

**SYMES & STREET**  
BARRISTERS AND SOLICITORS

133 LOWTHER AVENUE  
TORONTO, ONTARIO, CANADA M5R 1E4  
Tel (416) 920-3030 Fax (416) 920-3033

Direct Line: (416) 920-6179  
E-mail: [symes@symesandstreet.com](mailto:symes@symesandstreet.com)

October 10, 2008

**SENT BY FAX and COURIER**

**Fax: 480-624-2550**

Ben Butler

Designated Agent to Receive Notification of Claimed Infringements

Wild West Domains, Inc.


14455 North Hayden Road

Suite 226

Scottsdale, AZ

85260

U.S.A.

This is Exhibit C.1 referred to in the  
affidavit of Joseph McLeod  
sworn before me, this 21st  
day of November 2008  
  
COMMISSIONER FOR TAKING AFFIDAVITS

**Re: Removal of Infringing Content on Morrisseau.com**

Dear Mr. Butler:

I have been retained by Joseph McLeod, Maslak McLeod Gallery, and Maslak McLeod Gallery Inc. with respect to the website [morriseau.com](http://morriseau.com), of which Wild West Domains, Inc. is the host. The website was created and maintained by Richie Sinclair, also known as Star Dreamer (and StarDreamer Netmedia).

I am writing to you pursuant to s. 512 of the United States *Copyright Act*<sup>1</sup> The United States Copyright Office's records indicate that you are the "designated agent" under s. 512 (c)(2) of the *Act*.

This Notification will serve as a "DMCA takedown notice." Take note that pursuant to your receipt of this notice, you are required by law to take down the infringing content and to inform the website creator of your actions. This letter is in compliance with the requirements set out in s. 512 (c)(3) of the *Copyright Act* (the "Takedown" provisions of the *Act*).

Section 512 (b)(E) of the *Act* sets out that Wild West Domains, Inc. will be liable for the infringing content unless you comply and act to "expeditiously to remove, or disable access to, the material that is claimed to be infringing upon notification of claimed infringement as described in subsection (c)(3)..."

Further s. 512(c)(1)(c) states:

<sup>1</sup> specifically added to the *Copyright Act* by the *Digital Millenium Copyright Act (DMCA)*, Pub. L. No. 105-304, 112 Stat. 2860 (Oct. 28, 1998).

(c) Information Residing on Systems or Networks at Direction of Users.

(1) In general.—A service provider shall not be liable for monetary relief, or, except as provided in subsection (j), for injunctive or other equitable relief, for infringement of copyright by reason of the storage at the direction of a user of material that resides on a system or network controlled or operated by or for the service provider, if the service provider—

...  
(C) upon notification of claimed infringement as described in paragraph (3), responds expeditiously to remove, or disable access to, the material that is claimed to be infringing or to be the subject of infringing activity.

The morrisseau.com website has unlawfully copied content taken from two published books of my client:

- 1) *Norval Morrisseau* (2006), Gallery Book [Maslak McLeod Gallery]; and
- 2) *Norval Morrisseau: The Development of the Woodland School of Art* (2003), Gallery Book [Maslak McLeod Gallery].

Further, morrisseau.com has unlawfully copied content from the website of MaslakMcLeodGallery.com.

Please find attached a complete list of each of the paintings and of the content included in my client's books and website (the content which has been infringed). Each item noted has been improperly posted on the morrisseau.com website.

Please also find attached printed screen-captures of the infringing content currently present on the morrisseau.com site (the "infringing content").

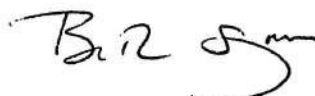
I have a good faith belief that the use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.

The information within this notification is accurate. I am authorized to act on behalf of my client, Joseph McLeod, Maslak McLeod Gallery and Maslak McLeod Gallery, Inc. on behalf of their exclusive rights to the infringing content on the morrisseau.com website.

