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MEETINGS WITH ATTORNEYS BY
APPOINTMENT ONLY

March 18, 2016

VIA EMAIL (randomouscrap98@aol.com)

Smilebasicsource.com

Attn: Carlos Sanchez, Back-end Programmer

Re: DMCA Notice: user “HyliaHoundoom” – “Five Nights at Freddy’s”

Dear Mr. Sanchez:

Our office represents Scott Cawthon and Scottgames, LLC. Mr. Cawthon is the creator, author and intellectual property owner of the point-and-click survivor horror computer games/mobile applications entitled “Five Nights at Freddy’s”, “Five Nights at Freddy’s 2”, “Five Nights at Freddy’s 3”, “Five Nights at Freddy’s 4” and “FNAF World” (collectively, “**Five Nights**”). Additionally, Mr. Cawthon is the owner of the federally registered FIVE NIGHTS AT FREDDY’S mark (the “**Mark**”). As owner of Five Nights and Mark, Mr. Cawthon is the rightful legal owner of the intellectual property, titles, characters, themes, plots, stories, gameplay and settings thereof (collectively, the “**Intellectual Property**”).

The Intellectual Property includes, without limitation, copyrights in the famous animatronic characters, Freddy Fazbear (U.S. Reg. VA0001968311); Foxy The Pirate (U.S. Reg. VA0001968265); Chica The Chicken (U.S. Reg. VA0001944551); Bonnie the Rabbit (U.S. Reg. VA0001968264); Balloon Boy (U.S. Reg. VA000197397); Springtrap (U.S. Reg.

VA0001973958); Mangle (U.S. Reg. VA0001973961); and Marionette (U.S. Reg. VA0001973962) (collectively, the “Protected Characters”). Additionally, Five Nights is itself protected by numerous U.S. Copyright Registrations, including, PA0001952793 and PA0001927262 for “Five Nights at Freddy’s”; PA0001927442 for “Five Nights at Freddy’s 2”; PA0001952786 for “Five Nights at Freddy’s 3”; PA0001956899 for “Five Nights at Freddy’s 4”; and PAu003786730 for “FNAF World”.

We are notifying you of infringement of the Intellectual Property by user: “HyllianHoundoom” (<http://www.smilebasicsource.com/user?uid=33>) at the following location:

<http://www.smilebasicsource.com/page?pid=264>

(the “Unauthorized Game”)

The Unauthorized Game improperly incorporates the Mark, various protected images, art and graphics, and is essentially an unauthorized and impermissible derivative work of Five Nights. Specifically, without limitation, the Unauthorized Game prominently features the Protected Characters, and copies the Five Nights themes, settings, plots and point-and-click gameplay. Such blatant disregard for Mr. Cawthon’s intellectual property likely amounts to textbook copyright infringement.

Pursuant to the Digital Millennium Copyright Act (“**DMCA**”), 17 U.S.C. § 512, we demand you act expeditiously to remove, or disable access to, the material identified above.

Again, Mr. Cawthon is the authorized owner of the Intellectual Property and neither he nor his agents authorized the sale of the Unauthorized Game. This notice is provided in good faith that use of the material in the manner complained of is not authorized by the copyright owner, his agents, or the law. The information in this notice is accurate. Under penalty of perjury, I certify that I am authorized to act on behalf of the copyright owner.

Nothing in this letter shall constitute a waiver or relinquishment of any right or remedy of Mr. Cawthon, or any affiliated party, all of which are expressly reserved.

Thank you.

NISSENBAUM LAW GROUP, LLC

By: _____/s_____
Laura J. Magedoff