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CINCINNATI  
CLEVELAND  
COLUMBUS  
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WASHINGTON, DC

February 10, 2010

[Email.copyright@theplanet.com](mailto:Email.copyright@theplanet.com)

Andrea Z. Almeida  
ThePlanet.com Internet Services, Inc.  
1333 Stemmons Freeway, Suite 110  
Dallas, TX 75207

*Re: Notice of Infringement under the Digital Millennium Copyright Act*

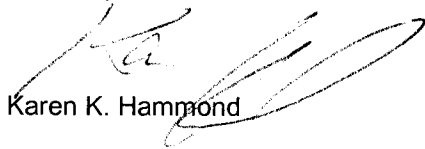
Dear Ms. Almeida:

This firm represents Zygor Guides, LLC in its legal matters. We understand that you are the designated agent to accept notifications of infringement on behalf of ThePlanet.com Internet Services, Inc. and its subsidiaries under the Digital Millennium Copyright Act, 17 U.S.C. Section 512. In accordance with the DMCA, we request your cooperation in expeditiously depublishing the web site of one of your subscribers that is located at <http://www.ultimatewowguide.com> (see Affidavit of John Cook, ¶4). Your subscriber's web site contains unauthorized copies of copyrighted material owned exclusively by Zygor Guides. The attached affidavit of John Cook and exhibits in support of this demand contain the necessary elements required for notification of infringement under the DMCA.

Please confirm your receipt of this correspondence, affidavit and attached exhibits. If you have any questions regarding the notice and our demand to depublish the infringing web site, please contact me. We await confirmation once the site has been taken down.

Thank you for your cooperation in this matter.

Sincerely,

  
Karen K. Hammond

Enclosures

**AFFIDAVIT OF JOHN COOK IN SUPPORT OF  
NOTICE AND TAKE DOWN OF WEBSITE LOCATED AT  
HTTP://WWW.ULTIMATEWOWGUIDE.COM**

John Cook, being first duly sworn and under penalty of perjury, deposes and states the following on his information and belief:

1. I am an owner of Zygor Guides, LLC (“Zygor”) and am authorized to sign this affidavit on behalf of the company. This affidavit is being made upon my personal knowledge.

2. Zygor acquired the rights in and to a software program contained on the TourGuide website that enables users to guide themselves through World of Warcraft (the “TourGuide Software”). The TourGuide Software is an original and exclusive work owned by Zygor and protected by copyright and includes but is not limited to the source code, graphic and textual representations and artwork (the “Copyrighted Works”). The TourGuide Software is the result of significant effort, time and financial investment.

3. I have a good faith belief that the Copyrighted Works have been infringed. The Copyrighted Works were copied from the TourGuide website, either in part or in its entirety, and copied, displayed and/or distributed for sale on and through the website “www.ultimatewowguide.com (the “Infringing Website”). The Infringing Website allows you to purchase and download the infringing copy of the Copyrighted Works by entering your email address. Upon entering your email address, the purchase process is initiated for the download for the “[F]ully Functional Level 1-40 Guide”, which is an infringing copy of the Copyrighted Work.

4. The Copyrighted Works contained on the Infringing Website include, but are not limited to, source code, graphic and textual representations and artwork. To the best of my knowledge, examples of the software infringing the Copyrighted Work are located at the locations attached hereto in Exhibit 1. Examples of the infringement are also provided herein as screenshots of video clips displayed on www.ultimatewowguide.com embodying the Copyrighted Works unlawfully copied on the Infringing

Website are attached hereto as Exhibit 2. The Copyrighted Works have been copied either in part or in their entirety and reproduced on the Infringing Website.

5. The use, display, offering for sale and reproduction of the Copyrighted Works on the Infringing Website are not authorized by Zygor nor is such use, display and reproduction otherwise permitted by law.



6. Upon information and belief, the Infringing Website is owned and/or controlled by the person or persons owning the domain name "www.ultimatewowguide.com". The WhoIs records indicate that the domain name is registered through a private registration system at Domains By Proxy, Inc., 15111 N. Hayden Rd., Suite 160, PMB 353, Scottsdale, AZ 85260. The administrative contact, telephone number and e-mail address identified in the WhoIs information are as follows: Domains by Proxy, Inc., (480) 624-2599, at "ultimatewowguide.com@domainsbyproxy.com".

