via e-mail. If you would like to quickly discuss the matter, please do not hesitate to give me a call.

Rod Rigole
Vice President, Legal Affairs
Vivendi Universal Games, Inc.
(310) 431-4099 (direct)

-----Original Message-----
From: snps@earthlink.net [mailto:snps@earthlink.net]
Sent: Thursday, November 10, 2005 11:38 AM
To: Rigole, Rod
Subject: Re: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

I was going to contact an attorney because I didn't get much help here that I thought I was going to get. I honestly think you have no reason besides saying what you have said that I cannot sell the guides. What about private forums that sell such information just in posts rather than Letters? Does that fall in the same category?

The Ultimate World of Warcraft Guide
<http://www.ultimatewowguide.i8.com>
----- Original Message -----
From: "Rigole, Rod" <Rod.Rigole@vugames.com>
To: <snps@earthlink.net>

Sent: Thursday, November 10, 2005 2:37 PM
Subject: RE: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

I cannot provide you with legal advice ... as I have said, please consult with an attorney.

However, you can find general information regarding intellectual property rights by searching the Internet for the following terms "intellectual property", "trademarks", and "copyrights". You can also consult a reference book on the topic.

Rod Rigole
Vice President, Legal Affairs
Vivendi Universal Games, Inc.
(310) 431-4099 (direct)

-----Original Message-----

From: snps@earthlink.net [mailto:snps@earthlink.net]
Sent: Thursday, November 10, 2005 11:26 AM
To: Rigole, Rod
Subject: Re: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

I understand that you have said that in each e-mail back I am asking where
can I read and obtain a copy of the rights you speak of?

The Ultimate World of Warcraft Guide
<http://www.ultimatewowguide.i8.com>

----- Original Message -----

From: "Rigole, Rod" <Rod.Rigole@vugames.com>
To: <snps@earthlink.net>
Sent: Thursday, November 10, 2005 2:28 PM
Subject: RE: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

It has to do with established legal principles involving intellectual property, including trademark and/or copyright.

Please consult with an attorney if you have any further questions.

Please note that you have been put on notice. Blizzard reserves its right to pursue legal remedies if you conduct continues.

Sincerely,

Rod Rigole
Vice President, Legal Affairs
Vivendi Universal Games, Inc.
(310) 431-4099 (direct)

-----Original Message-----

From: snps@earthlink.net [mailto:snps@earthlink.net]
Sent: Thursday, November 10, 2005 11:16 AM
To: Rigole, Rod
Subject: Re: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

I meant where does it state this I cannot find anything of what you're referring to on the worldofwarcraft.com site even the links that link to

blizzard.net

Do you have a copy of what you are referring to or the section you are specifying?

I did however find this as well.

(The materials referenced in the trademark disclosure paragraph for the on line web site governs coins and gold of no monetary value outside the game.

You can basically play on line and win tokens or objects that have value within the game and those items are created and available online when accessing the site. Those games site specific items may not be sold or bartered.)

no game specific items are being sold.

(Compilation of a guide that include tips on how to PLAY a game are not governed by the copyright or trademark of the design and features of the game.

Printed materials that are written by another that are outside of the copyright filing is not governed because the media itself is different, as is the process for use and for creation.)

My media is different from anything in the official guide and is my own works and that of other gamers.

The Ultimate World of Warcraft Guide

<http://www.ultimatewowguide.i8.com>

----- Original Message -----

From: "Rigole, Rod" <Rod.Rigole@vugames.com>
To: <snps@earthlink.net>
Sent: Thursday, November 10, 2005 2:14 PM
Subject: RE: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

It is a legal issue that has to do with Blizzard's intellectual property rights, not just the WoW TOU and EULA.

