

# **Exhibit B**

Petitioner Jeunesse, LLC's  
Request for Issuance of  
17 U.S.C. 512(h) Subpoena

**Declaration of Sara Ann Brown**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS

In re: DMCA Section 512(h) Subpoena to  
Google, Inc.

CASE NO. \_\_\_\_\_

**Declaration in Support of Petitioner Jeunesse, LLC's  
Request for Issuance of 17 U.S.C. § 512(h) Subpoena**

I, Sara Ann Brown, declare as follows:

1. I am an attorney licensed to practice law in the State of Texas and am associated with Gardere Wynne Sewell LLP ("Gardere"), counsel for Jeunesse, LLC ("Jeunesse"). Gardere is authorized to act on behalf of Jeunesse on matters involving the infringement of Jeunesse's copyrighted works. I have personal knowledge of the facts contained herein and, if called upon to do so, I could and would testify competently thereto.
2. I submit this declaration of Jeunesse's request for issuance to Google, Inc. ("Google") of a subpoena, pursuant to the Digital Millennium Copyright Act ("DMCA"), 17 U.S.C. § 512(h) (the "DMCA Subpoena"), to identify an alleged infringer (or infringers) who posted content under the user name "Pyramid Alert," at the address:

<http://www.youtube.com/watch?v=WLNEMhYNZhk&feature=youtu.be>  
(including video clips at 00:59-01:35 and 01:52-2:35)

(the "Infringing Content"). The Infringing Content is a promotional video for Jeunesse.

3. On November 7, 2014, Rob Dawson, Chief Legal Officer of Jeunesse, submitted on behalf of Jeunesse a notification, via the e-mail address provided on YouTube's DMCA notification form ([copyright@youtube.com](mailto:copyright@youtube.com)),

identifying the Infringing Content and providing the information required by 17 U.S.C. § 512(c)(3)(A). Attached hereto as Exhibit 1 is a true and correct copy of the notice submitted to [copyright@youtube.com](mailto:copyright@youtube.com).

4. On November 7, 2014, Rob Dawson, Chief Legal Officer of Jeunesse, submitted on behalf of Jeunesse a notification, to the fax number provided on YouTube's DMCA notification form (650-872-8513), identifying the Infringing Content and providing the information required by 17 U.S.C. § 512(c)(3)(A). Attached hereto as Exhibit 2 is a true and correct copy of the notice submitted to YouTube via fax.
5. The purpose for which the DMCA Subpoena is sought is to obtain the identity of an alleged infringer (or infringers) and such information will only be used for the purpose of protecting Jeunesse's rights under 17 U.S.C. §§ 100, *et. seq.*

I declare under the penalty of perjury under the laws of the State of Texas and United States of America that the foregoing is true and correct.

Executed: November 11, 2014



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Sara Ann Brown  
Texas Bar No. 24075773  
GARDERE WYNNE SEWELL LLP  
3000 Thanksgiving Tower  
1601 Elm Street  
Dallas, Texas 75201-4761  
Telephone: 214.999.3000  
Facsimile: 214.999.4887

Gardere01 - 6520658v.1

**Brown, Sara Ann**

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**From:** copyright@youtube.com  
**Sent:** Friday, November 07, 2014 8:50 PM  
**To:** Brown, Sara Ann  
**Subject:** Re: [0-3036000005263] Copyright Infringement - <http://www.youtube.com/watch?v=WLNEHmYNZhk&feature=youtu.be>.

Thanks for contacting YouTube! You've reached the copyright and DMCA compliance team. Your message has been received and is now queued for review. Please note that general help inquiries won't be answered here. For help with other site-related issues, please visit our Help Center at <http://help.youtube.com>. If you wish to report abuse or inappropriate content, please visit <http://help.youtube.com/support/youtube/bin/topic.py?topic=13044>, or if you feel you have a privacy request, please visit <http://help.youtube.com/support/youtube/bin/answer.py?answer=78346>.

If you're requesting removal of a video that is allegedly infringing your copyright, please make sure that you have provided us with all of the required information in order to process your complaint. Providing incomplete information may delay the processing of your claim. For the requirements of DMCA notification, or if you have questions about our DMCA policy, please see: [http://www.youtube.com/t/dmca\\_policy](http://www.youtube.com/t/dmca_policy)

Did you know that YouTube offers copyright owners a tool for submitting notifications more easily? If there are many videos to be removed, or you expect to have an ongoing need to remove potentially infringing content from YouTube, we suggest that you sign up for our Content Verification Program, which electronically notifies us, removing any room for error, and significantly increases the speed at which we are able to remove any infringing content. To sign up for this tool please visit:  
[http://www.youtube.com/t/copyright\\_program](http://www.youtube.com/t/copyright_program)

Regards,  
The YouTube Team

Declaration of Sara Ann Brown  
**Exhibit 1**

**Brown, Sara Ann**

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**From:** Brown, Sara Ann  
**Sent:** Friday, November 07, 2014 8:50 PM  
**To:** copyright@youtube.com  
**Cc:** Miller, Terrell  
**Subject:** Copyright Infringement - <http://www.youtube.com/watch?v=WLNEHmYNZhk&feature=youtu.be>.  
**Attachments:** 2014-11-7 DMCA Request.pdf

Please see the attached correspondence regarding an infringing video found at <http://www.youtube.com/watch?v=WLNEHmYNZhk&feature=youtu.be>.