If you fail to remove this content, you will be liable under US law and will be exposed to damages in a lawsuit against Richie Sinclair, StarDreamer Netmedia and Wild West Domains, Inc.

Please contact our office at the address, phone number or email noted in the letterhead if you have any questions.

Yours truly,



Beth Symes

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Direct Line: (416) 920-6179  
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October 15, 2008

**SENT BY FAX: 480-624-2550**

Ben Butler  
Designated Agent to Receive Notification of Claimed Infringements  
Wild West Domains, Inc.  
14455 North Hayden Road  
Suite 226  
Scottsdale, AZ  
85260  
U.S.A.

**AND BY EMAIL to:**

Copyright Department, GoDaddy.com  
[copyrightclaims@godaddy.com](mailto:copyrightclaims@godaddy.com)

**Re: Removal of Infringing Content on Morrisseau.com**

Dear Mr. Butler and GoDaddy.com copyright office:

Following the two emails from GoDadd.com received today, I trust that this letter will comply with the GoDaddy.com Copyright department requirements. I have boldened the additional paragraph which has been requested.

I have been retained by Joseph McLeod, Maslak McLeod Gallery, and Maslak McLeod Gallery Inc. with respect to the website [morriseau.com](http://morriseau.com), of which Wild West Domains, Inc. is the host. The website was created and maintained by Richie Sinclair, also known as Star Dreamer (and StarDreamer Netmedia).

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...

(C) upon notification of claimed infringement as described in paragraph (3), responds expeditiously to remove, or disable access to, the material that is claimed to be infringing or to be the subject of infringing activity.

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Further, *morrisseau.com* has unlawfully copied content from the website of *MaslakMcLeodGallery.com*.

Please find attached a complete list of each of the paintings and of the content included in my client's books and website (the content which has been infringed). Each item noted has been improperly posted on the *morrisseau.com* website.

The printed screen-captures of the infringing content currently present on the *morrisseau.com* site (the "infringing content") were sent on October 10, 2008.

I have a good faith belief that the use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.

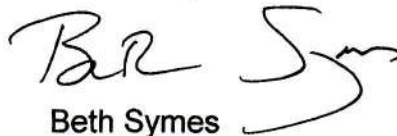
**I declare that the information in the notification is accurate, and under penalty of perjury, that the Complaining Party is the owner, or is authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.**

I am the Complaining party and my client, Joseph McLeod, Maslak McLeod Gallery and Maslak McLeod Gallery, Inc. have exclusive rights to the infringing content on the *morrisseau.com* website.

If you fail to remove this content, you will be liable under US law and will be exposed to damages in a lawsuit against Richie Sinclair, StarDreamer Netmedia and Wild West Domains, Inc.

Please contact our office at the address, phone number or email noted in the letterhead if you have any questions.

Yours truly,

A handwritten signature in black ink, appearing to read "Beth Symes". The signature is written in a cursive style with a large, sweeping flourish at the end.

Beth Symes

c. Joseph McLeod, Maslak McLeod Gallery

<http://www.morrisseau.com/browsePhot.php>

Page 1			
#65	The Legend Becomes Real for the Child	"Forged Morrisseau #65 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 Cover and p.31
#64	Four Warriors	"Forged Morrisseau #64 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 32

Page 2			
#63	Shaman in Unity	"Forged Morrisseau #63 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 33
#62	Protector: Mishipeshoo	"Forged Morrisseau #62 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 28
#61	Earth Mother	"Forged Morrisseau #61 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 34
#60	Shaman	"Forged Morrisseau #60 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 35
#59 And #58	Woman and Man in Nature	"Forged Morrisseau #59 By: blackmagic" and "Forged Morrisseau #58 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 36
#57	Spirit Power	"Forged Morrisseau #57 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 44
#56	Sacred Astral Beaver	"Forged Morrisseau #56 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 42
#55	Loon Nest	"Forged Morrisseau #55 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 44