Rod Rigole
Vice President, Legal Affairs
Vivendi Universal Games, Inc.
(310) 431-4099 (direct)

-----Original Message-----

From: snps@earthlink.net [mailto:snps@earthlink.net]
Sent: Thursday, November 10, 2005 11:01 AM
To: Rigole, Rod
Subject: Re: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

That's what I don't understand though where does it state that you cannot sell an unofficial guide? There are many of these guides out there. Blizzard themselves does not offer guides like these, even the official strategy guide doesn't offer anything up to date like this.

are you referring to this part of the user agreement?
8. Selling of Items.

Remember, at the outset of these Terms of Use, where we discussed how you were "licensed" the right to use World of Warcraft, and that your license was "limited"? Well, here is one of the more important areas where these

license limitations come into effect. Note that Blizzard Entertainment either owns, or has exclusively licensed, all of the content which appears in World of Warcraft. Therefore, no one has the right to "sell" Blizzard

Entertainment's content, except Blizzard Entertainment! So Blizzard Entertainment does not recognize any property claims outside of World of

Warcraft or the purported sale, gift or trade in the "real world" of anything related to World of Warcraft. Accordingly, you may not sell items for "real" money or exchange items outside of World of Warcraft.

This makes me assume this is terms to using WoW itself and appears to only be towards items in game such as gold weapons or armor meaning that you cannot sell such items for a real life profit. That's not even what I'm doing I'm not selling any intellectual property of blizzard.

Brian Kopp

The Ultimate World of Warcraft Guide
<http://www.ultimatewowguide.i8.com>

----- Original Message -----

From: "Rigole, Rod" <Rod.Rigole@vugames.com>
To: <snps@earthlink.net>
Sent: Thursday, November 10, 2005 1:05 PM
Subject: RE: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

I have reviewed your materials you sent and the auctions.

I could not view any of the illustrations or graphics (such materials were referenced at one point in the documents you sent). However, the problem is that you are using Blizzard's intellectual property for commercial purposes in your sale of an unauthorized "World of Warcraft leveling guide" and are attempting to trade off the substantial good will that Blizzard has built up in the World of Warcraft brand.

Rod Rigole
Vice President, Legal Affairs
Vivendi Universal Games, Inc.
(310) 431-4099 (direct)

-----Original Message-----

From: snps@earthlink.net [mailto:snps@earthlink.net]
Sent: Wednesday, November 09, 2005 10:11 AM
To: Rigole, Rod
Subject: Re: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

Thank You for your reply. I have included a copy of my guide created by me and other guild mates in WoW as well as some guides off free message boards to help myself and others in the game. I have even filed a counter notice through ebay's vero program to the ESA, which a few removals came with your email but the ESA's name on it, and won. I have included a copy of that notice I filled out which gave the ESA 10 days to reply to stop me from selling the guides and they did not and was then allowed to sell but this is still happening.

I ask that you please review the guide and send a message to vero@ebay.com with the item numbers here

8231194729	- The Ultimate World of Warcraft Leveling	Gold Guide
6986774172	- The Ultimate World of Warcraft Leveling	Gold Guide
8231389142	- The Ultimate World of Warcraft Leveling	Gold Guide
8231389128	- The Ultimate World of Warcraft Leveling	Gold Guide
8230210421	- The Ultimate World of Warcraft Leveling	Gold Guide
8230133472	- The Ultimate World of Warcraft Leveling	Gold Guide
8230133483	- The Ultimate World of Warcraft Leveling	Gold Guide
6985750132	- The Ultimate World of Warcraft Leveling	Gold Guide
6986135415	The Ultimate World of Warcraft Leveling &	Gold Guide
8230627819	The Ultimate World of Warcraft Leveling &	Gold Guide
8230627870	The Ultimate World of Warcraft Leveling &	Gold Guide

I would greatly appreciate anything you can do to help me in this matter as

I am confused as to why it keeps happening. I am pleased to finally talk

with someone because countless times I wrote the ESA they didn't reply and since their site is about anti-piracy I assumed it was always some sort

of
auto scanning bot that was doing the job which is why I thought your
company
was doing the same when I got your auto reply message but i see it goes
to
anyone in your department.

again if you could help me get my ebay account back I would appreciate
it as
it is my way of income as I sell other products on there that I cannot
sell
as of now which is the reason I was considering this an emergency while
you
were away because I didn't know who else to contact at your
corporation.

