

# **EXHIBIT D**

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## Copyright Tips

We've been receiving a lot of questions from members about what makes a video copyright infringing and ineligible for upload. Copyright-infringing content can lead to the termination of your account, and possibly monetary damages if a copyright owner sues you. Some guidelines to help you determine whether your video is eligible or whether it infringes someone else's copyright. You can find more information within our [Help Center](#).

As a general matter, we at YouTube respect the rights of artists and creators, and hope you will work with us to keep our community a positive experience for everyone, including artists and creators.

### How To Make Sure Your Video Does Not Infringe Someone Else's Copyrights

The way to ensure that your video doesn't infringe someone else's copyright is to use your skills and imagination to create something original. It could be as simple as taping some of your friends goofing around, and as complicated as filming your own short movie with professional equipment. If it's all yours, you never have to worry about the copyright—you own it! Make sure to follow the other guidelines in this article.

Be sure that all components of your video are your original creation—even the audio portion. For example, if you use an audio clip owned by a record label without that record label's permission, your video is infringing the copyrights of others, and we will become aware of it.

### Commercial Content Is Copyrighted

The most common reason we take down videos for copyright infringement is that they are direct copies of copyrighted content. If a copyright owner has alerted us that their content is being used without their permission. Once we become aware of a copyright infringement, we will remove the video promptly. That is the law.

Some examples of copyrighted content (although not all) are:

- TV shows
  - Including sitcoms, sports broadcasts, news broadcasts, comedy shows, cartoons, dramas, etc.
  - Includes network and cable TV, pay-per-view and on-demand TV
- Music videos, such as the ones you might find on music video channels
- Videos of live concerts, even if you captured the video yourself
  - Even if you took the video yourself, the performer controls the right to use his/her image in a video, the song being performed, and sometimes the venue prohibits filming without permission, so this video is likely to be copyrighted.
- Movies and movie trailers
- Commercials
- Slide shows that include photos or images owned by somebody else

### A Few Guiding Principles

- It doesn't matter how long or short the clip is, or exactly how it got to YouTube. If you taped it off cable, videotaped it from some other website, it is still copyrighted, and requires the copyright owner's permission to distribute.

- It doesn't matter whether or not you give credit to the owner/author/songwriter—it is still copyrighted.
- It doesn't matter that you are not selling the video for money—it is still copyrighted.
- It doesn't matter whether or not the video contains a copyright notice—it is still copyrighted.
- It doesn't matter whether other similar videos appear on our site—it is still copyrighted.
- It doesn't matter if you created a video made of short clips of copyrighted content—even though you edited it together copyrighted.

## What Will Happen If You Upload Infringing Content

Anytime we become aware that a video or any part of a video on our site infringes the copyrights of a third party, we will be required to do so by law. If you believe that a video on the site infringes your copyright, [send us a copyright notice](#) and we will remove it. If that we have removed a video that you uploaded in error and that you are the copyright owner or have permission, you can contact us. If you repeatedly post infringing content, your account will be terminated. This is also a requirement of the law.

## Using Some Copyrighted Content in Your Videos

While videos that are direct copies of someone else's content are clear copyright violations, there are certain very limited cases where very short clips of a copyrighted video or song may be legal even without permission. This is known as the "fair use" principle.

To determine whether a particular use of a short clip of a copyrighted video or song qualifies as a "fair use," you need to consider four factors that are outlined in the U.S. copyright statute. Unfortunately, the weighing of these four factors is often quite subjective and can often be difficult to determine whether a particular use is a "fair use." If the copyright owner disagrees with your interpretation, you may choose to resolve the dispute in court. If it turns out that your use is not a fair use, then you are infringing the copyright and may be liable for monetary damages.

If you would like to learn more about the principle of fair use, below are a few links to websites that discuss it. Please remember that the decision about whether and how to exercise your fair use rights is solely yours, and we at YouTube bear no responsibility for it.

### Fair Use Links on the Web

- <http://www.copyright.gov/fls/fl102.html>
- [http://fairuse.stanford.edu/Copyright\\_and\\_Fair\\_Use\\_Overview/chapter9/](http://fairuse.stanford.edu/Copyright_and_Fair_Use_Overview/chapter9/)
- <http://www.copyrightwebsite.com/Info/Law/FairUse.aspx>
- <http://chillingeffects.org/fairuse/>

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**edenza**



[Subscribe](#)

**edenza**  
 Joined: **February 05, 2006**  
 Last Login: **5 days ago**  
 Videos Watched: **199**

Subscribers: **24**  
 Channel Views: **2,364**


Name: **5**  
 Age: **37**

**Connect with edenza**

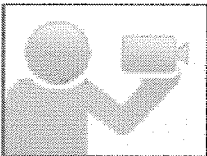
- [Send Message](#)
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- [Share Channel](#)
- [Add as Friend](#)

<http://www.youtube.com/edenza>

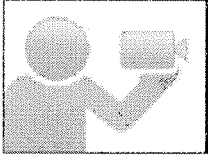
**Subscriptions (15)**




[EmmaSteinfeld](#)



[guywiththeglasses](#)



[NBC](#)



[NancyPelosi](#)

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**Bulletins (0)**

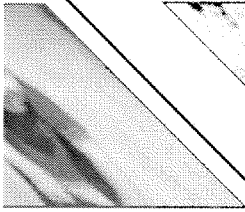
From	Bulletin
There are no bulletins.	



