

PATTON BOGGS LLP2000 McKinney Avenue
Suite 1700
Dallas, TX 75201
214-758-1500

Facsimile 214-758-1550

To: **ATTN: Google Legal Support, Android
Market****Company:** Google, Inc.**Fax Number:** (650) 963-3255**Phone Number:**

Total Pages**Including Cover:** 9

From: **Jeff Prudhomme****Sender's Direct Line:** 214-758-3408**Date:** December 15, 2010**Client Number:** 020759.0100

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PATTON BOGGS^{LLP}
ATTORNEYS AT LAW

2000 McKinney Avenue
Suite 1700
Dallas, TX 75201-1858
214-758-1500

Facsimile 214-758 1550
www.pattonboggs.com

December 15, 2010

Jeffrey T. Prudhomme
214-758-3408
jprudhomme@pattonboggs.com

VIA FACSIMILE
VIA U.S. MAIL

Google, Inc.
Attn: Google Legal Support, Android Market
DMCA Complaints
1600 Amphitheatre Parkway
Mountain View, CA 94043
Fax: (650) 963-3255

Re: Notice of Violation of the Intellectual Property Rights of Chuck Norris in the Android Market

Dear Copyright Agent:

We are writing about the numerous Android software applications that violate the intellectual property rights of our client, Carlos Ray Norris, a/k/a Chuck Norris, the famous actor, author, and celebrity ("Mr. Norris"). These applications are all available from the Android Market. Each application features Mr. Norris's name and/or image without his authorization. *See* Application Summary, attached hereto as Exhibit A.

Mr. Norris owns valuable intellectual property rights in his name and likeness throughout the world, including registered U.S. trademarks for CHUCK NORRIS (Reg. Nos. 3,800,586; 3,788,416; 3,780,118; 3,676,437; 3,679,730; 2,864,474; and 2,124,757) and pending U.S. trademarks for CHUCK NORRIS APPROVED (Serial Nos. 77,173,465 and 77,173,481), as well as copyrights and rights of publicity (collectively, "Norris Properties"). He has used these rights for many years in his profession and his businesses and enjoys significant fame and goodwill in the Norris Properties. Mr. Norris specifically licenses the Norris Properties for use in software applications.

In addition to violating Mr. Norris's intellectual property rights, the applications violate Section 4.11 of Google's Android Market Developer Distribution Agreement (published at <http://www.android.com/us/developer-distribution-agreement.html>), which requires developers to comply with Google's Android Market Content Policy for Developers (published at <http://www.android.com/market/terms/developer-content-policy.html>). The Android Market Content Policy for Developers states that:

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Developers should not upload or otherwise make available applications or any other materials that display (via text, images, video or other media) or link to: . . . invasions of personal privacy or violations of the right of publicity. . . . [or] violations of intellectual property rights, including patent, copyright (see Google's DMCA Policy), trademark, trade secret, or other proprietary right of any party. . . .

Because these applications violate Google's Android Market Developer Distribution Agreement, it would be appropriate for Google to remove these applications under Section 7.2, which provides that:

if Google . . . becomes aware and determines in its sole discretion that a Product or any portion thereof or your Brand Features; (a) violates the intellectual property rights or any other rights of any third party; (b) violates any applicable law or is subject to an injunction; (c) is pornographic, obscene or otherwise violates Google's hosting policies or other terms of service as may be updated by Google from time to time in its sole discretion; . . . [or] (g) violates the terms of this Agreement or the Market Content Policy for Developers . . . , Google may remove the Product from the Market Google reserves the right to suspend and/or bar any Developer from the Market at its sole discretion. . . .

We therefore request that Google take action to remove the unauthorized applications from the Android Market and any other website under Google's control, and to inform us of how many times each Application was downloaded. Further, we hereby request that Google pay to Mr. Norris any money it received for each application, including any amounts recovered from the developers under Section 7.2 of its Android Market Developer Distribution Agreement, which states that:

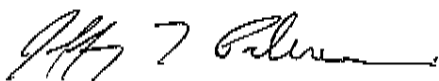
In the event that your Product is involuntarily removed because it . . . infringes intellectual property rights of another person, . . . violates a third party's right of publicity or privacy, or does not comply with applicable law, and an end user purchased such Product within a year before the date of takedown: (i) you must refund to Google, all amounts received, plus any associated fees (i.e. chargebacks and payment transaction fees), and (ii) Google may, at its sole discretion, withhold from your future sales the amount in subsection (i) above.

