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March 2, 2023

Case: 1:23-mc-00020
Assigned To : Unassigned
Assign. Date : 3/2/2023
Description: MISC.

Via Hand Delivery

Clerk's Office
United States District Court for the District of Columbia
333 Constitution Avenue N.W.
Washington D.C. 20001

Re: Application for DMCA Subpoena Pursuant to 17 U.S.C. § 512(h)

Dear Sir or Madam:

On behalf of our clients, Cengage Learning, Inc., Elsevier Inc., Bedford, Freeman & Worth Publishing Group, LLC d/b/a Macmillan Learning, McGraw-Hill Global Education Holdings, LLC, and Pearson Education, Inc., we respectfully request that the Clerk issue a subpoena to Namecheap, Inc. pursuant to the Digital Millennium Copyright Act ("DMCA"), 17 U.S.C. § 512(h).

Section 512(h) of the DMCA provides that a "copyright owner or a person authorized to act on the owner's behalf may request the clerk of any United States District Court to issue a subpoena to a service provider for identification of an alleged infringer in accordance with this subsection." 17 U.S.C. § 512(h)(1). For a subpoena to be issued, Section 512(h) requires that a copyright owner file the following with the Clerk:

1. A copy of the notification required by Section 512(c)(3)(A);
2. A proposed subpoena; and
3. A sworn declaration to the effect that the purpose for which the subpoena is sought is to obtain the identity of an alleged infringer and that such information will only be used for the purpose of protecting rights under 17 U.S.C. § 101 *et seq.*

Accordingly, attached for filing with the Clerk are the notification, proposed subpoena, and sworn declaration. Having complied with the requirements of the statute, we ask the Clerk to expeditiously issue and sign the proposed subpoena and return it to the undersigned or other representative of our law firm for service.

Thank you for your cooperation and prompt response in this matter. If you have any questions, you can reach me with the contact information listed above.

RECEIVED

MAR - 2 2023

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

Sincerely,

/s/ Kevin Lindsey

Kevin Lindsey