

Follow-up Letter to IFPI - Page 1

To Whom It May Concern,

I'm sending this follow up message as I would appreciate the opportunity to clear my name as soon as possible and have my Vimeo account restored. I sent an email on Tues, Oct 23rd regarding copyright infringement and requesting leniency in my case to retract your claim against my Vimeo account. I have copied this message in blue.

Somebody from your organization replied to this message on Wed, Oct 24th with two questions and outlined how the claim can be retracted. This message and my reply are copied in red. I was hoping to hear back the next day on how I can move forward by contacting the copyright label.

I feel that my case was an innocent mistake that was not intended to cause any harm or profit off the work of a musical artist. Just to be clear, I will see clearing my name through to the end. And having my Vimeo account restored out of principle and pride. For your information, I am posting all of our correspondences on my course website in order to own my mistakes and inform my students. You can visit the page here:

<https://fhcimedia.weebly.com/copyright-free-music.html>

If it would be easier, I can call your office and speak with a representative. I'm from Canada so there will be a time difference. If you prefer I call, please provide me with a time and day that works best.

Once again, thank you for your understanding and assistance in resolving my case.

Regards,
Rob

My Reply Wed, Oct 24th

Hello Again,

Thank you for your reply and I look forward to working with you on the legal process of resolving copyright permissions and retracting your claim so my Vimeo account may be restored.

1. URLs of each video. Note these are the ones I found notices for:

- Video titled "Freshkickks" previously available at <https://vimeo.com/152629621> has been removed in response to a takedown notice submitted by International Federation of the Phonographic Industry pursuant to the Digital Millennium Copyright Act ("DMCA").
- Video titled "Zayn - Dusk Till Dawn ft. Sia" previously available at <https://vimeo.com/250863461> has been removed in response to a takedown notice submitted by International Federation of the Phonographic Industry pursuant to the Digital Millennium Copyright Act ("DMCA").

Follow-up Letter to IFPI - Page 2

2. Evidence of rights allegedly granted to you

- I did not obtain rights which is why the videos were taken down. As per my previous message- this was student work as part of my media courses. I will be removing all videos that I do not know the source of the music from my Vimeo account. I hope this will be enough to retract your claim.
- In terms of receiving direct permission from the copyright label as outlined in your message below- if you provide me with the direct contact info, I will contact the individuals who I did not obtain rights from and explain my situation to see if there can be any leniency given to my situation so my Vimeo account can be restored.

Once again, thank you for your time and support on this matter.

Rob

From IFPI Wed, Oct 24th

Dear Sirs,

Thanks for your email.

In order that we can consider your claim, please provide the following further particulars:

1. The URLs of each video that has been removed from your Vimeo account and is the subject of your complaint;
2. For each video identified at 1 above, evidence of the rights allegedly granted to you.

Unless you have received permission directly from the copyright label to distribute the audio content of this video via the Vimeo platform then we are unable to retract our claim.

Yours sincerely,

IFPI (International Federation of the Phonographic Industry)

Letter sent Tues, Oct 23rd

To Whom It May Concern,

My name is Robert Waldeck and I would like to express my sincere apologies for creating any frustration or problems regarding copyright infringement on the part of your organization and the artists you represent.

I became aware of strikes against my Vimeo account this week and realized that it resulted in my account being disabled. I contacted Vimeo and a representative informed me that I need to contact the claimant to see if you are willing to remove the strikes against my account so it can be restored.

Follow-up Letter to IFPI - Page 3

Please understand that I am both a filmmaker and a high school media teacher from Canada. The videos that infringed on copyright issues were created by my media students. I used my Vimeo account to showcase a Film Festival each year of student work. Here are some of the links:

<https://fhcimedia.weebly.com/film-festival-2018.html>

<https://fhcimedia.weebly.com/film-festival-2012.html>

To be clear, Vimeo has granted me temporary access for 1 week to download the student work so I can use those videos for private classroom screenings. The videos that I had uploaded were 10 years worth of student examples only meant to showcase their hard work. I didn't mean to upset any musical artists or anybody from the recording industry. The students were using music from all sorts of sources, and I should have been more vigilant in watching copyright issues. Honestly, I made the mistake of thinking it was only for educational purposes so it wouldn't cause any problems.

I would like to thank you for providing me with a valuable lesson. I have already used this experience in my classroom to express the importance of copyright music and intellectual property with my students.

Going forward, I will only be posting online content with music created by the students or music that I have purchased. Any videos that may contain copyright music will only be shown privately in class.

Based on the information I have provided you, I hope that your organization will show me some leniency and remove the strikes from my account so I can have my Vimeo account restored.

Thank you for your time and understanding,
Rob