7. All statements made herein of my knowledge, information and belief are true and accurate.

FURTHER AFFIANT SAYETH NAUGHT.

  
John Cook

Sworn to and signed in my presence this 9 day of February, 2010.

  
Notary Public -  
  
Clark County, OH:2  
CARRIE R. HILLER, Notary Public  
In and for the State of Ohio  
My Commission Expires March 13, 2013

**EXHIBIT 1**

**LOCATION OF INFRINGING WORKS**

**(1)**

[http://www.ultimatewowguide.com/demo/DugisGuide\\_Leveling\\_Viewer3.zip](http://www.ultimatewowguide.com/demo/DugisGuide_Leveling_Viewer3.zip)

**(2)**

[http://www.ultimatewowguide.com/leveling/horde\\_members/DugisGuide\\_Leveling\\_Horde3.zip](http://www.ultimatewowguide.com/leveling/horde_members/DugisGuide_Leveling_Horde3.zip)

**(3)**

[http://www.ultimatewowguide.com/leveling/horde\\_members/DugisGuide\\_Leveling\\_Horde3\\_De.zip](http://www.ultimatewowguide.com/leveling/horde_members/DugisGuide_Leveling_Horde3_De.zip)

**(4)**

[http://www.ultimatewowguide.com/leveling/alliance\\_members/DugisGuide\\_Leveling\\_Alliance3.zip](http://www.ultimatewowguide.com/leveling/alliance_members/DugisGuide_Leveling_Alliance3.zip)

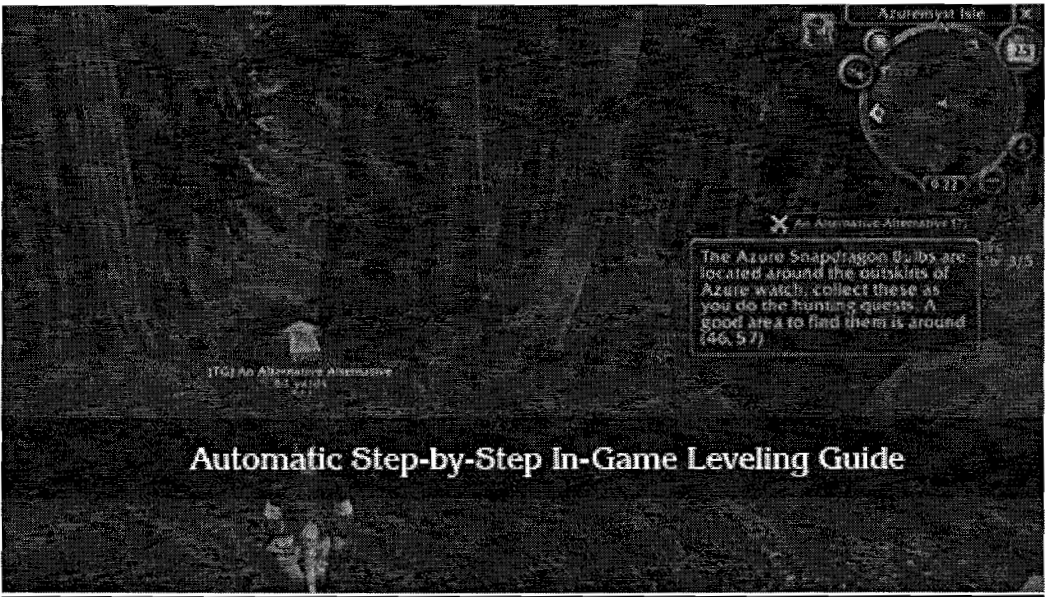
**(5)**

[http://www.ultimatewowguide.com/leveling/alliance\\_members/DugisGuide\\_Leveling\\_Alliance3\\_De.zip](http://www.ultimatewowguide.com/leveling/alliance_members/DugisGuide_Leveling_Alliance3_De.zip)

