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February 3, 2021

CAREB-ACCER
Attn: President/Legal Department
4 Allandale Rd
St. John's, NL A1B 2Z5

VIA REGULAR MAIL AND EMAIL TO memberservices@careb-accer.org

Dear Sir or Madam:

Re: Infringement of Associated Press's Copyrighted Works
Reference Number: 704556926026

We represent Associated Press, a company that creates and licenses imagery for commercial use (the "**Client**"). In this letter, we will refer to CAREB-ACCER as "you" or "your".

PicRights initially contacted you on August 18, 2020 regarding your unlawful use of the Client's copyrighted imagery. Unfortunately, you were unable to reach a settlement agreement with PicRights. PicRights has escalated the matter and retained us to enforce the Client's legal rights.

On your website <http://www.careb-accer.org/>, you unlawfully used the Client's image #90711991768, 64420680917, 823333381865, 645337997349, 100309139945, 485198507429 (the "**Works**") including in the manner depicted below:



The Client's original image



Infringing use of image



The Client's original image



Infringing use of image



The Client's original image



Infringing use of image



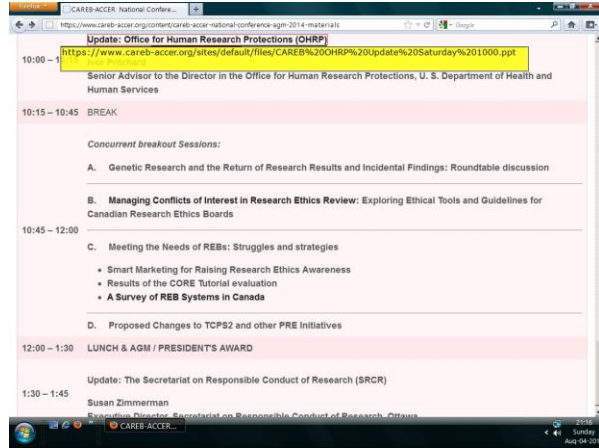
The Client's original image



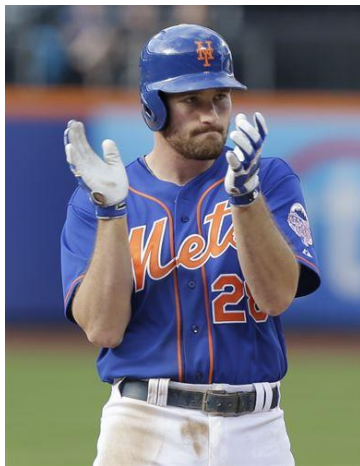
Infringing use of image



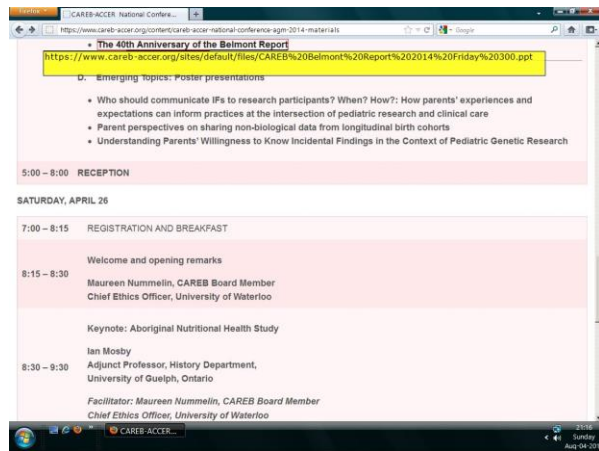
The Client's original image



Infringing use of image



The Client's original image



Infringing use of image

Client's Copyright Claim

The Client has the right to enforce copyright in the Works. Your reproductions of the Works as set out above are copyright infringements under s. 27 of the *Copyright Act*.

If the Client were successful in court in establishing a claim for copyright infringement, it could elect to seek statutory damages under s. 38.1 of the *Copyright Act*. Statutory damages could be as high as \$20,000 per work. In addition, the Client could seek punitive damages, which could substantially increase the potential award.

Settlement Proposal

In the interest of resolving this dispute quickly, the Client has authorized us to extend an offer to settle this matter for \$8,940.00. You may note that this number is higher than the earlier offer of \$4,470.00 extended by PicRights as the Client has had to now engage external legal counsel.

The terms of this settlement proposal are as follows:

You must:

AIRD BERLIS

1. If you have not already done so, immediately cease and desist from all unauthorized usage of the Client's imagery, including, but not limited to, the Works.
2. Pay the Client the sum of \$8,940.00 as compensation.
3. Agree to not use any other Works of the Client without proper licenses and authorization.

We also request full disclosure of any additional uses of the Client's copyrighted Works.

This settlement offer shall expire on **March 3, 2021**. If we do not receive substantial compliance with the above conditions by March 3, 2021, the Client reserves all of its legal rights, including its rights to commence legal proceedings against you.

If you wish to settle this matter immediately, please send a cheque made out to "Aird & Berlis LLP in trust" with "PicRights Ref #704556926026" as the memo to our law firm. If you would prefer to pay by credit card, please click on the following link: <https://resolve.picrights.com/704556926026>. As an incentive, early payment prior to **February 17, 2021** shall provide you with a 20% discount on the claimed sum: \$7,152.00.

Govern yourselves accordingly.

Yours truly,

AIRD & BERLIS LLP



Kenneth R. Clark

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