

Avatar, LLC
PO Box 698
Cardiff CA 92007

**9 1 1
M Y S T E R I E S**

June 1, 2007

Google, Inc.
YouTube, LLC
[agents thereof]

Re: "911 Mysteries" - DMCA Counter Notification

On or about May 25, 2007, Google Video and YouTube removed links to the video (and to segments from the video) entitled "911 Mysteries," produced by Avatar, LLC, as a result of a DMCA Takedown Demand filed by Richard A. Siegel, an individual associated with a work entitled "9/11 Eyewitness," for reasons of copyright infringement.

Mr. Siegel's claim of infringement is false. First, well before the release of "911 Mysteries," Avatar obtained express permission from both Blue Star Media Group (co-owner of the copyright in the "Eyewitness" work) through its managing partner Jim Brewster, and from Mr. Siegel's partner David Shaw, to incorporate limited segments of "Eyewitness" in "911 Mysteries." Mr. Siegel's two partners were fully cooperative with Avatar in licensing this material. Second, even if Avatar had not obtained express permission from the creators of "9/11 Eyewitness" to use their material in "911 Mysteries," the 38 seconds of incorporated footage that Mr. Siegel has taken issue with is fully protected by the copyright Doctrine of Fair Use.

While Avatar was working with Mr. Siegel's partners, Mr. Siegel completely delegated the handling of this matter to them, even though Avatar had included Mr. Siegel in its initial contact letter. Additionally, Mr. Siegel is indiscriminately filing takedown demands against other works on the subject of 9/11, as demonstrated by the recent removal from YouTube (also initiated by Mr. Siegel) of "September 11th Revisited" by Dustin Mugford – a video that does not even use any material from "9/11 Eyewitness."

"911 Mysteries" is considered by millions to be an important and effective commentary on the events of September 11, 2001. Indeed, Avatar has received a flood of emails and calls from citizens concerned about the removal of the video from your highly valued websites. Even Mr. Siegel's own business partners are deeply upset by his groundless actions, and wish to see "911 Mysteries" restored on all of its formerly active links.

Therefore, Avatar requests that both Google Video and YouTube restore all removed links for "911 Mysteries," many of which are listed on the attached enclosure, and that at the same time you restore the settings on the counters for those links, which figures demonstrate the vast numbers of viewers who have found "911 Mysteries" to be a highly important work that provides valuable information to the general public on a subject that has affected this country more than any other in the last 60 years – the devastating events of September 11th, 2001.

Sincerely,