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Please let me know if you have any questions about this matter, and thank you for your assistance in protecting these important intellectual property rights. I look forward to your response within ten (10) business days of this letter.

Sincerely,



Jeffrey T. Prudhomme

Attachment

Application Summary

Application	Link to Application Listing at www.androidapps.com	Application Details
Chuck Norris Soundboard	http://www.androidapps.com/tech/apps/296427-chuck-norris-soundboard-android/	Android Category: Entertainment Released August 06, 2010 Publisher: Androidz Version 2.0 [0.77355 MB]
ChuckNorrisFactsFR	http://www.androidapps.com/omg/apps/296411-chucknorrisfactsfr-bobygerm	Android Category: Comics Released August 06, 2010 Publisher: bobygerm Version 1.8 [0.485367 MB]
Chuck Norris Joker	http://www.androidapps.com/games/apps/286021-chuck-norris-joker-chrisrifle	Android Category: Casual Released August 05, 2010 Publisher: ChrisRifle Version 1.0 [0.566421 MB]
Chuck Norris Facts (DE)	http://www.androidapps.com/tech/apps/416080-chuck-norris-facts-de-cr4ct-1	Android Category: Entertainment Carrier: AT&T and Verizon only Released November 09, 2010 Publisher: cr4ct.1 Version 1.4 [1.132042 MB]
Chcuk Norris Theme	http://www.androidapps.com/tech/apps/295737-chcuk-norris-theme-creature-apps#	Android Category: Multimedia Released August 06, 2010 Publisher: Creature Apps Version 1.0 [1.026017 MB]
Chuck Norris Witze	http://www.androidapps.com/tech/apps/296431-chuck-norris-witze-cyberk	Android Category: Entertainment Released November 06, 2010 Publisher: cyberk Version 1.09 [0.592806 MB]

Application Summary

Application	Link to Application Listing at www.androidapps.com	Application Details
Chuck Norris Facts	http://www.androidapps.com/tech/apps/315699-chuck-norris-facts-danilo-riso	Android Category: Entertainment Released August 07, 2010 Publisher: Danilo Riso Version 1.0.3 [0.85171 MB]
Chuck Norris Facts - Cupcake	http://www.androidapps.com/tech/apps/315700-chuck-norris-facts-cupcake-danilo-riso	Android Category: Entertainment Released August 07, 2010 Publisher: Danilo Riso Version 1.0.3 [0.851508 MB]
Chuck Norris Facts Demo	http://www.androidapps.com/tech/apps/315701-chuck-norris-facts-demo-danilo-riso	Android Category: Entertainment Released August 07, 2010 Publisher: Danilo Riso Version 1.0.3 [0.851964 MB]
Robo-T Teltz Chuck Norris Jokes	http://www.androidapps.com/games/apps/426216-robo-t-teltz-chuck-norris-jokes-dcvs	Category: Casual Carrier: only Released November 06, 2010 Publisher: DCVS Version 1.0 [4.544565 MB]
Chuck Norris Facts Italiano	http://www.androidapps.com/tech/apps/206413-chuck-norris-facts-italiano-francesco-mancini	Android Category: Entertainment Released November 06, 2010 Publisher: Francesco Mancini Version 3.1 [0.035616 MB]
Chuck Norris Jokes	http://www.androidapps.com/tech/apps/407583-chuck-norris-jokes-greenlife-apps	Android Category: Entertainment Carrier: only Released November 06, 2010 Publisher: GreenLife Apps Version 1.0.8 [2.91834 MB]

