

La version française suit

## McGill Copyright Infringement Notice

McGill University has received a notice that alleges an act of copyright infringement from an IP address that is assigned to you, or that the University believes was used by you at the time the alleged infringement occurred.

Under the Notice and Notice regime of Canada's Copyright Modernization act (Copyright Act, R.S.C. 1985, c. C-42), McGill University is required to do the following:

- (1) Forward the infringement notice to you (see the unaltered notice appended below);
- (2) Notify the person who sent the notice that McGill University has forwarded the notice to you, and
- (3) Retain this record for 6 months. If the copyright owner decides to pursue legal action and notifies you within those six months, we must retain the notice for up to one year.

Please view the unaltered, XML-formatted notice below. It includes the name of the material allegedly being infringed, the date and time of the alleged activity, and the IP address associated with the incident.

Please note the following important points:

- The content owner likely does not know your identity. McGill has not provided your identity or contact information to the content owner and will not do so, unless required to by a court order or other legal process.
- There is nothing in the notice that proves the claim is justified. It may not be, and a judicial process would need to take place to justify the claim.
- McGill University does not evaluate the legitimacy of the notices it receives from content owners. McGill University merely forwards the notices it has received, as required by law, and neither endorses nor supports the allegation described in the notice.
- You are not required to respond to the notice. The notice sets out the content owner's position, but only a court ruling may determine your liability. It is the content owner's decision whether to take additional steps to enforce their rights.
- In some cases, the copyright owner is not the sender; instead, an intermediary anti-piracy firm is sending out the notice. These firms may aggressively pursue a settlement by using tactics that are in a legal gray area. We recommend that you do not click on any settlement links in the notice email without first consulting a lawyer.
- Be forewarned that the infringement notice may contain language that is offensive and/or threatening.
- Many notices cite the law of other jurisdictions (most commonly U.S. law). US law does not apply in Canada.

The Policy on the Responsible Use of McGill Information Technology Resources reinforces the requirement to respect copyright law in the following two clauses:

“2.2. Authorized Users shall use McGill IT Resources in an ethical, responsible and lawful manner, in accordance with University policies.”

“2.6. Authorized Users shall respect the intellectual property, including but not limited to, trademarks and copyrights, of owners of software and Data stored in or transmitted through McGill IT Resources, including library and archival resources.”

A copyright infringement violation may result in a disciplinary action by the University.

\*\*\*\*\*

#### Avis de violation du droit d’auteur de McGill

L’Université McGill a reçu un avis qui prétend qu’il y a eu un acte de violation du droit d’auteur provenant d’une adresse IP qui vous est assignée ou que l’Université croit vous était assignée au moment de la présumée violation.

En vertu du régime d’avis et avis de la Loi canadienne sur la modernisation du droit d’auteur (Loi sur le droit d’auteur, L.R.C. 1985, ch. C-42), l’Université McGill est tenue de faire ce qui suit :

- (1) Vous transmettre l’avis de violation (voir l’avis inchangé ci-dessous);
- (2) Aviser la personne qui a envoyé l’avis que l’Université McGill vous a transmis cet avis et,
- (3) Conserver cet enregistrement pendant 6 mois. Si le titulaire du droit d’auteur décide d’entamer une poursuite judiciaire et vous en informe au cours de ces 6 mois, nous devons conserver l’avis pendant un an.

Veillez vous référer à l’avis inchangé, au format XML, ci-dessus. Cet avis contient le nom du matériel touché par la violation du droit d’auteur, la date et l’heure de la présumée violation ainsi que l’adresse IP associée à l’incident.

Veillez noter les points importants suivants :

- Le propriétaire du contenu ne connaît probablement pas votre identité. McGill n’a pas fourni votre identité ou vos informations au propriétaire du contenu et ne le fera pas, à moins qu’un ordre de la cour ou autre procédure judiciaire lui en oblige.
- Il n’y a rien dans l’avis qui prouve que la réclamation est justifiée. Ce n’est peut-être pas le cas et un processus judiciaire devrait avoir lieu pour justifier la réclamation.
- L’Université McGill n’évalue pas la légitimité des avis qu’elle reçoit de la part des propriétaires du contenu. L’Université McGill transmet simplement les avis tels qu’ils ont été reçus, conformément à la loi, et n’approuve ni ne soutient l’allégation décrite dans l’avis.
- Vous n’êtes pas tenu de répondre à l’avis. L’avis énonce la position du propriétaire du contenu, mais seule une décision du tribunal peut déterminer votre responsabilité. C’est la décision du propriétaire du contenu d’entreprendre des démarches supplémentaires pour faire valoir ses droits.