Sincerely,

Brian Kopp
(352) 454-5518

----- Original Message -----

From: "Rigole, Rod" <Rod.Rigole@vugames.com>

To: <snps@earthlink.net>

Sent: Wednesday, November 09, 2005 12:34 PM

Subject: RE: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

Dear Sir,

Sorry for my delay in getting back to you, but I just returned from a
business trip.

Please send me a copy of your "guide" so that I can better address your
inquiry. Note, however, that you are not allowed to sell unauthorized
WoW guides that attempt to trade off the substantial good will that
Blizzard Entertainment has built up in World of Warcraft.

Sincerely,

Rod Rigole
Vice President, Legal Affairs
Vivendi Universal Games, Inc.
(310) 431-4099 (direct)

-----Original Message-----

From: snps@earthlink.net [mailto:snps@earthlink.net]

Sent: Wednesday, November 02, 2005 10:50 AM

To: VUG Legal

Subject: Fw: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

hi i have filed a counter suite with ebay back in the end of september,

as
of october 5th ESA has agreed not to vero my listings as I have proved
this
is my product and not infringing rights. i never get a reply from the
esa@theesa.com email you used to use, if this is a bot that does this
you
have to make it stop removing my listings. thank you

The Ultimate World of Warcraft Guide
<http://www.ultimatewowguide.i8.com>
----- Original Message -----
From: <ended@ebay.com>
To: <snps@earthlink.net>
Sent: Wednesday, November 02, 2005 1:00 PM
Subject: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

> Dear brian m kopp (snps@earthlink.net),
>
> **PLEASE READ THIS IMPORTANT EMAIL REGARDING YOUR LISTING(S)**
>
>
> We would like to let you know that we removed your listing:
>
>
> 6986135415 The Ultimate World of Warcraft Leveling & Gold Guide
> 8230627819 The Ultimate World of Warcraft Leveling & Gold Guide
> 8230627870 The Ultimate World of Warcraft Leveling & Gold Guide
>
>
>
> because a member of our Verified Rights Owner (VeRO) Program notified
us,
> under penalty of perjury, that your item infringes their copyright,
> trademark, or other rights.
>
> For more information on the VeRO Program, and a list of VeRO Members'
> About Me pages, please visit:
>
> <http://pages.ebay.com/help/community/vero-aboutme.html>
>
> We have credited any associated fees to your account. We have also
> notified the bidders that the listing(s) was removed, and that they
are
> not obligated to complete the transaction.
>
> If you relist this or any other similar items on eBay, your account
could
> be suspended.
>
> If you believe your listing was ended in error, or have questions
> regarding the removal of this listing, please contact the VeRO Member
> directly at:
>
> Entertainment Software Association
> vuglegal@vugames.com
>

> eBay is available to answer questions, but since it is the VeRO Member
> that requested the removal of your listings, we encourage you to
contact
> them first.
>
> Thank you for your cooperation.
>
> Respectfully,
>
> Customer Support (Trust and Safety Department)
> eBay
>

Vivendi Universal Games- <http://www.vugames.com> :
The information transmitted is intended only for the
person or entity to which it is addressed and may
contain confidential and/or privileged material of
Vivendi Universal Games which is for the exclusive
use of the individual designated above as the
recipient. Any review, retransmission, dissemination
or other use of, or taking of any action in reliance
upon, this information by persons or entities other
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Vivendi Universal Games which is for the exclusive
use of the individual designated above as the

Lance Venable

From: snps@earthlink.net
Sent: Monday, December 12, 2005 7:48 PM
To: Greg Beck
Subject: Fw: eBay Listing Removed: VeRO: Other VeRO Claims (=IS &7340 JM4060655)