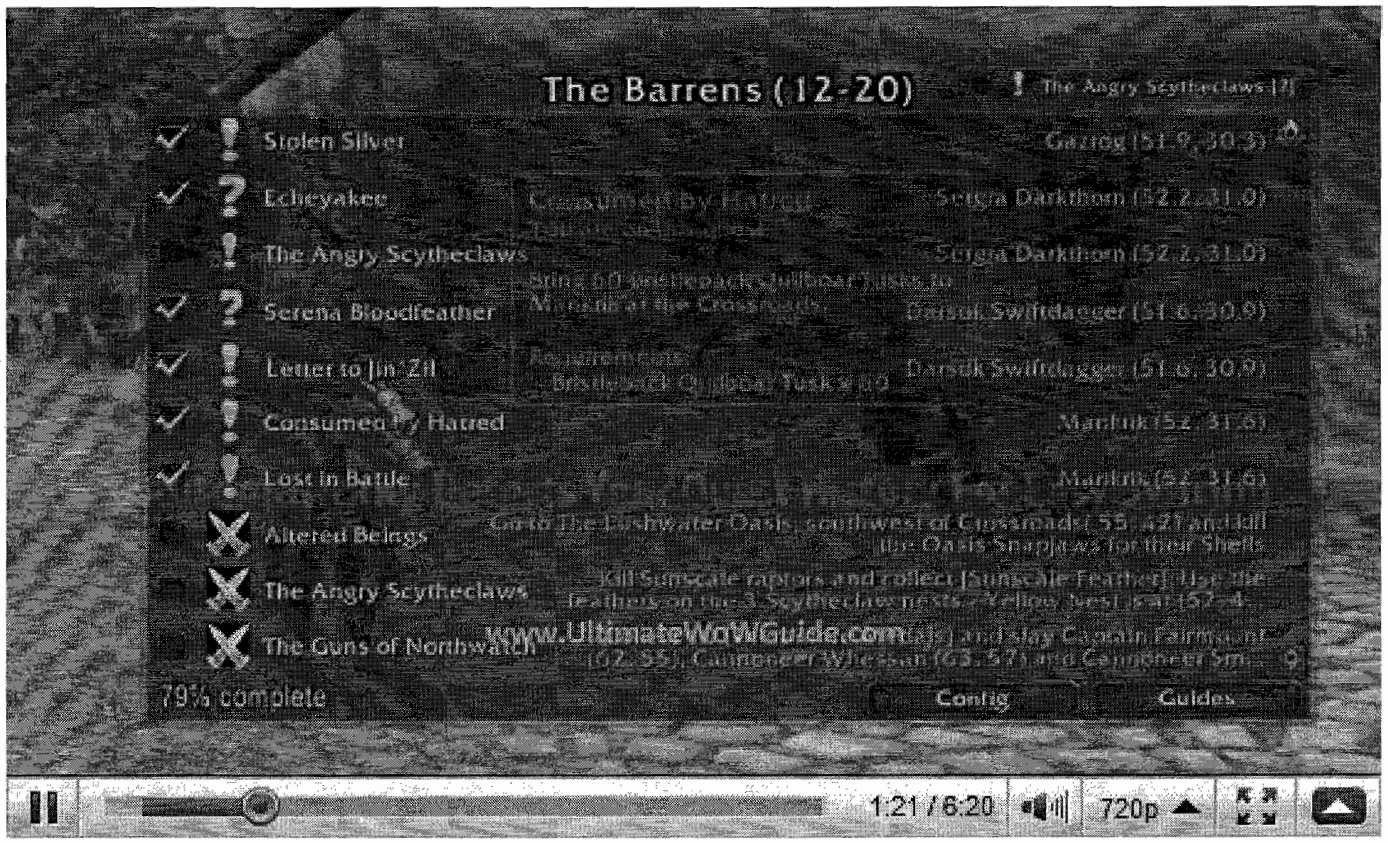
EXHIBIT 2

