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OUR REF: SJN:RP:134171

YOUR REF: _____

11 August 2008

The Abuse Co-ordinator
New Dream Network, LLC
T/As Dreamhost
417 Associated Road #324
BREA, CA 92821 US

Dear Sir/Madam

Blue Mountains City Council re Unauthorised Use of Trademark and Breach of Copyright

We act for the Blue Mountains City Council (the "Council"). Further information regarding our client is available at www.bmcc.nsw.gov.au.

Our client has become aware that your company is hosting the website www.bluemountainscouncil.com ("the infringing website"). We are instructed that the infringing website is:

- (a) displaying our client's trademark, without our client's permission, thereby infringing our client's intellectual property rights in relation to that trademark;
- (b) displaying our client's logo, without our client's permission, thereby infringing our client's intellectual property rights in relation to the logo;
- (c) a direct copy of our client's official government website, displaying our client's artwork and get-up without our client's permission, thereby infringing our client's intellectual property rights; and
- (d) displaying material that is factually incorrect and that attacks our client and the elected members of our client, the latter material being defamatory of some of the members concerned.

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We note that your company's terms of use, in relation to any websites that it hosts, require that the "*Customer warrants that it has the right to use the applicable trade marks if any*". Given our instructions, summarised above, that our client has not authorised the use of its trademark, logo or other intellectual property rights, the infringing website appears to breach your company's terms and conditions for continuing to act as a host of the website.

We are instructed that our client requires your company to remove the website immediately, and to maintain the bar of the republication of the website until:

- (a) our client's trademark is removed;
- (b) our client's logo is removed;
- (c) our client's artwork, get-up and other intellectual material is removed;
- (d) the defamatory content is removed.

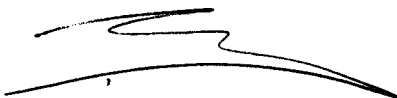
That action must be taken within 24 hours of the date and time with which your company receives this letter.

If, notwithstanding the matters that we have put to your company in this letter, you are not willing to remove the website then we are instructed to request that you provide details of the owner of the website. Our client will then pursue the protection of its intellectual property rights with that person in Australia.

Our client is also concerned that the domain name of the infringing website is identical to or confusingly similar with our clients trademark "Blue Mountains City Council". Accordingly we are instructed to invoke a dispute under the ICANN Uniform Domain Name Dispute Resolution Policy in respect of the registration of the domain name www.bluemountainscouncil.com . If you do not wish to be a party to this dispute procedure please provide the details of the owner of the domain name so that we can commence the dispute resolution procedure with them. Again, we request that this information be provided within 24 hours of the date and time of receipt of this letter.

We request that the person within your company to whom this letter is directed telephone Mr Steven Nicholson of our firm on +61 247 511055.

Yours faithfully
McPhee Kelshaw



Steven Nicholson