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4 Attorney for Cognosphere Pte. Ltd.  
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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

11 In re DMCA Subpoena to Discord, Inc.

MISC. CASE NO. 3:23-mc-80010

**DECLARATION OF MARC E. MAYER  
IN SUPPORT OF DMCA SUBPOENA  
DISCORD, INC. PURSUANT TO 17  
U.S.C. § 512(H)**

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17 I, Marc E. Mayer, declare as follows:

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19 1. I am an attorney at law, duly licensed to practice law in the State of California and  
20 before this Court. I am, through my professional corporation, a partner in the law firm Mitchell  
21 Silberberg & Knupp, LLP (“MSK”). MSK is counsel for Cognosphere Pte. Ltd. (“Cognosphere.”)  
22 Cognosphere’s copyrights include, but are not limited to, the computer software program entitled  
23 “Genshin Impact.” MSK is authorized to act on Cognosphere’s behalf in the protection of  
24 copyrights and/or exclusive rights possessed by Cognosphere pertaining to “Genshin Impact.”

25 2. Cognosphere is requesting the attached proposed subpoena that would order  
26 Discord Inc. (“Discord”) to disclose the identity, including the name(s), address(es), telephone  
27 number(s), and e-mail addresses(es) of the user Linxian#0001, who is responsible for posting  
28 infringing content that appeared at the following channel the Discord channel

1 “原神内鬼爆料区” (Genshin Impact Leakers’ Group) (the “Infringing Channel”). The purpose  
2 for which this subpoena is sought is to obtain the identity of the Discord user Linxian#0001, who  
3 posted infringing content that appeared on the Discord Channel.

4 3. The information obtained will be used only for the purposes of protecting the rights  
5 granted to Cognosphere under the Copyright Act.

6 4. Under 17 U.S.C. § 512(c)(3)(A), Cognosphere submitted a takedown notice to  
7 Discord identifying the infringing content posted by the infringing user(s) and providing the  
8 information required by 17 U.S.C. § 512(c)(3)(A). A true and accurate copy of the submitted  
9 notification is attached hereto as Exhibit 1.

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

12 Executed in Calabasas, California on January 12, 2023.

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16 Marc E. Mayer  
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# EXHIBIT 1



MITCHELL SILBERBERG & KNUPP LLP  
A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

Marc E. Mayer  
A Professional Corporation  
(310) 312-3154 Phone  
(310) 231-8354 Fax  
mem@msk.com

January 11, 2023

**VIA E-MAIL ONLY (COPYRIGHT@DISCORD.COM)**

Copyright Agent  
Discord Inc.  
Discord, Attention: DMCA Takedown Request,  
444 De Haro Street #200, San Francisco, CA  
94107

**Re: Notice of Infringement Submitted Pursuant to 17 U.S.C. Section 512**

To Whom It May Concern:

I submit to you the following statement pursuant to section 512 of Title 17 of the U.S. Code and inform you that Mitchell Silberberg & Knupp LLP is authorized to act on behalf of Cognosphere Pte. Ltd. (“Cognosphere”). Cognosphere is the owner of exclusive rights in and to the highly popular video game titled *Genshin Impact* (the “Game”).

It has come to our attention that numerous images and videos infringing Cognosphere’s copyrighted Game are being made available by user “Linxian#0001,” via the Discord channel “原神内鬼爆料区” (Genshin Impact Leakers’ Group) (the “Infringing Channel”). Examples of posts by “Linxian#0001” on the Infringing Channel containing images, artwork, screen captures and other content from the Game are attached hereto as Exhibit A.

We request that Discord take expeditious action to remove or disable access to all copyrighted materials concerning the Game in the Infringing Channel, including those posts identified in the attached Exhibit A. Alternatively, we request that Discord remove or disable the entire Infringing Channel.

Additionally, we request that Discord take appropriate measures to prevent further infringements by Linxian#0001 and any other parties responsible for the infringement, including pursuant to any “repeat infringer” policies maintained by Discord.

I hereby state that 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. Additionally, I hereby state that the information in this notification is accurate, and under penalty of perjury, that I am the owner, or an agent authorized to act on behalf of the owner, of an exclusive right that is being infringed.

