

# **EXHIBIT L10**

Jeffrey N. Mausner

From: Jjancell@aol.com  
Sent: Monday, May 21, 2001 6:40 PM  
To: copyright@yahoo-inc.com; webmaster@google.com  
Subject: Notification of Claimed Copyright Infringement



← attached with notice

Maya Photos.pdf

May 21, 2001

By Electronic Mail to copyright@yahoo-inc.com

Anthony P. Coll  
c/o Yahoo! Inc.  
701 First Avenue  
Sunnyvale, CA 94089

By Electronic Mail to webmaster@google.com

Re: Notification of Claimed Copyright Infringement Pursuant to 17 U.S.C. § 512; Use of PERFECT 10 Copyrighted Works; Violation of Right of Publicity

Dear Mr. Coll and Google:

Perfect 10, Inc. is the publisher of Perfect 10® Magazine, and operates an Internet website at [www.perfect10.com](http://www.perfect10.com), the contents of which are copyrighted by Perfect 10. Models appearing in Perfect 10 Magazine have assigned their rights of publicity to Perfect 10, including all rights that they have in the depictions of them that appear in Perfect 10 Magazine and on Perfect 10's website, and the use of their names, including any rights they have under California Civil Code §§3344 and 990, or any similar statutes in any other state, and any common law rights of publicity.

Using Yahoo, a search for the name of Perfect 10 Model "Maya Rubin" results in "hits" on the following websites:

<A HREF="http://www.celebritypictures.com/MayaRubin/maya1.htm">Women Celebrity Pictures, Maya Rubin Pictures ...</A>  
<http://www.celebritypictures.com/MayaRubin/maya1.htm>

<A HREF="http://granestacion.com/topless/topless13.htm">Galerias Topless</A>

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These websites contain infringing copies of copyrighted photographs owned by Perfect 10 of this model. These websites are engaged in copyright infringement, as well as a violation of Perfect 10's right of publicity. By linking to these websites, Yahoo is engaged in contributory infringement and violation of rights of publicity. Since some of these websites may be pornographic, associating Perfect 10 Models with these websites may be defamatory of the models.

This letter serves as Notification of Claimed Infringement to an Information Location Tool/Internet Service Provider pursuant to 17 U.S.C. § 512(c)(3) and (d). The undersigned certifies as accurate, under penalty of perjury, that (1) the undersigned is authorized to act on behalf of Perfect 10, Inc.; (2) the copyrighted works claimed to be infringed upon are photographs that appear in Perfect 10 Magazine and/or Perfect 10's website at <www.perfect10.com>; (3) the material claimed to be infringing appears in the website(s) at:

http://www.celebritypictures.com/Pictures/MayaDun/maya2.jpg  
http://granestacion.com/topless/topless13/t131.htm

(these websites contain infringing photographs owned by Perfect 10, as well as other photographs)

(4) the service provider may reach the undersigned at the following phone number: (702) 279-0787, e-mail address:

jjancell@aol.com, or mailing address: John Ancell, c/o Perfect 10, Inc., P.O. Box 3398, Beverly Hills, CA 90212;

(5) Perfect 10 has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law; (6) the undersigned states under penalty of perjury that he is authorized to act on behalf of the owner of the exclusive rights allegedly infringed upon.

You are now on notice that these websites, which your search engine refers and links to, have infringed Perfect 10's copyrights and rights of publicity. It is now your responsibility to require the owners of these websites to prove to you that they own the copyrights and rights of publicity

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for the photos posted on their sites. If you continue to refer and link users to these sites containing infringing copies of Perfect 10's photographs, Perfect 10 will have no alternative but to file a lawsuit against you for your failure to properly control sites that have already infringed our copyrights, violated our rights of publicity, defamed our models, and damaged our business. You seem to have no qualms about defaming actresses, models, and others by linking them to pornographic sites without apparently making any effort to determine whether their photographs legitimately appear on those sites. Now that you know that the above site has defamed models and/or infringed on copyrights, we demand that you act immediately or face the consequences.

If you have any questions or need further documentation in order to act, you may contact Perfect 10's attorney:

Jeffrey N. Mausner  
Berman, Mausner & Resser  
4727 Wilshire Blvd., Suite 500  
Los Angeles, CA 90010  
Telephone: (323) 965-1200  
Fax: (323) 965-1200  
e-mail: [jmausner@bmrclaw.com](mailto:jmausner@bmrclaw.com)

PRODUCED PURSUANT TO DEFENDANT GOOGLE  
INC.'S FIRST SET OF REQUESTS FOR PRODUCTION  
OF DOCUMENTS TO PLAINTIFF PERFECT 10, INC.