- Dans certains cas, le titulaire du droit d'auteur n'est pas l'expéditeur, c'est plutôt une firme intermédiaire contre le piratage qui envoie l'avis. Ces entreprises peuvent se montrer agressives et user de moyens douteux afin d'aboutir à une entente. Nous vous recommandons de ne pas cliquer sur les liens d'entente qui se retrouve dans l'avis avant d'avoir consulté un avocat.
- Soyez prévenu que l'avis de violation peut contenir un langage offensant et/ou menaçant.
- Plusieurs avis citent la loi d'autres juridictions (le plus souvent des lois américaines). La législation américaine ne s'applique pas ici au Canada.

La politique sur l'utilisation responsable des ressources en technologie de l'information de McGill renforce l'obligation de respecter le droit d'auteur dans les clauses suivantes :

"2.2. Les utilisateurs autorisés doivent utiliser les ressources informatiques de McGill de manière éthique, responsable et légale, conformément aux politiques de l'Université"

"2.6. Les utilisateurs autorisés doivent respecter la propriété intellectuelle, y compris, mais sans s'y limiter, les marques déposées et le droit d'auteur des propriétaires de logiciel et de données stockées ou transmises par les ressources informatiques de McGill, y compris les ressources de bibliothèques et d'archives."

-----BEGIN COPYRIGHT INFRINGEMENT CLAIM-----

Hash: SHA256

\*\*\*NOTE TO MCGILL UNIVERSITY: Pursuant to the provisions of Sections 41.25 and 41.26 of the Canada Copyright Act, please electronically forward as soon as feasible the entire copyright infringement notice set forth below to the ACCOUNT HOLDER OF IP ADDRESS xxx.xxx.xx.xx at yyyy-mm-dd hh:mm:ss North American Eastern Time and inform us on behalf of Rights Owner once it has been forwarded or (if applicable) the reason it was not possible for you to do so.\*\*\*

January 1, 20xx

NOTICE TO MCGILL UNIVERSITY ACCOUNT HOLDER IP ADDRESS xxx.xxx.xx.xx at yyyy-mm-dd hh:mm:ss North American Eastern Time

Re: Notice of Unauthorized Use of Copyright Owned by Something Films Inc, Case #: C#####

This notice is intended solely for the primary McGill University service account holder.

Agency Name International ("ACRONYM") is the agent for Something Films Inc (hereinafter "Rights Owner") whose address is Street\_Address. All communications with Something Films Inc with respect of this notice should be made to our attention as its agent. ACRONYM's contact information is shown below.

Rights Owner owns all right, title and interest, including copyrights, in and to the work listed below (hereinafter the "Work"). (Some individuals may find certain words in titles of works to be offensive.

ACRONYM apologizes in advance if this is the case.) For independent confirmation that ACRONYM is authorized to represent Something Films Inc, please visit: <http://www.somethingfilms.com/>

Your Internet account has been identified as having been used in the unauthorized copying, performance, and/or distribution, via peer-to-peer sharing, of the Work listed below. (Note that the time/date noted is the time/date that the unauthorized copying was identified. The actual downloading, copying, and/or distribution through your Internet account may have begun or occurred significantly earlier.)

Evidence:

Work Title: Move\_Title

Copyright Owner: Something Films Inc

Unauthorized File Name: Move\_Title WEB-DL SPLIT SCENES MP4-RARBG Unauthorized Hash: hashtag

Unauthorized File Size: byte\_number Unauthorized Protocol: BitTorrent

Timestamp: yyyy-mm-dd hh:mm:ss North American Eastern Time Unauthorized IP Address: xxx.xxx.xx.xx

Unauthorized Port: #####

The following files were included in the unauthorized copying, performance, and/or distribution:

File 1: file1\_info [RARBG].mp4

File 2: file2\_info [RARBG].mp4

File 3: file3\_info [RARBG].mp4

File 4: file4\_info [RARBG].mp4

Something Films Inc is the sole and exclusive owner and distributor of the Work in Canada, and at no time have you, or anyone using your account, received authorization or consent to download or distribute Rights Owner's exclusive property.

Your ISP has forwarded this notice to you pursuant to provisions of the Canada Copyright Act.

In Canada, the unauthorized copying, performance, and/or distribution of Rights Owner's Work is illegal and is subject to civil sanctions (with statutory damages of up to \$5,000 or non-statutory damages that could be higher) and/or criminal sanctions, and is a violation of the Canada Copyright Act (R.S.C., 1985, c. C-42). The recent amendments to the Copyright Act, which came into force on November 2012, have confirmed Rights Owner's right to have its copyright protected in Canada.