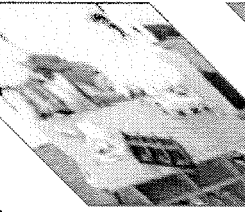
**Musical Sunday**

From: [edenza](#)  
Views: 522  
Comments: 4

**Videos (8)**



**"Let's Go Crazy" #1**  
 00:29  
 Added 8 months ago  
 Views: 361 915



**Musical Sunday**  
 01:12  
 Added 8 months ago  
 Views: 522

**Let's Go Crazy" #1**  
02:28  
Added: 8 months ago  
Views: 7567 575

**Musical Sunday**  
01:12  
Added: 8 months ago  
Views: 522

**Favorites (29)**

**ame Street -**  
**anna - Robert Deniro**  
**A Joe Pesci**  
01:55  
Added: 7 months ago  
From: [teetee23](#)  
Views: 731 335

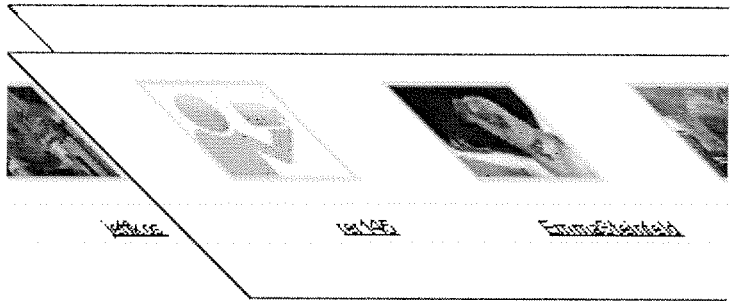
**Death Vader vs**  
**Japanese Police**  
01:04  
Added: 1 year ago  
From: [Mizuki](#)  
Views: 1354 353

**Way We Fight**  
02:50  
Added: 4 weeks ago  
From: [mepomedia](#)  
Views: 377 28

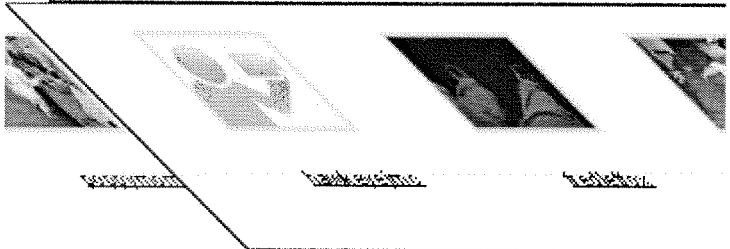
**Sizes Girl by Avril**  
**Lounge Sims 2 music**  
**video**  
02:35  
Added: 1 year ago  
From: [teetee23](#)  
Views: 5353 535

**Suzie Snowflake**  
02:35  
Added: 1 year ago  
From: [whiskleke](#)  
Views: 43 181

**Hardrock Coca and**  
**Joe**  
02:47  
Added: 1 year ago  
From: [MooSack2007](#)  
Views: 21 877



Friends (3)



Comments (2)

**user101 / November 01, 2007**  
 good luck.  
 your video was a great and your  
 today is adorable. I don't get why  
 just for a home video.  
 GOOD LUCK!

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**user102 / November 01, 2007**  
 Good luck in your  
 more to do with  
 weren't turn off  
 would not  
 miss.

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**user103 / November 01, 2007**  
 Greetings from Spain!!  
 let's rock!

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**user104 / November 01, 2007**  
 kawaii!!! you kid is so cute!!!! I can't believe this  
 treat it's just a home video @kesen!!!!!!! you had  
 CULDF&CFC support!!!!

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**user105 / November 01, 2007**  
 good luck.

**trend01** / November 09, 2007  
 good luck.  
 your video was a great and your  
 today is adorable, i don't get why  
 you got a home video.  
 GOOD LUCK!

**1** / November 09, 2007  
 right against the old man Prince  
 his ego than his rights! You had  
 of Prince's music. There are plenty  
 are a room for pushing a 23-year-old

**2** / November 09, 2007  
 Good luck in your  
 more to do with  
 when you off  
 would not  
 music.

**3** / November 09, 2007  
 Greetings from Spain!!  
 let's rock!

**4** / November 09, 2007  
 kwwww!!! you kid is so cute!!!! i can't believe that  
 great!!! just a home video sheser!!!!!!! you had  
 GOOD LUCK!!! support!!!!

**5** / November 09, 2007  
 good luck.