We appreciate your cooperation in this matter.



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All of our client's rights are expressly reserved.

Sincerely,

A handwritten signature in black ink, appearing to read "ME Mayer".

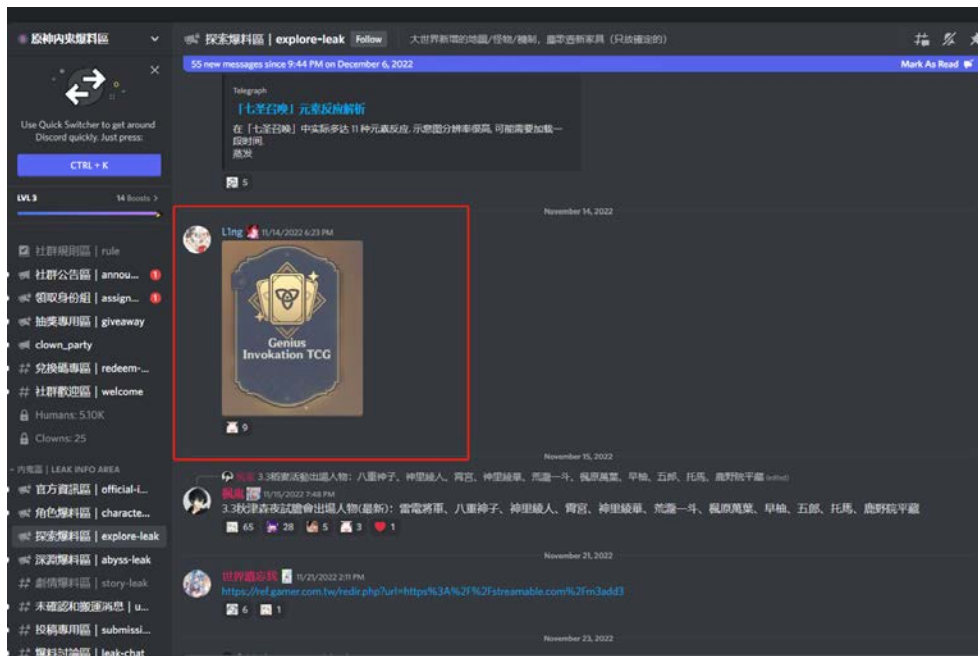
Marc E. Mayer  
A Professional Corporation of  
MITCHELL SILBERBERG & KNUPP LLP

MEM/szm

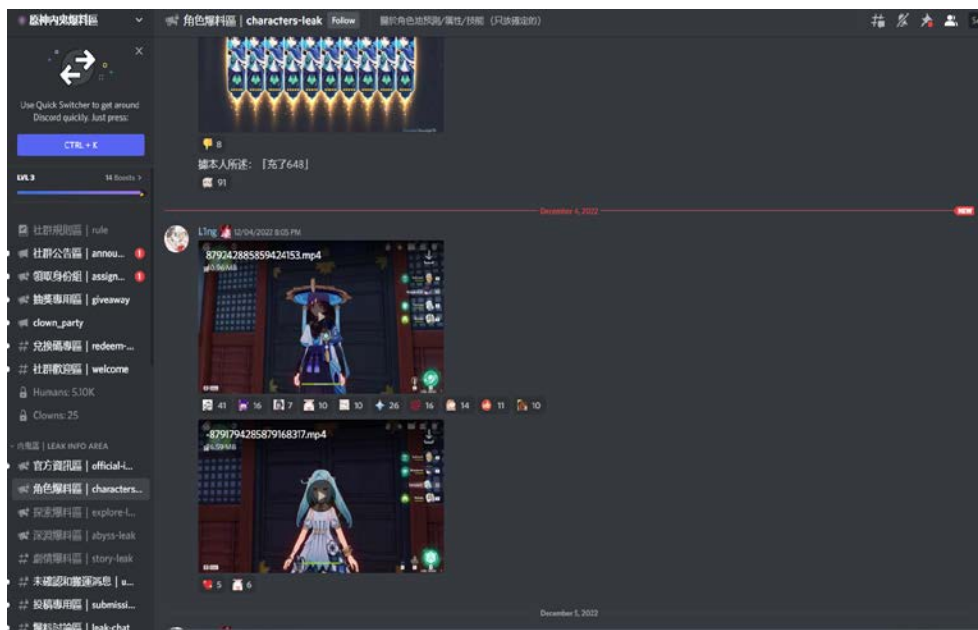


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### ANNEX A Links and s creen patchures of Genshin Impact made available by Linxian#0001