Moreover, such copying, performance and/or distribution of unauthorized works may also violate (i) the Berne Convention for the Protection of Literary and Artistic Works, (ii) the Universal Copyright Convention, (iii) bilateral treaties with other countries (including Canada), and/or (iv) the copyright laws of Canada.

If you have questions about your legal rights, you should consult with your own legal counsel (i.e., barrister, solicitor, lawyer, and/or attorney).

AGENCY HAS BEEN AUTHORIZED BY RIGHTS OWNER TO OFFER A SETTLEMENT SOLUTION TO RESOLVE THIS MATTER AND PREVENT LEGAL ACTION.

You have until Saturday, Sept 4, 20xx to access the settlement offer and settle online. To access the settlement offer, please visit <https://www.copyrightsettlements.com/> and enter Case #: ##### and Password: pwd##. To access the settlement offer directly, please visit <https://www.copyrightsettlements.com/>

Settlement Information:

Direct Settlement Link: <https://www.copyrightsettlements.com>

Settlement Website: <https://www.copyrightsettlements.com/>

Case #: #####

Password: pwd##

If this matter is not resolved by the date shown above, the original settlement offer will no longer be an option and any future resolution may require an increased payment from you.

In the event that Rights Owner proceeds with legal action against you, you will be required to produce all relevant documents, including electronic documents and files that bear on Rights Owner's claim against you. Until this matter is resolved, whether by settlement or otherwise, we require you to accept this as written notice to preserve any and all hard drives or other means of electronic storage used with your above referenced IP address and to take no steps whatsoever to remove, erase, discard, conceal, destroy or delete from any means of electronic storage any evidence of piracy and/or other illegal or unauthorized downloading and distribution of Rights Owner's Work.

This notice is NOT a bill or invoice. It is a notice made on behalf of Rights Owner of (i) a potential claim against you and/or those who you have allowed access to your Internet account for infringement of the Rights Owner's copyright in the Work, and (ii) an opportunity to completely resolve that claim now.

AGAIN, IF YOU HAVE QUESTIONS ABOUT YOUR LEGAL RIGHTS, YOU SHOULD CONSULT WITH YOUR OWN LEGAL COUNSEL (I.E., BARRISTER, SOLICITOR, LAWYER, AND/OR ATTORNEY).

Nothing contained or omitted from this correspondence is, or shall be deemed to be either a full statement of the facts or applicable law, an admission of any fact, or waiver or limitation of any of Rights Owner's rights or remedies, all of which are specifically retained and reserved.

The information in this notice is accurate. AGENCY has a good faith belief that use of the material in the manner complained of herein is not authorized by the copyright owner, its agent, or by operation of law. AGENCY and the undersigned declare under penalty of perjury, that AGENCY is authorized to act on behalf of Something Films Inc.

Sincerely,

Lawyer Name, Esq.

AGENCY Legal Counsel

[Mr. Lawyer is a lawyer admitted to practice law in California, United States of America.]

AGENCY International

Street Address

City, State, Country

Toll Free: +1-xxx-xxx-xxxx  
Email: support@agencycom  
Website: [www.copyrightsettlements.com](http://www.copyrightsettlements.com)