The Ultimate World of Warcraft Guide

<http://www.ultimatewowguide.i8.com>

----- Original Message -----

From: "Rigole, Rod" <Rod.Rigole@vugames.com>

To: <snps@earthlink.net>

Sent: Wednesday, November 09, 2005 2:35 PM

Subject: RE: eBay Listing Removed: VeRO: Other VeRO Claims (=IS &7340 JM4060655)

Dear Sir,

Please send me a copy of the "guide" so that I can better address your inquiry. Note, however, that you are not allowed to sell an unauthorized WoW guide that trades off the substantial good will that Blizzard Entertainment has built up in World of Warcraft.

If you would like to discuss the matter, please do not hesitate to give me a call.

Sincerely,

Rod Rigole
Vice President, Legal Affairs
Vivendi Universal Games, Inc.
(310) 431-4099 (direct)

-----Original Message-----

From: snps@earthlink.net [mailto:snps@earthlink.net]

Sent: Sunday, November 06, 2005 10:08 AM

To: VUG Legal

Subject: Fw: eBay Listing Removed: VeRO: Other VeRO Claims (=IS &7340 JM4060655)

what is this all about again first it was ESA then i got the last vero from ESA with this email. how is this infringing your rights when its a guide

i've compiled? do people there blindly vero or do they use a bot of some

kind. if this reaches the same person who is out of office till nov 9th please tell me what the deal is you can view the guide here at

<http://savefile.com/files/4006411> Guide is in PDF format.

The Ultimate World of Warcraft Guide

<http://www.ultimatewowguide.i8.com>

Lance Venable

From: snps@earthlink.net
Sent: Monday, December 12, 2005 7:48 PM
To: Greg Beck
Subject: Fw: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

The Ultimate World of Warcraft Guide
<http://www.ultimatewowguide.i8.com>
----- Original Message -----
From: "Rigole, Rod" <Rod.Rigole@vugames.com>
To: <snps@earthlink.net>
Sent: Thursday, November 10, 2005 2:42 PM
Subject: RE: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

Not sure what you want me to say - I am not familiar with your correspondence with the ESA. I do note that it requires confirmation from the rights holder, which is Blizzard, and such confirmation will not be forthcoming.

If you continue selling this guide in the same manner, it will be removed and further action will be taken against you.

Rod Rigole
Vice President, Legal Affairs
Vivendi Universal Games, Inc.
(310) 431-4099 (direct)

-----Original Message-----
From: snps@earthlink.net [mailto:snps@earthlink.net]
Sent: Thursday, November 10, 2005 11:29 AM
To: Rigole, Rod
Subject: Re: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

I also forgot all about the counter notice I sent you as well. That was filed with ebay and sent to ESA who agreed to stop the vero removal. What about that?

The Ultimate World of Warcraft Guide
<http://www.ultimatewowguide.i8.com>
----- Original Message -----
From: "Rigole, Rod" <Rod.Rigole@vugames.com>
To: <snps@earthlink.net>
Sent: Wednesday, November 09, 2005 12:34 PM
Subject: RE: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

Dear Sir,

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Subject: Fw: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

hi i have filed a counter suite with ebay back in the end of september,
as
of october 5th ESA has agreed not to vero my listings as I have proved
this
is my product and not infringing rights. i never get a reply from the
esa@theesa.com email you used to use, if this is a bot that does this
you
have to make it stop removing my listings. thank you

The Ultimate World of Warcraft Guide

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----- Original Message -----

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>

> **PLEASE READ THIS IMPORTANT EMAIL REGARDING YOUR LISTING(S)**

>

>

> We would like to let you know that we removed your listing:

>

>

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> 8230627819 The Ultimate World of Warcraft Leveling & Gold Guide

> 8230627870 The Ultimate World of Warcraft Leveling & Gold Guide

>

>

>

Lance Venable

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Sent: Monday, December 12, 2005 7:48 PM
To: Greg Beck
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Please consult with an attorney if you have any further questions.