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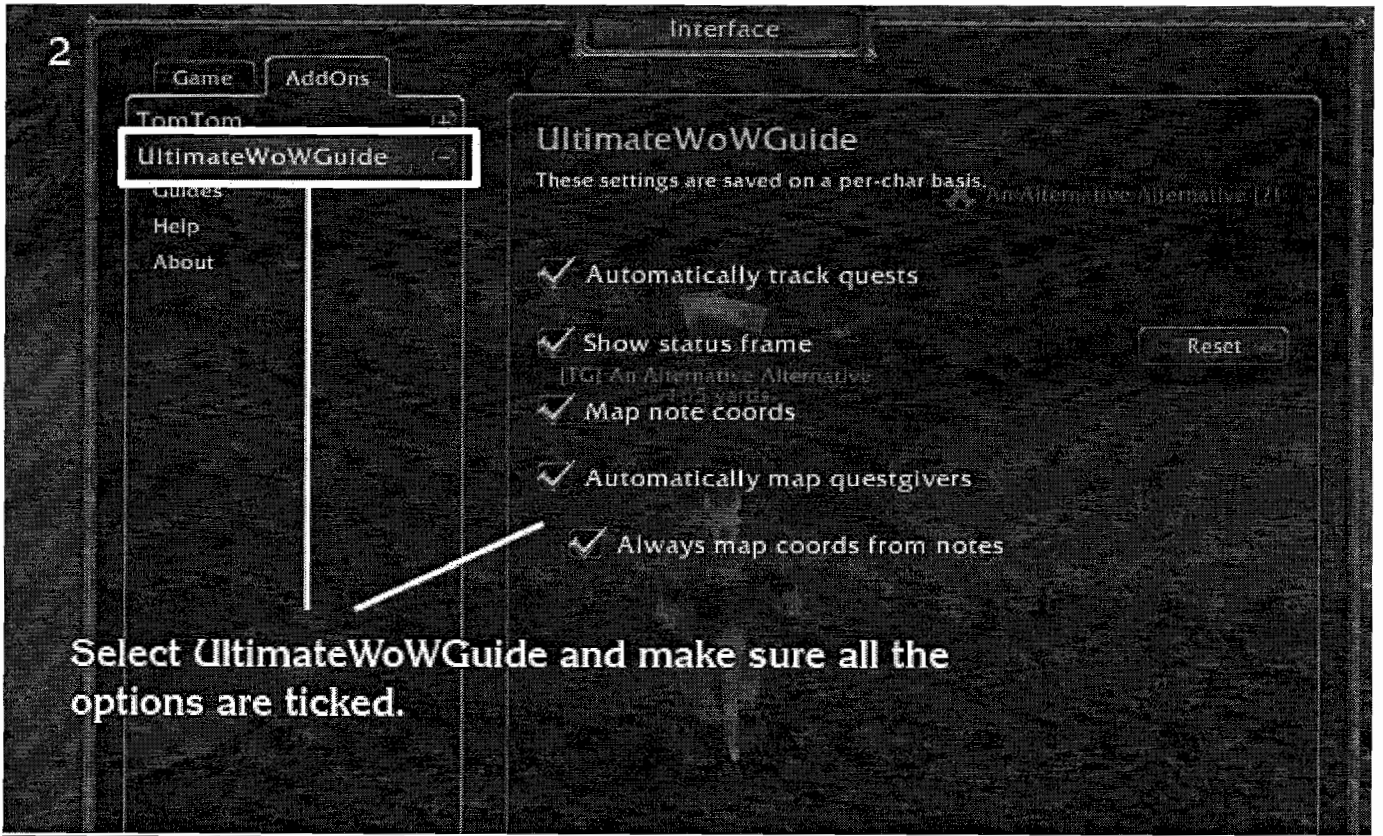