Application Summary

Application	Link to Application Listing at www.androidapps.com	Application Details
Chuck Norris Attack Facts	http://www.androidapps.com/omg/apps/406761-chuck-norris-attack-facts-groggy-software	Android Category: Comics Carrier: only Released October 22, 2010 Publisher: Groggy Software Version 1.0 [0.145755 MB]
Chuck Norris Jokes	http://www.androidapps.com/tech/apps/296417-chuck-norris-jokes-gtmedia	Android Category: Entertainment Released November 06, 2010 Publisher: GTMedia Version 2.1 [0.340139 MB]
Chuck Norris Jokes Full	http://www.androidapps.com/omg/apps/296422-chuck-norris-jokes-full-gtmedia	Android Category: Comics Released August 06, 2010 Publisher: GTMedia Version 1.0 [0.222805 MB]
Chuck Norris Facts	http://www.androidapps.com/omg/apps/296408-chuck-norris-facts-james-baker	Android Category: Comics Released November 06, 2010 Publisher: James Baker Version 1.1 [0.184289 MB]
Chuck Quote of the Day	http://www.androidapps.com/omg/apps/318866-chuck-quote-of-the-day-lionsoft	Android Category: Comics Released November 02, 2010 Publisher: LionSoft Version 1.6.111 [0.422238 MB]
Chuck Norris Facts in Italiano	http://www.androidapps.com/games/apps/427898-chuck-norris-facts-in-italiano-marco-rinaldi	Android Category: Casual Released November 07, 2010 Publisher: Marco Rinaldi Version 3.0 [2.045449 MB]

Application Summary

Application	Link to Application Listing at www.androidapps.com	Application Details
Chuck Norris Facts	http://www.androidapps.com/tech/apps/420206-chuck-norris-facts-narble-games	Android Category: Entertainment Released November 03, 2010 Publisher: Narble Games Version 1.1 [0.392738 MB]
Chuck Norris Facts!	http://www.androidapps.com/tech/apps/296409-chuck-norris-facts-nexstudios.jp	Android Category: Entertainment Released August 06, 2010 Publisher: NexStudios.jp Version 2 [0.459641 MB]
iHeartChuck	http://www.androidapps.com/tech/apps/331579-iheartchuck-paloulmedia	Android Category: Entertainment Released August 09, 2010 Publisher: PaloulMedia Version 2.0.1 [1.370692 MB]
Chuck Norris Jokes - Ad Free	http://www.androidapps.com/tech/apps/296419-chuck-norris-jokes-ad-free-rofl-newb-creations	Android Category: Entertainment Released August 29, 2010 Publisher: rofl newb creations Version 5 - 20+ More Jokes! [0.091158 MB]
Chuck Norris CallClip	http://www.androidapps.com/tech/apps/324870-chuck-norris-callclip-requested-apps	Android Category: Entertainment Released August 08, 2010 Publisher: Requested Apps Version 1.2.7 [0.94392 MB]
Chuck Norris Jokes	http://www.androidapps.com/tech/apps/314956-chuck-norris-jokes-shrav-b-mehta	Android Category: Entertainment Released August 07, 2010 Publisher: Shrav B. Mehta Version 9.0 [0.167828 MB]

Application Summary

Application	Link to Application Listing at www.androidapps.com	Application Details
Chuck Norris Jokes 2	http://www.androidapps.com/tech/apps/314957-chuck-norris-jokes-2-shrav-b-mehia	Android Category: Entertainment Released August 07, 2010 Publisher: Shrav B. Mehia Version 1.0 [0.169226 MB]
Chuck Norris Facts	http://www.androidapps.com/omg/apps/409606-chuck-norris-facts-swiss-codemonkeys	Android Category: Comics Carrier: only Released November 06, 2010 Publisher: Swiss Codemonkeys Version 1.2 (more bug fixes) [0.410514 MB]
Chuck Norris Jokes & Sounds	http://www.androidapps.com/tech/apps/296425-chuck-norris-jokes-sounds-swiss-codemonkeys	Android Category: Entertainment Released August 06, 2010 Publisher: Swiss Codemonkeys Version 1.2 [0.802095 MB]
Chuck Norris Factbook	http://www.androidapps.com/tech/apps/296406-chuck-norris-factbook-wt-ra-studios	Android Category: Entertainment Released August 06, 2010 Publisher: WT & RA Studios Version 1.3 [0.213328 MB]
Chuck Norris Twitter Facts	http://www.androidapps.com/tech/apps/296429-chuck-norris-twitter-facts-yarell	Android Category: Entertainment Released November 06, 2010 Publisher: yarell Version 1.5 [0.040608 MB]
Chuck Norris jokes n facts	http://www.androidapps.com/education/apps/296423-chuck-norris-jokes-n-facts-zaid-a	Android Category: Reference Released November 06, 2010 Publisher: Zaid A Version 3.0 [0.398337 MB]