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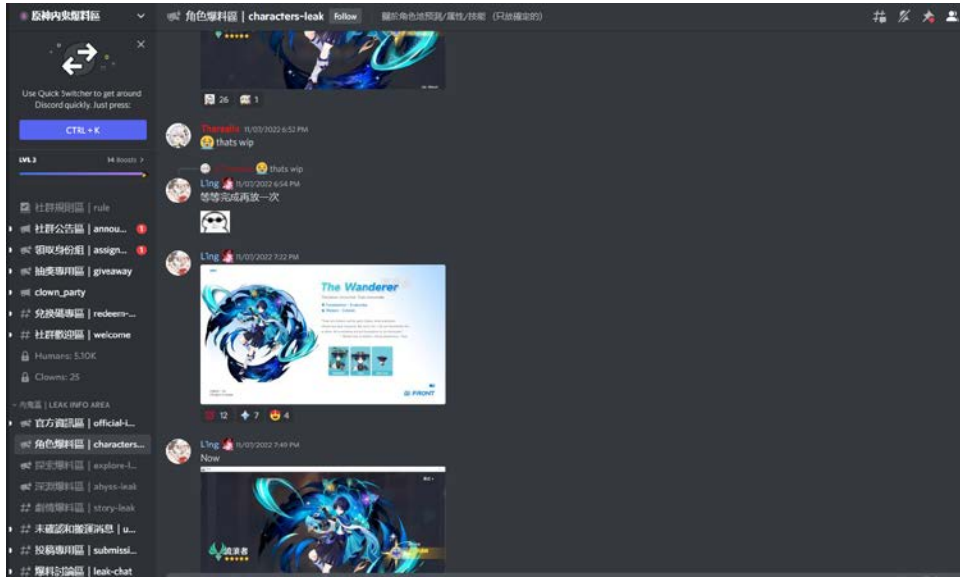


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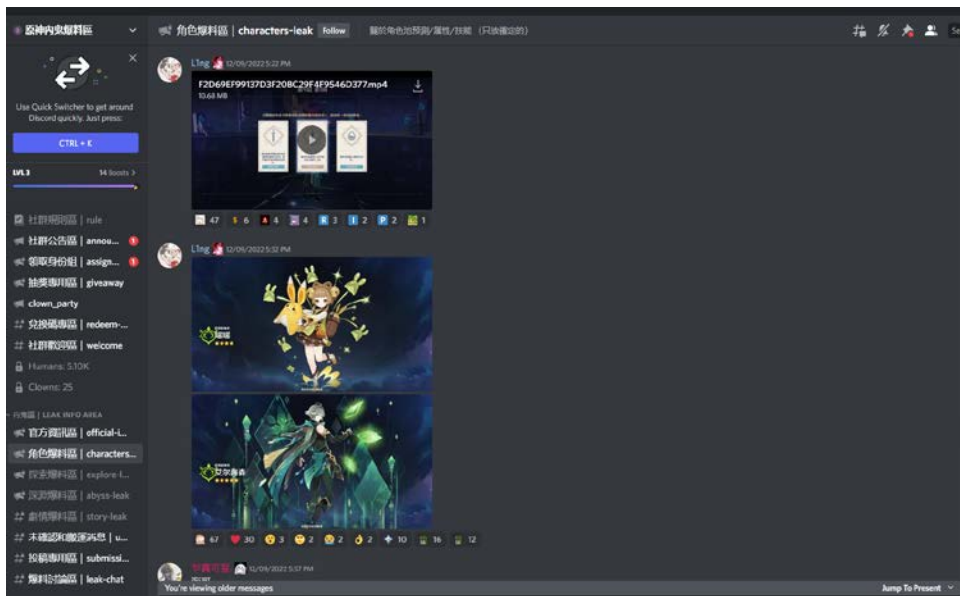