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Sincerely,

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The Ultimate World of Warcraft Guide

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To: <snps@earthlink.net>

Sent: Thursday, November 10, 2005 2:14 PM

Subject: RE: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

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Rod Rigole

Vice President, Legal Affairs

Vivendi Universal Games, Inc.

(310) 431-4099 (direct)

-----Original Message-----

From: snps@earthlink.net [mailto:snps@earthlink.net]

Sent: Thursday, November 10, 2005 11:01 AM

To: Rigole, Rod

Subject: Re: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

That's what I don't understand though where does it state that you cannot sell an unofficial guide? There are many of these guides out there. Blizzard themselves does not offer guides like these, even the official strategy guide doesn't offer anything up to date like this.

are you referring to this part of the user agreement?

8. Selling of Items.

Remember, at the outset of these Terms of Use, where we discussed how you

were "licensed" the right to use World of Warcraft, and that your license was "limited"? Well, here is one of the more important areas where these

license limitations come into effect. Note that Blizzard Entertainment either owns, or has exclusively licensed, all of the content which appears in World of Warcraft. Therefore, no one has the right to "sell" Blizzard

Entertainment's content, except Blizzard Entertainment! So Blizzard Entertainment does not recognize any property claims outside of World of

Warcraft or the purported sale, gift or trade in the "real world" of anything related to World of Warcraft. Accordingly, you may not sell items for "real" money or exchange items outside of World of Warcraft.

This makes me assume this is terms to using WoW itself and appears to only be towards items in game such as gold weapons or armor meaning that you cannot sell such items for a real life profit. That's not even what I'm doing I'm not selling any intellectual property of blizzard.

Brian Kopp

The Ultimate World of Warcraft Guide

<http://www.ultimatewowguide.i8.com>

----- Original Message -----

From: "Rigole, Rod" <Rod.Rigole@vugames.com>

To: <snps@earthlink.net>

Sent: Thursday, November 10, 2005 1:05 PM

Subject: RE: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

I have reviewed your materials you sent and the auctions.

I could not view any of the illustrations or graphics (such materials were referenced at one point in the documents you sent). However, the problem is that you are using Blizzard's intellectual property for commercial purposes in your sale of an unauthorized "World of Warcraft leveling guide" and are attempting to trade off the substantial good will that Blizzard has built up in the World of Warcraft brand.

Rod Rigole

Vice President, Legal Affairs

Vivendi Universal Games, Inc.

(310) 431-4099 (direct)

-----Original Message-----

From: snps@earthlink.net [mailto:snps@earthlink.net]

Sent: Wednesday, November 09, 2005 10:11 AM

To: Rigole, Rod

Subject: Re: VeRO NOTICE: eBay Listing(s) Removed - VeRO Program

Lance Venable

From: snps@earthlink.net
Sent: Monday, December 12, 2005 7:48 PM
To: Greg Beck
Subject: Fw: IN62823 Response to your email concerning your eBay Suspension.
(KMM194757244V59964L0KM)

The Ultimate World of Warcraft Guide

<http://www.ultimatewowguide.i8.com>

----- Original Message -----

From: "Rigole, Rod" <Rod.Rigole@vugames.com>

To: <snps@earthlink.net>

Sent: Monday, November 14, 2005 2:20 PM

Subject: RE: IN62823 Response to your email concerning your eBay Suspension.
(KMM194757244V59964L0KM)

As I said, your "guide" violates Blizzard Entertainment's intellectual property. Therefore, I cannot provide the consent you have requested.

Sincerely,

Rod Rigole
Vice President, Legal Affairs
Vivendi Universal Games, Inc.
(310) 431-4099 (direct)

-----Original Message-----

From: snps@earthlink.net [mailto:snps@earthlink.net]

Sent: Monday, November 14, 2005 10:36 AM

To: Rigole, Rod

Subject: Fw: IN62823 Response to your email concerning your eBay Suspension. (KMM194757244V59964L0KM)

Hello again I got this email from ebay today If you could do what they told me that would help greatly I will still call you if you'd like.

----- Original Message -----

From: "eBay Customer Support" <rswebhelp@ebay.com>

To: <snps@earthlink.net>

Sent: Monday, November 14, 2005 4:19 AM

Subject: Re: IN62823 Response to your email concerning your eBay Suspension.
(KMM194757244V59964L0KM)

> Hello,
>

Lance Venable

From: hotguides@earthlink.net
Sent: Wednesday, January 04, 2006 5:37 PM
To: Greg Beck
Subject: Fw: eBay Listing Removed: VeRO: Software Licensing Issues (=IS &7335 JM5483890)

The Ultimate World of Warcraft Guide

<http://www.ultimatewowguide.i8.com>

----- Original Message -----

From: "Rigole, Rod" <Rod.Rigole@vugames.com>

To: <hotguides@earthlink.net>

Sent: Wednesday, January 04, 2006 6:18 PM

Subject: RE: eBay Listing Removed: VeRO: Software Licensing Issues (=IS &7335 JM5483890)

That is not what I have stated. Your actions violate Blizzard Entertainment's intellectual property rights, including but not limited to a violation of the World of Warcraft EULA and/or TOU.

Rod Rigole

Vice President, Legal Affairs

Vivendi Universal Games, Inc.

(310) 431-4099 (direct)

-----Original Message-----

From: hotguides@earthlink.net [mailto:hotguides@earthlink.net]

Sent: Wednesday, January 04, 2006 3:10 PM

To: Rigole, Rod

Subject: Re: eBay Listing Removed: VeRO: Software Licensing Issues (=IS &7335 JM5483890)

so you're saying that you used software licensing issue to remove it but then that is not the case? you removed it through vero stating it was piracy. this is all i would like to know

----- Original Message -----

From: "Rigole, Rod" <Rod.Rigole@vugames.com>

To: <hotguides@earthlink.net>

Sent: Wednesday, January 04, 2006 5:31 PM

Subject: FW: eBay Listing Removed: VeRO: Software Licensing Issues (=IS &7335 JM5483890)

Dear Sir,

Your inquiry has been forwarded to my attention.

As you may be aware Blizzard is one of the world's leading software publishers and is the owner of the trademarks WORLD OF WARCRAFT and WOW (the "Marks") and the copyrights to the World of Warcraft software product.

You are not allowed to sell an unauthorized "guide" that attempts to trade off the substantial good will and recognition that Blizzard has built up in connection with its World of Warcraft product. In addition, the EULA prohibits using the World of Warcraft software for "commercial purposes".

Your disclaimer that the guides are for "educational purposes only" is ineffective.

Please consider this a warning. If you continue with the aforementioned activities, we will have not other alternative but to review all legal remedies available to us including taking formal legal action to protect our rights.

Let me know if you have any further questions, otherwise I will consider this matter closed.

Sincerely,

Rod Rigole
Vice President, Legal Affairs
Vivendi Universal Games, Inc.
(310) 431-4099 (direct)

-----Original Message-----

From: hotguides@earthlink.net [mailto:hotguides@earthlink.net]
Sent: Thursday, December 29, 2005 9:11 PM
To: Norman Harms
Subject: Fw: eBay Listing Removed: VeRO: Software Licensing Issues (=IS &7335 JM5483890)

Hello I am writing to find out why these auctions were removed in turn getting my ebay suspended. I have written these guides. there is no software so why was it removed due to a software licensing issue? saying i am pirating the wow game? please let me know what the problem is

The Ultimate World of Warcraft Guide
<http://www.ultimatewowguide.i8.com>

----- Original Message -----

From: <ended@ebay.com>
To: <hotguides@earthlink.net>
Sent: Friday, December 16, 2005 12:24 PM
Subject: eBay Listing Removed: VeRO: Software Licensing Issues (=IS &7335 JM5483890)

