



Case: 1:22-mc-00042
Assigned To : Unassigned
Assign. Date : 3/31/2022
Description: Misc. (O-DECK)

VIA EMAIL TO LEGAL@CLOUDFLARE.COM

March 29, 2022

Cloudflare, Inc.
101 Townsend Street
Legal Department
San Francisco, CA 94107

Hello:

I am contacting you on behalf of the Recording Industry Association of America, Inc. (RIAA) and its member record companies. The RIAA is a trade association whose member companies create, manufacture and distribute approximately eighty-five (85) percent of all legitimate sound recordings sold in the United States.

We have determined that users of your system or network have infringed our member record companies' copyrighted sound recordings.

Enclosed is a subpoena compliant with the Digital Millennium Copyright Act. The subpoena requires that you provide the RIAA with information concerning the individuals offering infringing material described in the attached notice.

As is stated in the attached subpoena, you are required to disclose to the RIAA information sufficient to identify the infringers. This would include the individuals' names, physical addresses, IP addresses, telephone numbers, e-mail addresses, payment information, account updates and account history, as available.

If you have any questions please feel free to contact me via email at antipiracy@riaa.com, via telephone at (202) 775-0101, or via mail at RIAA, 1000 F Street N.W., 2nd Floor, Washington, D.C., 20004.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Shekler", is written over a horizontal line.

Victoria Shekler
Deputy General Counsel

RECEIVED

MAR 31 2022

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In Re:

DMCA 512(h) SUBPOENA TO
CLOUDFLARE, INC.

Case: 1:22-mc-00042
Assigned To : Unassigned
Assign. Date : 3/31/2022
Description: Misc. (O-DECK)

DECLARATION OF MARK McDEVITT
IN SUPPORT OF ISSUANCE OF
SUBPOENA PURSUANT TO 17 U.S.C §
512(h)

I, MARK McDEVITT, the undersigned, declare that:

1. I am a Senior Vice President, Online Content Protection for the Recording Industry Association of America, Inc. (RIAA). The RIAA is a trade association whose member companies create, manufacture or distribute sound recordings. The RIAA is authorized to act on its member companies' behalf on matters involving the infringement of their copyrighted video and sound recordings.

2. The RIAA is requesting the attached proposed subpoena that would order Cloudflare, Inc. to disclose the identities, including names, physical addresses, IP addresses, telephone numbers, e-mail addresses, payment information, account updates and account histories of the users operating the following websites:

Mary Jane Girls - In My House

<https://mp3download.to/12en/UF2iuZctLNs.html/>

Wham! - Edge Of Heaven

<https://mp3download.to/12en/cCqEyJc-wdk.html/>

Chicago - Along Comes A Woman

<https://mp3download.to/12en/sEJwCQ7MHR0.html/>

Martika - More Than You Know

<https://320ytmp3.com/enfklN/download?type=ytmp3&url=https%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3DE9XlnB2RpXk>

RECEIVED

MAR 31 2022

Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

White Lion - Wait

<https://320ytmp3.com/enfklm/download?type=ytmp3&url=https%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3Dk23W7--8DgQ>

Teena Marie - Square Biz

<https://320ytmp3.com/enfklm/download?type=ytmp3&url=https%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3DlH5avlcDRm4>

3. The purpose for which this subpoena is sought is to obtain the identities of the individuals assigned to these websites who have reproduced and have offered for distribution our members' copyrighted sound recordings without their authorization. This information will only be used for the purposes of protecting the rights granted to our members, the sound recording copyright owner, under Title II of the Digital Millennium Copyright Act.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information or belief.

Executed at Washington, District of Columbia, on March 29, 2022.

A handwritten signature in black ink, appearing to read 'Mark McDevitt', with a long horizontal flourish extending to the right.