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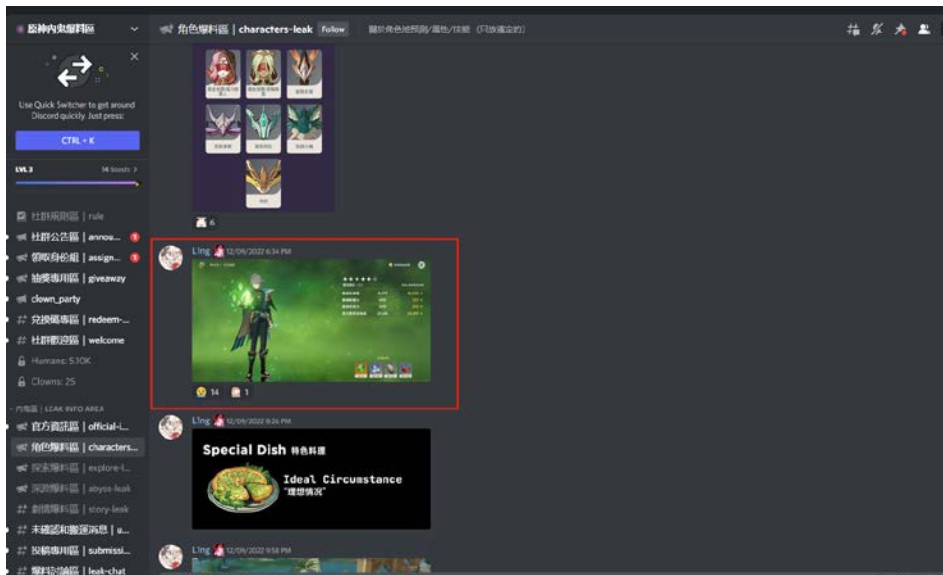
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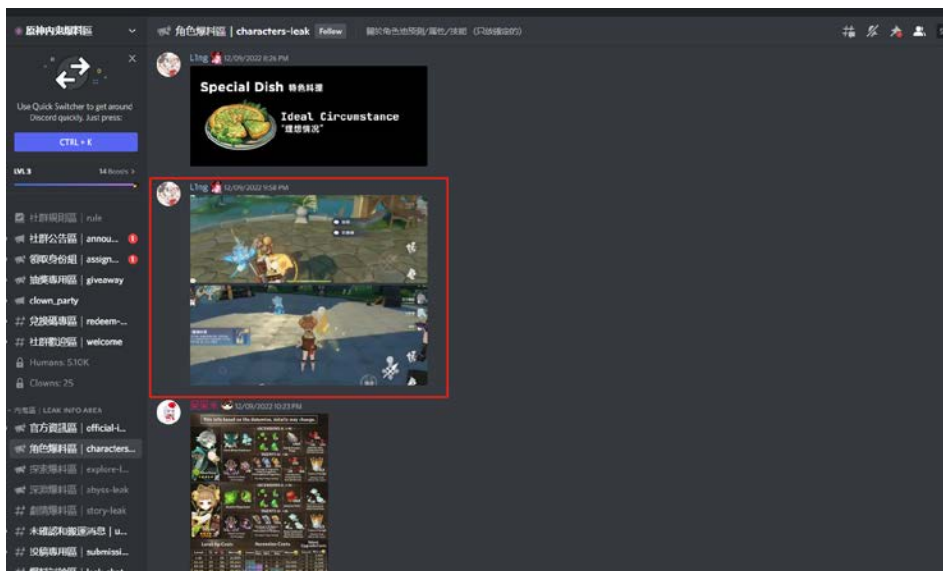
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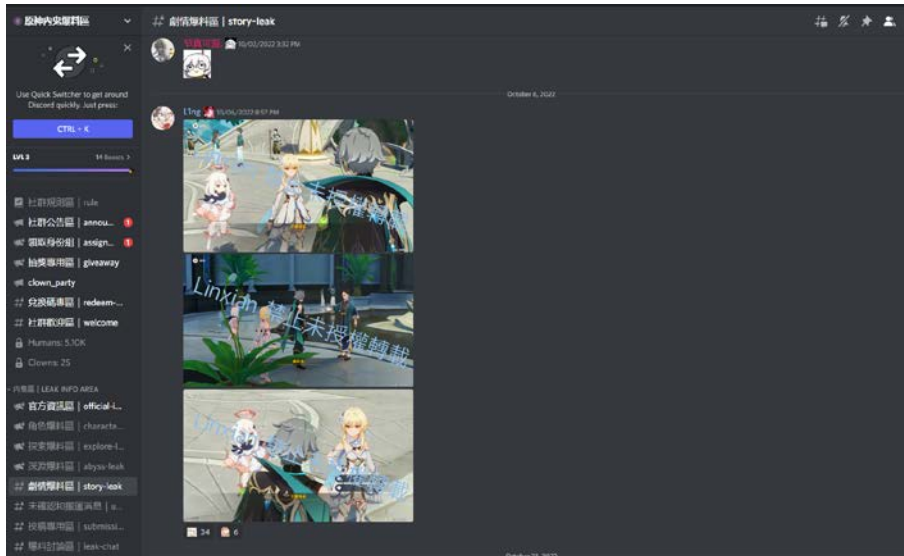


