

There is no set formula for a copyright cease and desist letter. You should always consult an attorney with respect to your specific invention. This is a sample form only and does not create an attorney-client relationship with Bambi Faivre Walters, PC.

[Insert Date]

VIA USPS Return Receipt Requested Mail XXXXXXXXXXXX

Mr. or Ms. YYYYYYYY

[name of business]

[address]

RE: Infringement of XXXXXXXXX

Dear [Insert Name],

This Firm represents **[name of client]**, who is the copyright owner **[describe copyright protected works]** and has received evidence that you are infringing use of **[name of client's]** work. See Exhibit 1 of attached **[information]**. **[Name of client]** is the owner of a federal copyright for the **[describe works]**. **[Name of client]** intellectual property are extremely important and are a valuable asset of our client's business. Accordingly, our client has instructed us to take the appropriate steps to protect its business interest.

It appears that **[alleged infringing business]** has copied the **[describe infringing products, website, etc.]** works from **[describe client's works]**. This copying is infringement of **[client's name]** copyrights and a violation of 17 U.S.C. § 501. Remedies available to our client include:

- an injunction against further infringement -- such as an order preventing **[alleged infringing company]** from future use, copying, or distribution of the copyrighted works;
- impounding or destruction of infringing copies;
- damages — statutory damages of up to \$150,000; and
- costs and attorney's fees.

On behalf of our client, we demand that you do the following:

1. Immediately cease and desist marketing, manufacturing, distributing, and/or selling any **[describe allegedly infringing works]**;
2. Immediately agree in writing that neither **[name of infringing business]**, you nor any other person or entity acting on behalf of or in connection with **[name of infringing business]** will directly or indirectly engage in further unauthorized use of **[name of our client's]** intellectual property; and
3. Immediately destroy all unauthorized items (e.g., digital images, dvds, recordings, pamphlets, products, etc.) which include the **[describe protected works]** that are in your possession, custody, or control; and
4. Immediately provide your co-operation to identify any and all parties that have any unauthorized items which include the **[describe protected works]**.

If I have not received your affirmative response from you by November XX, 2008 **[date can range from 5 business days to 60 days, I recommend 15 days]** indicating that you have fully complied with these requirements, we will advise our client of all his legal remedies in connection with this matter.

[My client] desires to resolve this matter amicably and assumes that you do as well. We are hopeful, therefore, that having been apprised of the foregoing, you will immediately choose at this time to agree voluntarily to our demands and avoid any unnecessary legal intervention.

We are sure that you understand that our proposal to resolve this matter without resorting to litigation is for settlement purposes only and without prejudice to any of **[name of client's]** rights, which are expressly reserved.

Thank you for your immediate attention to this matter.

Respectfully,

Enclosures