

Date: Tue, 6 Dec 2005 12:45:56 -0800 (PST)
From: "Karen Dudnikov" <tabberone@yahoo.com>
Subject: RE: counternotice
To: "Joel Lever" <jlever@kelaw.com>

There is nothing in the counternotice that obligates Seven Arts to go to court. (see Paragrph VI of the counternotice) The statement is that if Seven Arts disagrees it MAY file legal action against me to prevent re-listing.

After asking Seven Arts to remove the black mark from our selling record and being refused, even after he admitted we are not the infringing party we had no choice but to file the counternotice to have the black mark removed. We volunteered in return for having the black mark removed we would not relist the fabric. He never responded to that offer.

Once the counternotice expires on December 20th the black mark on our record would be removed. It is not our intention to relist the fabric however if Seven Arts wishes to pursue the issue so be it.

See Paragraph II of the counternotice and 17 U.S.C. 512- Federal Jurisdiction for this case is Denver Colorado. That is where you must file.

We are not seeking a legal confrontation, all we are seeking to do is have the black mark removed. As was explained over and over again to Ray.

Karen

--- Joel Lever <jlever@kelaw.com> wrote:

> please add additional info to which this email
> applies
>
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