> Dear hotguides88,
>
> Thank you for your recent listing on eBay. Unfortunately, we removed the
> following item(s):
>

> 8242778088 - The Unofficial World of Warcraft Leveling Gold Guide
> 8242778136 - The Unofficial World of Warcraft Leveling Gold Guide
> 8242778166 - The Unofficial World of Warcraft Leveling Gold Guide
> 8242778035 - The Unofficial World of Warcraft Leveling Gold Guide
> 8242778199 - The Unofficial World of Warcraft Leveling Gold Guide
>
>
> because Blizzard Entertainment reported it to us for violating their
> intellectual property rights. When eBay is notified by a rights owner
of
> an intellectual property rights infringement, eBay must remove the
item in
> order to meet certain legal requirements.
>
> The following information may help explain the reason for your
listing(s)
> removal:
>
> eBay prohibits the sale or purchase of software which is offered in
> violation of a license or user agreement. Software usually comes with

> licensing restrictions that limit where and when the software can be
sold.
> Some common types of software with license agreement restrictions
include
> academic software, beta software, and OEM software. It is illegal and

> against eBay policy to violate the software's licensing agreement.
Please
> verify with the manufacturer that you are licensed to sell this
software.
>
> A software manufacturer or rights owner has notified eBay that this
item
> violates a licensing agreement. Violations of licensing agreements
are
> both illegal and against eBay policy. When eBay is notified by an
> intellectual property rights owner of an intellectual property rights
> violation, eBay removes the posting in order to meet certain legal
> requirements. Please check with the rights owner if you have any
> questions about their claim.
>
> For more information on Software Licensing Issues visit the following
Help
> page:
>
>
> <http://pages.ebay.com/help/confidence/vero-rights-owner.html>
>
> Questions about the specific violation should be addressed to Blizzard

> Entertainment at the following email address: nharms@blizzard.com
>
> Your eBay fees for this item have been credited to your account. All
> bidders on this item have been notified of its cancellation.
>
> IMPORTANT NOTICE: Repeated violations of this or other eBay policies

Lance Venable

From: snps@earthlink.net
Sent: Sunday, February 05, 2006 1:07 PM
To: Greg Beck
Subject: Fw: INS NOTICE: Indefinite: eBay Registration Suspended: Software Licensing Issues (=IS & 11719 JM4832369)

The Ultimate World of Warcraft Guide

<http://www.ultimatewowguide.i8.com>

----- Original Message -----

From: <suspension@ebay.com>

To: <snps@earthlink.net>

Sent: Monday, November 28, 2005 12:08 PM

Subject: INS NOTICE: Indefinite: eBay Registration Suspended: Software Licensing Issues (=IS & 11719 JM4832369)

> Dear wowseller88,
>
> We regret to inform you that your eBay account has been suspended
> indefinitely for violating eBay's Software Licensing Issues policy.
>
> eBay prohibits the sale or purchase of software which is offered in
> violation of a license or user agreement. Software usually comes with
> licensing restrictions that limit where and when the software can be sold.
> Some common types of software with license agreement restrictions
> include academic software, beta software, and OEM software. It is
> illegal and against eBay policy to violate the software's licensing
> agreement. Please verify with the manufacturer that you are licensed
> to sell this software. For more information on Software Licensing
> Issues visit the following Help page:
>
>
> <http://pages.ebay.com/help/confidence/vero-rights-owner.html> Please
> visit the following Web pages to review eBay's Prohibited and
> Restricted Items guidelines and User Agreement:
>
> http://pages.ebay.com/help/sell/item_allowed.html
> <http://pages.ebay.com/help/policies/user-agreement.html>
>
> Please be advised you are prohibited from using eBay in any way
> including registering a new account. Any seller fees due to eBay will
> immediately become due and payable. eBay will charge any amounts you
> have not previously disputed to the billing method currently on file.
>
> Regards,
>
> eBay Trust & Safety