- ----Start ACNS XML

```
<?xml version="1.0" ?>
<Infringement xmlns="http://www.canacns.org/CAN-ACNS"
xmlns:xsi="http://www.w3.org/2001/XMLSchema-instance"
xsi:schemaLocation="http://www.canacns.org/CAN-ACNS http://canacns.org/v1.1/CanACNSv1_1.xsd">
  <Case>
    <ID>C#####</ID>

<Ref_URL>https://www.copyrightsettlements.com/?u=C#####1&amp;p=xvjdh</Ref_URL>
    <Status>Open</Status>
    <Severity>Normal</Severity>
  </Case>
  <Complainant>
    <Entity>AGENCY International</Entity>
    <Contact>lawyer_name, Esq.</Contact>
    <Address> AGENCY International, agent_address</Address>
    <Phone>(xxx) xxxx-xxxx</Phone>
    <Email>support@agent.com</Email>
    <ContactURL>https://www.agent.com/contact</ContactURL>
    <Relationship_To_Content>
      <Relationship>Agent</Relationship>
      <Other>=</Other>
    </Relationship_To_Content>
  </Complainant>
  <Service_Provider>
    <Entity>McGill University</Entity>
    <Contact>McGill University</Contact>
    <Address>805 Sherbrooke St. West, Montreal, QC H3A-2K6, Canada</Address>
    <Phone></Phone>
    <Email>copyright@mcgill.ca</Email>
  </Service_Provider>
  <Source>
    <TimeStamp>2015-01-13T19:39:18Z</TimeStamp>
    <IP_Address>xxx.xxx.xx.xx</IP_Address>
    <Port>#####</Port>
    <DNS_Name></DNS_Name>
    <Type>P2P</Type>
    <SubType BaseType="P2P" Protocol="BITTORRENT" Application="Vuze
5.5.0.0"></SubType>
    <Number_Files>1</Number_Files>
  </Source>
  <Content>
    <Item>
```

```
<TimeStamp>yyyy-mm-dd-hh:mm:ss</TimeStamp>
<AlsoSeen Start=" yyyy-mm-dd-hh:mm:ss " End=" yyyy-mm-dd-hh:mm:ss
"></AlsoSeen>
<Title>title1</Title>
<FileName> title1 WEB-DL SPLIT SCENES MP4-RARBG</FileName>
<FileSize>1462672183</FileSize>
<Type>Movie</Type>
<Hash Type="SHA1">long....hash...code</Hash>
</Item>
</Content>
<Type Retraction="false" Infringement_Details="Subsection 27(2.2)">Copyright Act
(Canada)</Type>
<Detection>
  <Asset>
    <OriginalAssetName>title1</OriginalAssetName>
  </Asset>
  <ContentMatched Fingerprint="false" Video="true" Audio="true"
MatchThreshold="100" Human="true" />
  <HashMatched>true</HashMatched>
  <MetadataMatched>true</MetadataMatched>
  <VerificationID></VerificationID>
</Detection>
<Verification>
  <VerificationLevel Type="DT">5</VerificationLevel>
</Verification>
<TextNotice><![CDATA[***NOTE TO MCGILL UNIVERSITY: Pursuant to the provisions of
Sections 41.25 and 41.26 of the Canada Copyright Act, please electronically forward as soon as feasible
the entire copyright infringement notice set forth below to the ACCOUNT HOLDER OF IP ADDRESS
xxx.xxx.xx.xx at yyyy-mm-dd hh:mm:ss North American Eastern Time and inform us on behalf of Rights
Owner once it has been forwarded or (if applicable) the reason it was not possible for you to do so.***
```

January 1, 20xx

NOTICE TO MCGILL UNIVERSITY ACCOUNT HOLDER IP ADDRESS xxx.xxx.xx.xx at yyyy-mm-dd hh:mm:ss North American Eastern Time

Re: Notice of Unauthorized Use of Copyright Owned by Something Films Inc, Case #: C#####

This notice is intended solely for the primary McGill University service account holder.

AGENCY International ("AGENCY") is the agent for Something Films Inc (hereinafter "Rights Owner") whose address is film\_company\_address, US. All communications with Something Films Inc with respect of this notice should be made to our attention as its agent. AGENCY contact information is shown below.

Rights Owner owns all right, title and interest, including copyrights, in and to the work listed below (hereinafter the "Work"). (Some individuals may find certain words in titles of works to be offensive.

AGENCY apologizes in advance if this is the case.) For independent confirmation that AGENCY is authorized to represent Something Films Inc, please visit: [http://something\\_films\\_URL.html](http://something_films_URL.html)

Your Internet account has been identified as having been used in the unauthorized copying, performance, and/or distribution, via peer-to-peer sharing, of the Work listed below. (Note that the time/date noted is the time/date that the unauthorized copying was identified. The actual downloading, copying, and/or distribution through your Internet account may have begun or occurred significantly earlier.)

Evidence:

Evidence:

Work Title: Move\_Title

Copyright Owner: Something Films Inc

Unauthorized File Name: Move\_Title WEB-DL SPLIT SCENES MP4-RARBG Unauthorized Hash: hashtag

Unauthorized File Size: byte\_number Unauthorized Protocol: BitTorrent

Timestamp: yyyy-mm-dd hh:mm:ss North American Eastern Time Unauthorized IP Address: xxx.xxx.xx.xx

Unauthorized Port: #####

The following files were included in the unauthorized copying, performance, and/or distribution:

File 1: file1\_info [RARBG].mp4

File 2: file2\_info [RARBG].mp4

File 3: file3\_info [RARBG].mp4

File 4: file4\_info [RARBG].mp4

Something Films Inc is the sole and exclusive owner and distributor of the Work in Canada, and at no time have you, or anyone using your account, received authorization or consent to download or distribute Rights Owner's exclusive property.