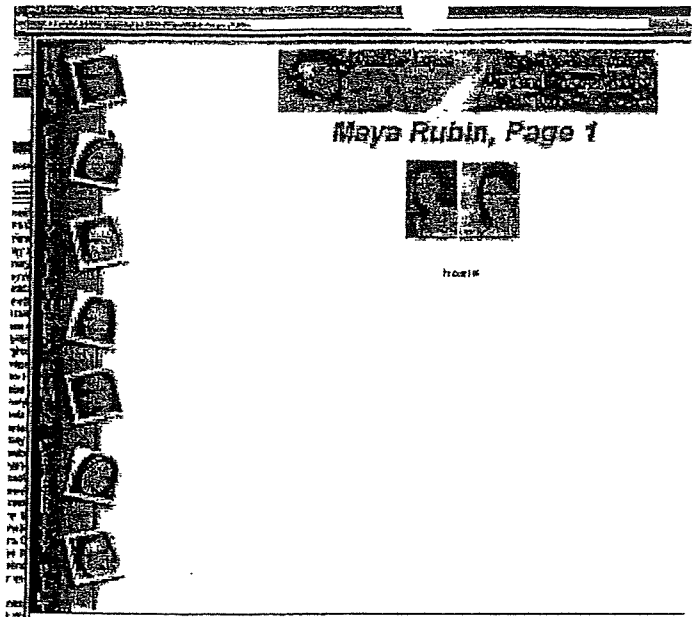
This letter does not constitute a waiver of any rights that Perfect 10, Inc. or any model has against any person or entity, including the right to file a lawsuit against any search engine, Internet Service Provider, or website owner.

Sincerely,

PERFECT 10, INC.

JOHN ANCELL

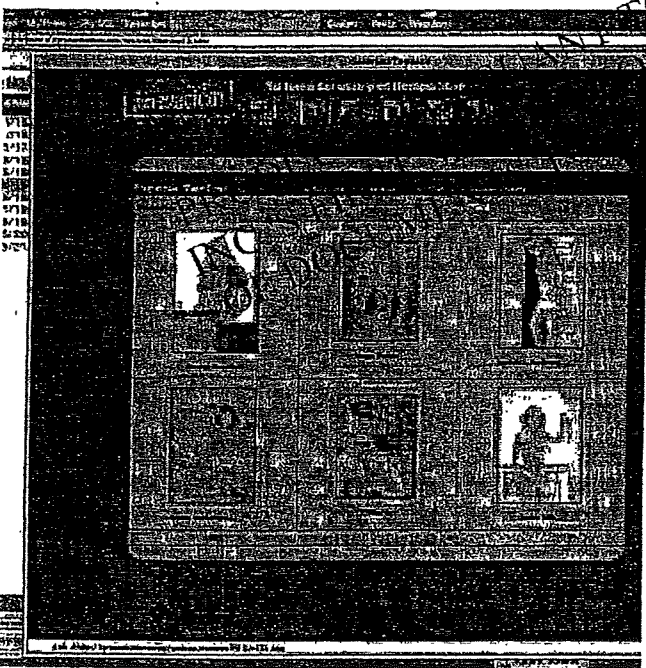
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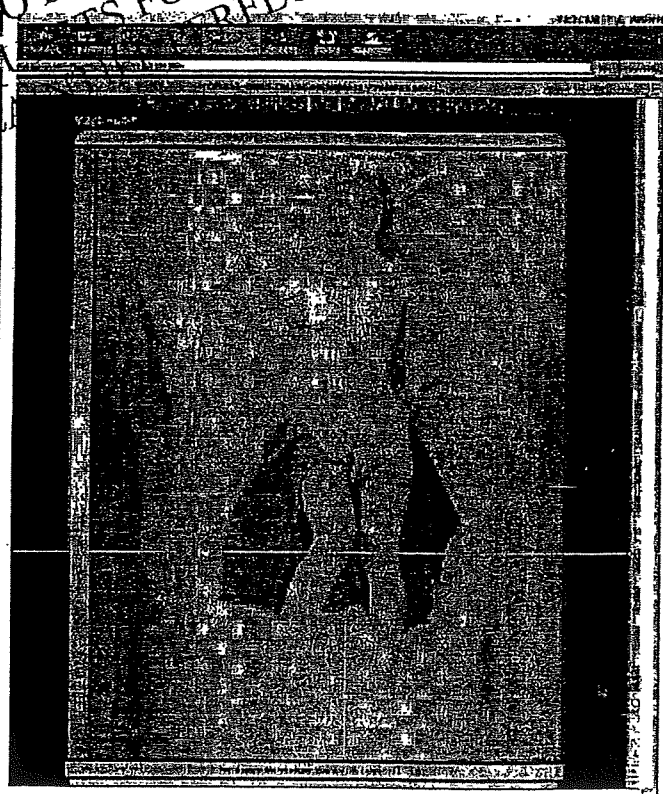
<http://www.celebritypictures.com/MayaRubin/maya1.htm>



<http://www.celebritypictures.com/Pictures/MayaRubin/maya2.jpg>



<http://granestacion.com/topless/topless13.htm>



<http://granestacion.com/topless/topless/t13/t131.htm>

IN RE: DEFENDANT GOO...  
...S FOR PRODUCTION...  
...PERFECT 10, INC.

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