



DLA Piper LLP (US)
555 Mission Street
Suite 2400
San Francisco, California 94105-2933
www.dlapiper.com

Gina Durham
gina.durham@us.dlapiper.com
T 415.836.2506
F 415.659.7333

January 11, 2024

Our Ref: 384138.000012

[REDACTED]

Mike Damm
Mach Dilemma LLC

RE: Hardbin.com vs. JetBrains

Dear Mr. Damm,

We are intellectual property counsel to JetBrains s.r.o. and related companies (collectively "JetBrains"). We are writing to you regarding unauthorized access to JetBrains' software products through <https://hardbin.com>, hosted by you.

Upon receiving the October 26, 2023 "Infringement Notice" from JetBrains, you are on notice that your website <hardbin.com> has been identified as allowing circumvention of technological measures that have been put in place for protecting JetBrains' products from unauthorized access and use. You informed JetBrains in your exchange with Mr. Philip Torchinsky that <hardbin.com> is an IPFS gateway, and that you do not host the tools that modify JetBrains' products. In Mr. Torchinsky's email dated October 30, 2023, he asked that you disable the link

[REDACTED]

However, this link is still accessible.

Under the Digital Millennium Copyright Act ("DMCA") 17 U.S.C. § 1201, it is unlawful to circumvent technological measures used to prevent unauthorized access to copyrighted works, such as computer software. Under the same section of the Act, it is also unlawful to offer to the public, to provide, or otherwise traffic in any technology designed for circumventing a technological measure that controls access to a work protected by copyright.

By knowingly facilitating the access to the cracks, activation codes, or other methods that aim to circumvent measures for protecting JetBrains' products from unauthorized use, you are directly liable, even if you did not directly engage in software piracy activities, such as unauthorized use, copying or distribution of JetBrains' software. Further, by knowingly inducing or providing links to the tools which are then employed in unauthorized access of JetBrains' software, you may be liable for contributory copyright infringement. The statute authorizes injunctive relief and monetary damages for such violations.

In view of the foregoing, we are writing to request again that you immediately disable the [REDACTED] link, and links to any other tools or methods for facilitating unauthorized access or use of JetBrains' products.

Please note that this letter is made without prejudice to any other rights or remedies that may be available to JetBrains. JetBrains expressly reserves the right to assert any other factual or legal position as additional facts come to light, or as the circumstances warrant.



Mike Damm
January 11, 2024
Page Two

We look forward to your prompt response.

Best regards,

A handwritten signature in blue ink that reads 'Gina Durham'.

Gina Durham

GD: