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Attorney for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF IDAHO

SCENTSY, INC., an Idaho corporation,

Plaintiff,

vs.

AMAZON.COM, INC., a Delaware corporation,

Defendants

Case No. \_\_\_\_\_

REQUEST FOR ISSUANCE OF  
SUBPOENA, PURSUANT TO 17 U.S.C.  
§512(h)

Scentsy, Inc. (“Scentsy”) submits this Request for Issuance of Subpoena, pursuant to 17 U.S.C. §512(h).

Prior to December 21, 2012, Scentsy became aware of multiple instances of infringement of Scentsy’s copyrights posted on the website located at Amazon.com, which website is hosted, managed, or operated by Defendant Amazon.com, Inc. (“Amazon”). On December 21, 2012, Scentsy sent notification of copyright infringement to Amazon, pursuant to 17 U.S.C. §512(c)(3)(A), via e-mail, facsimile, Certified U.S. Mail, and U.S. Mail. Scentsy sent the notice a second time, via e-mail, on December 31, 2012. A true and correct copy of the notification Scentsy sent to Amazon is attached hereto as Exhibit A.

As of the filing of this Request, Amazon has not removed the infringing images from its website. Scentsy now desires to obtain the identity of the copyright infringers so that Scentsy may protect its rights under Title 17 of the United States Code; to that end, Scentsy requests the Clerk of the Court issue the proposed subpoena attached hereto as Exhibit B.

Ryan T. McFarland declares and states that:

1. The purpose for which the subpoena attached hereto as Exhibit B is sought is to obtain the identity of the infringers referred to herein and in Exhibit A attached hereto; and
2. The information procured via the Subpoena attached hereto as Exhibit B will only be used for the purpose of protecting Scentsy's rights under Title 17 of the United States Code.

I declare under penalty of perjury that the foregoing is true and correct and was executed within the United States on January 3, 2013.

By                     /s/                      
Ryan T. McFarland