#54	Christ Figure	"Forged Morrisseau #59 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 41
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Page 3			
#53	Artist Speaks to Moose Spirit	"Forged Morrisseau #53 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 40
#52	Sacred Fish: Shaman Ride	"Forged Morrisseau #52 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 38
#51	Petroglyph Thunderbirds	"Forged Morrisseau #51 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 45
#50	Battle for Universal Harmony	"Forged Morrisseau #50 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 46 & 47
#49 and #41	Unity Totem  Unity in Nature	"Forged Morrisseau #49 By: blackmagic" and "Forged Morrisseau #41 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 48 Norval Morrisseau, The Development of the Woodland School of Art, Maslak McLeod Gallery Published 2003 p. 18
#48	Interdependence of all Things	"Forged Morrisseau #48 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 48
#47	Unity II	"Forged Morrisseau #47 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 49

#46	Unity of Inorganics	"Forged Morrissette #46 By: blackmagic"	Norval Morrissette Maslak McLeod Gallery Book Published 2006 p. 50 & 51
#44	Shaman	"Forged Morrissette #44 By: blackmagic"	Norval Morrissette Maslak McLeod Gallery Book Published 2006 p. 54

Page 4			
#42	Shaman Moose	"Forged Morrisseau #42 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 17
#41	Unity Totem see #49  Unity in Nature	"Forged Morrisseau #41 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 48 Noral Morrisseau, The Development of the Woodland School of Art, Maslak McLeod Gallery Published 2003 p. 18
#40	Twin Fish	"Forged Morrisseau #40 By: blackmagic"	Maslak McLeod Website
#39	Shaman Flight in the Form of an Eagle	"Forged Morrisseau #39 By: blackmagic"	Maslak McLeod Website
#38	Loons and Fish	"Forged Morrisseau #38 By: blackmagic"	Maslak McLeod Website
#37	Innocent Children Speak the Truth	"Forged Morrisseau #37 By: blackmagic"	Maslak McLeod Website
#37b	Dance of Life	"Forged Morrisseau #37 By: blackmagic"	Maslak McLeod Website
#36	Man and Serpents	"Forged Morrisseau #36 By: blackmagic"	Maslak McLeod Website
#35	Water Spirits 2	"Forged Morrisseau #35 By: blackmagic"	Maslak McLeod Website

Page 5			
#34	Water Spirits 1	"Forged Morrisseau #34 By: blackmagic"	Maslak McLeod Website
#33	Flying of Birds	"Forged Morrisseau #33 By: blackmagic"	Maslak McLeod Website
#32	Shaman Being Told Story of Nature	"Forged Morrisseau #32 By: blackmagic"	Maslak McLeod Website
#31	Jack	"Forged Morrisseau #31 By: blackmagic"	Maslak McLeod Website
#30	Blossoms	"Forged Morrisseau #30 By: blackmagic"	Maslak McLeod Website
#29	Dragon Fly's	"Forged Morrisseau #29 By: blackmagic"	Maslak McLeod Website
#28	Four Warriors see #64	"Forged Morrisseau #28 By: blackmagic"	Norval Morrisseau Maslak McLeod Gallery Book Published 2006 p. 32
#7	Unity of Children and Nature	"Stolen Morrisseau Original #7"	Norval Morrisseau Subway Collection Maslak McLeod
#6	Thunderbird Transformation	"Stolen Morrisseau Original #6"	Norval Morrisseau Subway Collection Maslak McLeod
#5	Shaman with Medicine Turtle	"Stolen Morrisseau Original #5"	Norval Morrisseau Subway Collection Maslak McLeod

Page 6			
#4	Animals Speaks	"Stolen Morrisseau Original #4"	Norval Morrisseau Subway Collection Maslak McLeod
#3	Thunderbird	"Stolen Morrisseau Original #3"	Norval Morrisseau Subway Collection Maslak McLeod
#2	Standing Brave	"Stolen Morrisseau Original #2"	Norval Morrisseau Subway Collection Maslak McLeod
#1	Spirit Bear with Children	"Stolen Morrisseau Original #1"	Norval Morrisseau Subway Collection Maslak McLeod