Mark McDevitt

From: RIAA Antipiracy <Antipiracy@riaa.com>
Sent: Tuesday, March 29, 2022 3:57 PM
To: CloudFlare Trust & Safety <abuse@cloudflare.com>
Subject: Unauthorized Sound Recordings (REF: E20-462481648583576)

March 29, 2022

Mp3download.to
Cloudflare

E20-462481648583576

Hello:

I am contacting you on behalf of the Recording Industry Association of America, Inc. (RIAA) and its member record companies. The RIAA is a trade association whose member companies create, manufacture and distribute approximately eighty-five (85) percent of all legitimate sound recordings sold in the United States. Under penalty of perjury, we submit that the RIAA is authorized to act on behalf of its member companies on matters involving the infringement of their sound recordings, including enforcing their copyrights and common law rights on the Internet, and including with respect to the copyrighted works identified below.

We have learned that your service is operating and/or hosting the below-referenced infringing web site(s) on its network. These site(s) are offering files containing sound recordings which are owned by one or more of our member companies and have not been authorized for this kind of use, including without limitation those referenced at the URL(s) below. We have a good faith belief that this activity is not authorized by the copyright owner, its agent, or the law. We assert that the information in this notification is accurate, based upon the data available to us.

We are asking for your immediate assistance in stopping this unauthorized activity. Specifically, we request that you remove the files from your system, including any mirrored or duplicate copies of those files, and/or that you disable all access to the infringing files and associated links, and that you inform the uploader/s and/or site operator(s), as applicable, of the illegality of his or her conduct.

We also ask that you consider the widespread and repeated infringing nature of the uploader(s) and/or site operator(s)' conduct (as applicable), and whether that conduct violates your terms of service and/or your company's repeat infringer policy.

This e-mail does not constitute a waiver of any right to recover damages incurred by virtue of any such unauthorized activities, and such rights as well as claims for other relief are expressly retained. In addition, our use of your service's required notice form, if applicable, is merely meant to facilitate removal of the infringing material listed below and is not meant to suggest or imply that your activities and services are within the scope of the DMCA safe harbor.

You may contact me at RIAA, 1000 F Street NW, 2nd Floor, Washington, D.C. 20004, Tel. (202) 775-0101, or by e-mail at antipiracy@riaa.com, to discuss this notice. We await your response.

Sincerely,
Traci Crippen
Online Content Protection
RIAA

<https://mp3download.to/12en/sEJwCQ7MHR0.html/> chicago - along comes a woman
<https://mp3download.to/12en/UF2iuZctLNs.html/> mary jane girls - in my house
<https://mp3download.to/12en/cCqEyJc-wdk.html/> wham - the edge of heaven

From: RIAA Antipiracy <antipiracy@riaa.com>
Sent: Tuesday, March 29, 2022 4:11 PM
To: abuse@cloudflare.com <abuse@cloudflare.com>
Subject: Unauthorized Sound Recordings (REF: I20-469571648584671)

March 29, 2022

320ytmp3.com
Cloudflare

I20-469571648584671

Hello:

I am contacting you on behalf of the Recording Industry Association of America, Inc. (RIAA) and its member record companies. The RIAA is a trade association whose member companies create, manufacture and distribute approximately eighty-five (85) percent of all legitimate sound recordings sold in the United States. Under penalty of perjury, we submit that the RIAA is authorized to act on behalf of its member companies on matters involving the infringement of their sound recordings, including enforcing their copyrights and common law rights on the Internet, and including with respect to the copyrighted works identified below.

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This e-mail does not constitute a waiver of any right to recover damages incurred by virtue of any such unauthorized activities, and such rights as well as claims for other relief are expressly retained. In addition, our use of your service's required notice form, if applicable, is merely meant to facilitate removal of the infringing material listed below and is not meant to suggest or imply that your activities and services are within the scope of the DMCA safe harbor.

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Sincerely,
Traci Crippen
Online Content Protection
RIAA

<https://320ytmp3.com/enfklm/download?type=ytmp3&url=https%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3DE9XlnB2RpXk> martika - more than you know
<https://320ytmp3.com/enfklm/download?type=ytmp3&url=https%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3DIH5avlcDRm4> teena marie - square biz
<https://320ytmp3.com/enfklm/download?type=ytmp3&url=https%3A%2F%2Fwww.youtube.com%2Fwatch%3Fv%3Dk23W7--8DgQ> white lion - wait