



NOTICE FORM REGARDING SALES OVER
THE INTERNET OF ILLEGITIMATE PRODUCTS

Date: _____

American Express Travel Related Services Company, Inc.

Email: antipiracy@aexp.com

Dear American Express:

I, the undersigned Rights-Holder identified herein, submit the following statement UNDER PENALTY OF PERJURY.

- 1) I am _____ of the intellectual property rights identified herein ("Rights-Holder").

Full and complete contact information for the Rights-Holder is as follows:

Name: _____
Title: _____
Company: _____
Address: _____
City, State and Zip: _____
Email Address: _____
Telephone: _____
Fax: _____

- 2) Rights-Holder provides the following evidence of ownership of U.S. intellectual property rights it believes to be violated (e.g. Copyright and/or Trademark Registration No. or other relevant evidence) or, if the Rights-Holder does not own any U.S. intellectual property rights, evidence of ownership of any non-U.S. intellectual property rights it believes should be considered.

- 3) Rights-Holder has a good faith belief that the website or webpage located at the following URL sells, offers for sale, or makes available goods and/or services that infringe the Rights-Holder's intellectual property rights detailed herein ("Illegitimate Products") and that the alleged Illegitimate Products could be purchased using an American Express® Card.

URL: _____

- 4) Rights-Holder provides the following description of the alleged infringement at the URL identified above, namely, (1) the alleged Illegitimate Products sold and their specific location on the website; (2) evidence sufficient to prove the allegation.

- 5) Rights-Holder provides the following evidence that the Illegitimate Products could be purchased using an American Express Card, for example, by providing a screenshot of the American Express logo appearing on the website to indicate card acceptance. Test transactions are helpful, but not required to submit a complete submission.

- 6) Rights-Holder provides the following verification and attaches hereto supporting documents of Rights-Holder's cease & desist letter and/or notice under the Digital Millennium Copyright Act notifying the website operator that it is engaging in infringing activity, or an attestation that, to the best of the Rights-Holder's knowledge, the site is not licensed or otherwise authorized to sell the alleged Illegitimate Products in question.

To the extent additional documents are attached to this Notice Form in fulfillment of the submission requirements, Rights-Holder identifies and summarizes the attached documents in the relevant sections above.

Rights-Holder agrees to provide a prompt response to any communication from American Express or its attorneys for additional information relevant to an investigation of the allegations made herein.

Upon receipt of a complete Notice Form, American Express will conduct, or request that the applicable merchant acquirer conduct, an investigation. A general summary of the results of the investigation will be provided to the Rights-Holder.

If the investigation demonstrates that the merchant is engaged in sales of Illegitimate Products, American Express will demand, or request that the applicable merchant acquirer demand, that the merchant immediately cease such sales and prevent future improper transactions using American Express Cards. If a merchant persists in intentionally and systematically selling Illegitimate Products, American Express may, in its sole discretion, suspend or terminate, or request that the applicable merchant acquirer suspend or terminate, American Express Card services to that merchant.

Rights-Holder understands that submission of this Notice Form may result in the temporary or permanent restriction of an American Express Merchant Account associated with the identified URL and has exercised sufficient due diligence in investigating the alleged sale of Illegitimate Products on the website at issue before submitting this Notice Form.

Rights-Holder understands that American Express may request a written agreement by the Rights-Holder to support American Express fully in connection with a dispute where, in American Express' reasonable opinion, a merchant provides credible evidence supportive of the merchant's position that it is not engaged in illegal conduct, including by defending, holding harmless and indemnifying American Express for any costs, expenses (including legal fees) or liabilities arising in connection with such dispute.

Rights-Holder attests that the information in this Notice Form is accurate and complete, and requests that American Express conduct an investigation into the allegations made herein.

Truthfully submitted,

Signature (electronic signature permitted)