Thank you,

Sara

Sara Ann Brown  
**Gardere Wynne Sewell LLP**

1601 Elm Street, Suite 3000 | Dallas, TX 75201  
214.999.4887 direct  
214.999.3887 fax  
[Gardere](#) | [Bio](#) | [vCard](#)

**GARDERE**  
Austin | Dallas | Houston | Mexico City



Jeunesse, LLC  
650 Douglas Avenue  
Altamonte Springs, Florida 32714  
Phone: 407-215-7414  
Fax: 407-772-2448

November 7, 2014

DMCA Complaints  
YouTube (Google, Inc.)  
900 Cherry Ave.  
Fifth Floor  
San Bruno, CA 94066

RE: Copyright Infringement - [www.youtube.com/watch?v=WLNEHmYNZhk&feature=youtu.be](http://www.youtube.com/watch?v=WLNEHmYNZhk&feature=youtu.be)

My name is Rob Dawson and I am the Chief Legal Officer of Jeunesse, LLC. A user named "Pyramid Alert" has recently uploaded a video that contains copyright protected video elements owned by Jeunesse that are being used in the above referenced video without permission or any other authority or right by Jeunesse or its agents. Again, the unauthorized and infringing video can be found at:

<http://www.youtube.com/watch?v=WLNEHmYNZhk&feature=youtu.be> (including video clips at 00:59-01:35 and 01:52-2:35)

The copyrighted content contained in the URL provided above, at the time stamps listed above, is a promotional video for Jeunesse, LLC's stem cell growth factor process used to slow aging of the face.

This letter is official notification under **Section 512(c)** of the Digital Millennium Copyright Act ("DMCA"), and Jeunesse LLC seeks the removal of the aforementioned infringing material from your servers and from display, public or otherwise. In accordance with your policies and importantly Section 512(c), please immediately remove the infringing material, and notify the infringer, "Pyramid Alert" to cease any further posting of infringing material to your website/servers in the future.

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. In addition, I am providing this notice in good faith and with the reasonable belief that these rights that Jeunesse, LLC owns are being infringed. The information in this notification is accurate, and under penalty of perjury, I am the owner, or an agent authorized to act on behalf of the owner, of an exclusive right that is allegedly infringed.

DMCA TAKEDOWN NOTICE TO YOUTUBE BY JEUNESSE, LLC  
November 7, 2014

Page 2 of 2

Should you wish to discuss this with me please contact me directly.

Thank you.



Rob Dawson

Jeunesse, LLC  
650 Douglas Avenue  
Altamonte Springs, Florida 32714  
Phone: 407-215-7414  
Fax: 407-772-2448  
Email: [rob.dawson@jeunesseglobal.com](mailto:rob.dawson@jeunesseglobal.com)

Cc: Terrell R. Miller  
Gardere Wynne Sewell, LLP  
1601 Elm Street, Suite 3000  
Dallas, TX 75201-4761

-- BRO545D31E1463E -----

8:56 PM 1/7/2014 Transmission Record

Sent to: Copyrightakedown

Phone: 1 650 872 8513

Billing information: '136041', '000002'

Remote ID: 16506440488

Unique ID: "BRO545D31E1463E"

Elapsed time: 1 minutes, 30 seconds.

Used channel 0.

NoANI data.

NoAOC data.

Resulting status code (0/0; 0/0): Success

Pages sent: 1 - 3

Delegate ID: ""

8:56 PM 1/7/2014 View Record

Viewed by: BROSA

8:57 PM 1/7/2014 View Record

Viewed by: BROSA

Declaration of Sara Ann Brown

**Exhibit 2**



**Brown, Sara Ann**

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**From:** RightFax E-mail Gateway <FAXOP@Gardere.com>  
**Posted At:** Friday, November 07, 2014 8:58 PM  
**Conversation:** Your fax has been successfully sent to Copyright Takedown at 1 650 872 8513.  
**Posted To:** Inbox  
  
**Subject:** Your fax has been successfully sent to Copyright Takedown at 1 650 872 8513.

Your fax has been successfully sent to Copyright Takedown at 1 650 872 8513.

-----  
From: Sara Brown  
Account: 136041  
Matter: 000002  
-----

Time: 11/7/2014 8:56:05 PM  
Sent to 1 650 872 8513 with remote ID "16506440488"  
Result: (0/339;0/0) Successful Send  
Page record: 1 - 3  
Elapsed time: 01:30 on channel 0

Jeunesse, LLC  
650 Douglas Avenue  
Altamonte Springs, Florida 32714  
Phone: 407-215-7414  
Fax: 407-772-2448

November 7, 2014

DMCA Complaints  
YouTube (Google, Inc.)  
900 Cherry Ave.  
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DMCA TAKEDOWN NOTICE TO YOUTUBE BY JEUNESSE, LLC

November 7, 2014

Page 2 of 2

Should you wish to discuss this with me please contact me directly.

Thank you.

A handwritten signature in black ink, appearing to read "Rob Dawson", with a long horizontal line extending to the right.

Rob Dawson

Jeunesse, LLC

650 Douglas Avenue

Altamonte Springs, Florida 32714

Phone: 407-215-7414

Fax: 407-772-2448

Email: [rob.dawson@jeunesseglobal.com](mailto:rob.dawson@jeunesseglobal.com)

Cc: Terrell R. Miller  
Gardere Wynne Sewell, LLP  
1601 Elm Street, Suite 3000  
Dallas, TX 75201-4761