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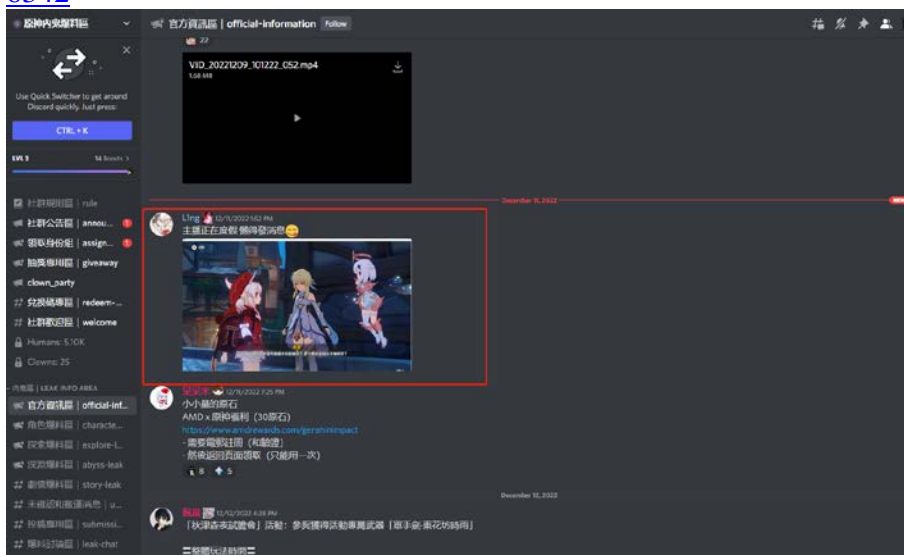




