[DATE]

[ADDRESS]

[EMAIL]

**Re: Cease and Desist Use of Registered Copyright**

Dear [NAME],

We are writing in connection with claims for copyright infringement against you. Recently, it has come to our attention that you have improperly reproduced [COPYRIGHTED WORK] (the “Copyrighted Work”) commercially and without authorization. The Copyrighted Work is the exclusive property of [COPYRIGHT HOLDER]

The Copyrighted Work in question is [DESCRIPTION OF COPYRIGHTED WORK]

Specifically, the Copyrighted Work was improperly reproduced by you [DESCRIBE INFRINGEMENT]

You Have Violated [COPYRIGHT HOLDER]’s Rights Under US Copyright Law

As the copyright owner, [COPYRIGHT HOLDER] has the exclusive rights to reproduce, distribute, display, or prepare derivative works based upon the Copyrighted Work. Any reproduction, distribution, or display of a copyrighted work without authorization from the copyright holder constitutes infringement. Thus, you have unquestionably infringed upon [COPYRIGHT HOLDER]’s copyrights by reproducing the Copyrighted Work in the manner referenced above.This is a strict liability offense: you are responsible for such infringing activity regardless of your intent and retraction of the infringement will not relieve you from liability for damages arising from such infringements.

Damages Arising From Your Copyright Infringements

*Actual Damages*

In the event that a copyright holder’s rights are infringed upon, a copyright holder is entitled to recover actual damages and profits earned from your infringement regardless if the infringement was intentional or willful.

*Statutory Damages*

Statutory damages are likely more relevant to the present situation. Copyright infringement of any work for which the copyright holder has obtained registration is subject to statutory damages of up to thirty thousand dollars ($30,000) per instance, plus recovery of attorney’s fees. Moreover, in the event we are able to show that such infringement was committed willfully, then such damages may be increased to one hundred and fifty thousand dollars ($150,000) per instance plus recovery of attorney’s fees.

“Willfulness” in the context of the Copyright Act means that the infringer had actual knowledge it was infringing the plaintiff’s copyright or else acted in reckless disregard of the high probability that it was infringing the plaintiff’s copyright. This knowledge may be actual or constructive. Moreover, willfulness may be established for statutory damage purposes by showing the alleged infringers continued to use the copyrighted works after receiving a cease-and-desist letter from those works’ owners.Here, by [DESCRIPTION OF INFRINGEMENT], your actions have clearly established willful infringement and thus, you may be subject to penalties well beyond the thirty thousand dollar ($30,000) statutory limitation for non-willful infringement.

Demand

Accordingly, [COPYRIGHT HOLDER] demands that you immediately cease and desist from all unlicensed uses of the Copyrighted Work. Should you choose not to cooperate with [COPYRIGHT HOLDER]’s demands, [COPYRIGHT HOLDER] will take unilateral action, including seeking as attorney’s fees and costs for your infringement.

Sincerely yours,

[NAME]