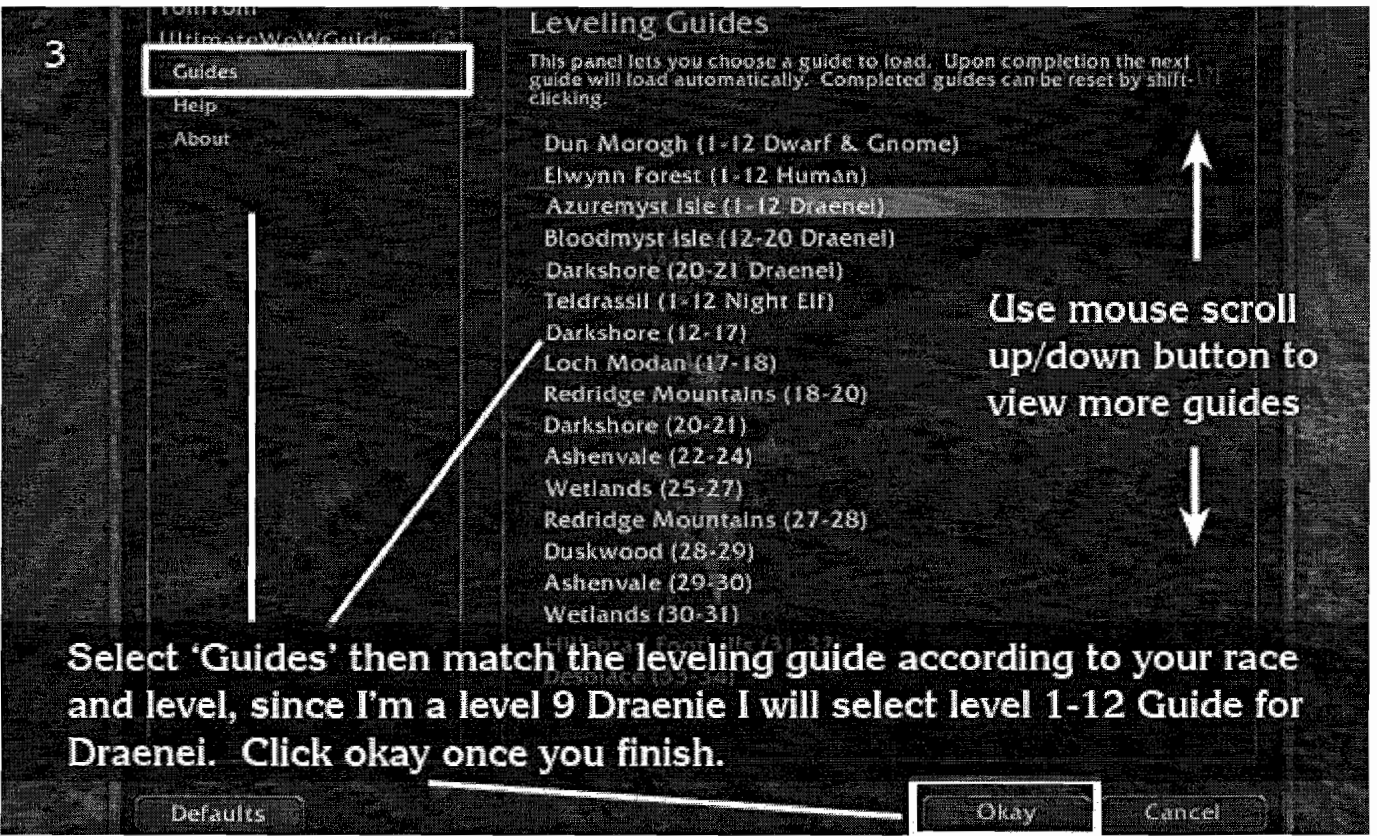


Automatic Step-by-Step In-Game Leveling Guide











If you're confused of what the icon means, there is a Help menu that will show you of what each icon means.

EXHIBIT 2

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The image is a screenshot of a YouTube video player showing a World of Warcraft game scene. The video title is "Level 1 - 80 In Less Than 7 Days / Played Time". The video content shows a character named "Sergra Darkthorn" with a level of 52.2 and a score of 51.0. The character is in a desert-like environment with a large, conical structure in the background. The video player interface includes a progress bar at the bottom showing 0:57 / 6:20, a volume icon, a resolution of 720p, and a play button. The website "www.UltimateWoWGuide.com" is visible in the video content. The YouTube logo and "HD" are also present in the bottom right corner of the video frame.



## Automatic Step-by-Step In-Game Leveling Guide

## The Barrens (12-20)

The Angry Scytheclaws [?]

- ✓ ! Stolen Silver Gazrog (51.9, 30.3)
- ✓ ? Echeyakee
- ! The Angry Scytheclaws  
Consumed by Hatred  
You are on this quest
- ✓ ? Serena Bloodfeather  
Bring 60 Bristleback Quilboar Tusks to Mankrik at the Crossroads. Darsok Swiftdagger (51.6, 30.9)
- ✓ ! Letter to Jin'Zil  
Requirements:  
- Bristleback Quilboar Tusk x 60 Darsok Swiftdagger (51.6, 30.9)
- ✓ ! Consumed by Hatred Mankrik (52, 31.6)
- ✓ ! Lost In Battle Mankrik (52, 31.6)
- ✗ X Altered Beliefs  
Go to The Lushwater Oasis, southwest of Crossroads (55, 42) and kill the Oasis Snapjaws for their Shells.
- ✗ X The Angry Scytheclaws  
Kill Sunscale raptors and collect [Sunscale Feather]. Use the feathers on the 3 Scytheclaw nests - Yellow Nest is at (52, 4...
- ✗ X The Guns of Northwatch  
[Sunscale Feather] and slay Captain Fairmount (62, 55), Cannoneer Whessan (63, 57) and Cannoneer Sm...

79% complete

Config

Guides



1:21 / 6:20



720p ▲