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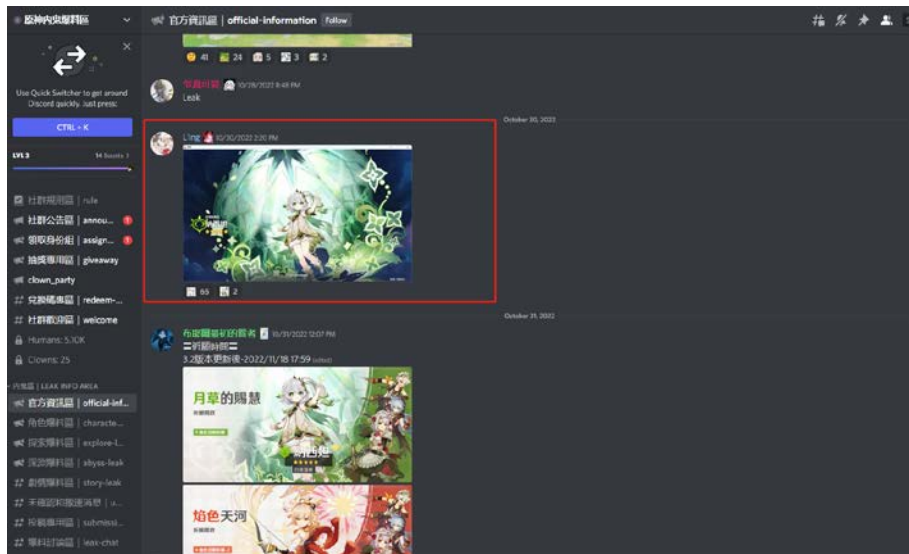
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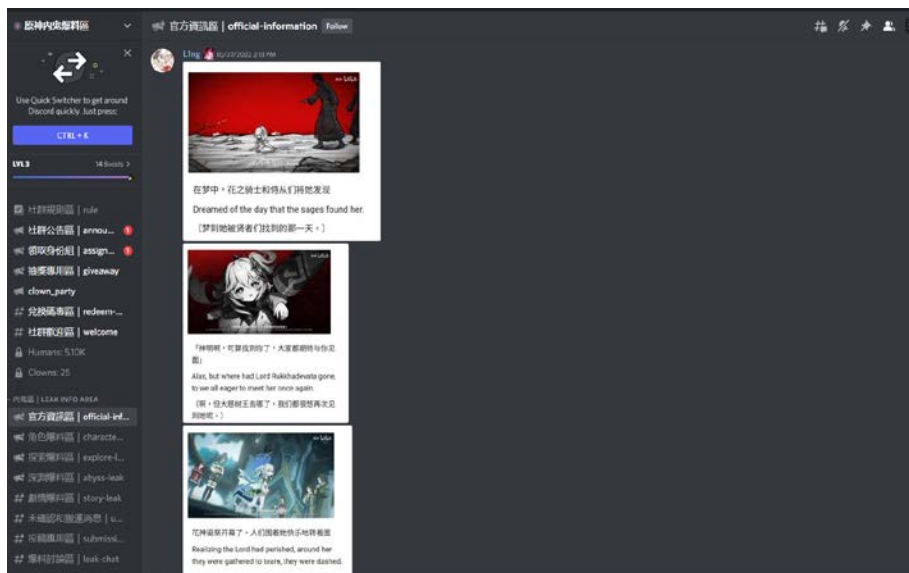
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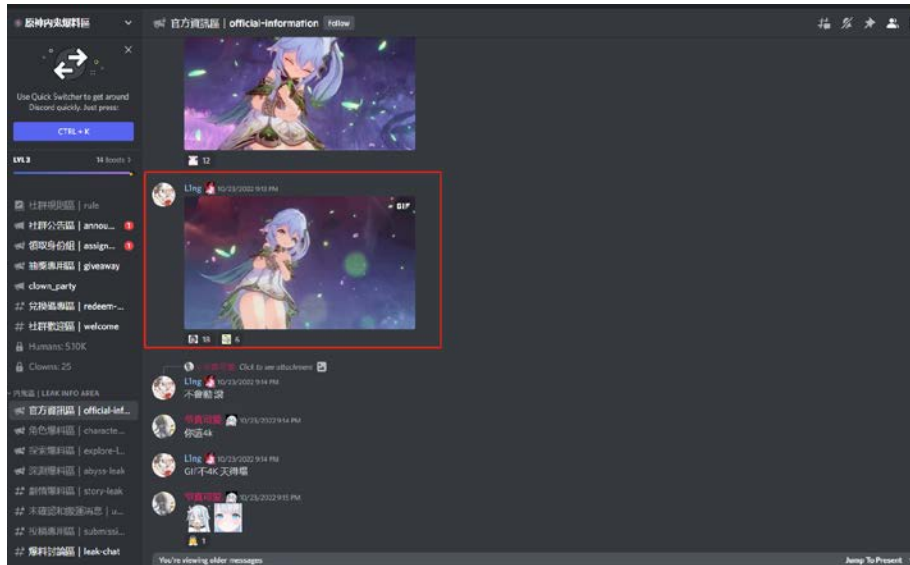
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<https://discord.com/channels/1003895403428712538/1014756357284573194/1035073754876870736>



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<https://discord.com/channels/1003895403428712538/1014756357284573194/1033730000148508672>