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FILED

FEB 14 2020

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

DMR

10 **CV 20 80044 MISC.**

11 In re DMCA Subpoena to Reddit, Inc.

MISC. CASE NO.

**DECLARATION OF MARC E. MAYER
IN SUPPORT OF DMCA SUBPOENA TO
REDDIT, INC.**

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17 I, Marc E. Mayer, declare as follows:

18
19 1. I am, through my professional corporation, a partner of the law firm Mitchell
20 Silberberg & Knupp. Mitchell Silberberg & Knupp LLP is counsel for Activision
21 Publishing, Inc. (“Activision”) and is authorized to act on Activision’s behalf in the
22 protection of copyrights and/or exclusive rights possessed by Activision pertaining to
23 numerous highly popular video games. Activision’s copyrights include, but are not limited
24 to, the computer software program entitled “Call of Duty: Modern Warfare” (“CODMW”).

25
26 2. Activision is requesting the attached proposed subpoena that would order
27 Reddit.com to disclose the identity, including the name(s), address(es), telephone

28 Mitchell
Silberberg &
Knupp LLP

CASE NO.

DECLARATION OF MARC E. MAYER

1 number(s), and e-mail address(es) of the user(s) responsible for posting content as
2 “Assyrian2410” on the website Reddit.com.

3
4 3. The purpose for which this subpoena is sought is to obtain the identity of the
5 individual(s) associated with “Assyrian2410” on the Reddit.com website. This user
6 infringed Activision’s copyright in CODMW in a post located at the following URL:
7 [https://www.reddit.com/r/modernwarfare/comments/f2ifa7/i_found_this_image_online_no](https://www.reddit.com/r/modernwarfare/comments/f2ifa7/i_found_this_image_online_no_t_sure_what_it_is/?utm_source=share&utm_medium=ios_app&utm_name=iossmf)
8 [t_sure_what_it_is/?utm_source=share&utm_medium=ios_app&utm_name=iossmf](https://www.reddit.com/r/modernwarfare/comments/f2ifa7/i_found_this_image_online_no_t_sure_what_it_is/?utm_source=share&utm_medium=ios_app&utm_name=iossmf)
9

10 4. The information obtained will be used only for the purposes of protecting the
11 rights granted to Activision under the Copyright Act.

12
13 5. Pursuant to 17 U.S.C. § 512 (c)(3)(A), Activision submitted a notification to
14 Reddit, Inc. identifying the infringing content posted by the aforementioned user and
15 providing the information required by 17 U.S.C. § 512 (c)(3)(A). A true and accurate copy
16 of the submitted notification is attached hereto as Exhibit 1.

17
18 I declare under penalty of perjury under the laws of the United States of America
19 that the foregoing is true and correct to the best of my knowledge, information or belief.

20
21 Executed in Los Angeles, California on February 14, 2020.


22
23
24 
25 _____
26 Marc E. Mayer
27

EXHIBIT 1



MITCHELL SILBERBERG & KNUPP LLP
A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

Marc E. Mayer
A Professional Corporation
(310) 312-3154 Phone
(310) 231-8354 Fax
mem@msk.com

February 14, 2020

VIA E-MAIL ONLY (COPYRIGHT@REDDIT.COM)

Reddit, Inc.

Re: Notice of Infringement by "Assyrian2410"

To DMCA Designated Agent:

I submit to you the following accurate statement pursuant to section 512 of Title 17 of the U.S. Code and, under penalty of perjury, inform you that Mitchell Silberberg & Knupp LLP is authorized to act on behalf of Activision Publishing, Inc. ("Activision"), owner of copyrights and/or exclusive rights under copyright in and to the video game entitled "Call of Duty: Modern Warfare" ("CODMW"). I additionally inform you that exclusive rights owned by Activision in CODMW are being infringed on the Reddit website. Specifically, these rights are being infringed via materials being made available by user "Assyrian2410" at the following URL:

https://www.reddit.com/r/modernwarfare/comments/f2ifa7/i_found_this_image_online_not_sure_what_it_is/?utm_source=share&utm_medium=ios_app&utm_name=iossmf

I hereby state that the information contained in this Notice is accurate, and, under penalty of perjury, that I have a good faith belief that the use of the materials available for viewing on Reddit.com is not authorized by Activision, its agents, or the law.

Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to be 'ME' followed by a stylized flourish.

Marc E. Mayer
A Professional Corporation of
MITCHELL SILBERBERG & KNUPP LLP

MEM/szm