Your ISP has forwarded this notice to you pursuant to provisions of the Canada Copyright Act.

In Canada, the unauthorized copying, performance, and/or distribution of Rights Owner's Work is illegal and is subject to civil sanctions (with statutory damages of up to ,000 or non-statutory damages that could be higher) and/or criminal sanctions, and is a violation of the Canada Copyright Act (R.S.C., 1985, c. C-42). The recent amendments to the Copyright Act, which came into force on November 2012, have confirmed Rights Owner's right to have its copyright protected in Canada.

Moreover, such copying, performance and/or distribution of unauthorized works may also violate (i) the Berne Convention for the Protection of Literary and Artistic Works, (ii) the Universal Copyright Convention, (iii) bilateral treaties with other countries (including Canada), and/or (iv) the copyright laws of Canada.

If you have questions about your legal rights, you should consult with your own legal counsel (i.e., barrister, solicitor, lawyer, and/or attorney).

AGENCY HAS BEEN AUTHORIZED BY RIGHTS OWNER TO OFFER A SETTLEMENT SOLUTION TO RESOLVE THIS MATTER AND PREVENT LEGAL ACTION.



You have until Saturday, April 4, 2015 to access the settlement offer and settle online. To access the settlement offer, please visit <https://www.copyrightsettlements.com/> and enter Case #: C2568291 and Password: xvjdh. To access the settlement offer directly, please visit <https://www.copyrightsettlements.com/?u=C#####>

Settlement Information:

Direct Settlement Link: <https://www.copyrightsettlements.com>

Settlement Website: <https://www.copyrightsettlements.com/>

Case #: C#####

Password: pwd##

If this matter is not resolved by the date shown above, the original settlement offer will no longer be an option and any future resolution may require an increased payment from you.

In the event that Rights Owner proceeds with legal action against you, you will be required to produce all relevant documents, including electronic documents and files that bear on Rights Owner's claim against you. Until this matter is resolved, whether by settlement or otherwise, we require you to accept this as written notice to preserve any and all hard drives or other means of electronic storage used with your above referenced IP address and to take no steps whatsoever to remove, erase, discard, conceal, destroy or delete from any means of electronic storage any evidence of piracy and/or other illegal or unauthorized downloading and distribution of Rights Owner's Work.

This notice is NOT a bill or invoice. It is a notice made on behalf of Rights Owner of (i) a potential claim against you and/or those who you have allowed access to your Internet account for infringement of the Rights Owner's copyright in the Work, and (ii) an opportunity to completely resolve that claim now.

AGAIN, IF YOU HAVE QUESTIONS ABOUT YOUR LEGAL RIGHTS, YOU SHOULD CONSULT WITH YOUR OWN LEGAL COUNSEL (I.E., BARRISTER, SOLICITOR, LAWYER, AND/OR ATTORNEY).

Nothing contained or omitted from this correspondence is, or shall be deemed to be either a full statement of the facts or applicable law, an admission of any fact, or waiver or limitation of any of Rights Owner's rights or remedies, all of which are specifically retained and reserved.

The information in this notice is accurate. AGENCY has a good faith belief that use of the material in the manner complained of herein is not authorized by the copyright owner, its agent, or by operation of law. AGENCY and the undersigned declare under penalty of perjury, that AGENCY is authorized to act on behalf of Something Films Inc.

Sincerely,

Lawyer Name, Esq.

AGENCY Legal Counsel

[Mr. Lawyer is a lawyer admitted to practice law in California, United States of America.]

AGENCY International

Street Address

City, State, Country

Toll Free: +1-xxx-xxx-xxxx  
Email: [support@agency.com](mailto:support@agency.com)  
Website: [www.copyrightsettlements.com](http://www.copyrightsettlements.com)  
]]></TextNotice>  
</Infringement>  
- ----End ACNS XML

This is an automated email. If you have questions or concerns, please call us at +1-xxx-xxx-xxxx or visit <https://www.copyrightsettlements.com/>. Replies sent to [dmca@email\\_address.com](mailto:dmca@email_address.com) are not read.

-----BEGIN PGP SIGNATURE-----

Version: GnuPG v2

Very....long.....encoded...signature.....

Very....long.....encoded...signature.....

Very....long.....encoded...signature.....

Very....long.....encoded...signature.....

-----END PGP SIGNATURE-----

-----END COPYRIGHT INFRINGEMENT CLAIM-----