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Corporation Service Company DBA CSC-Lawyers Into
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Notice of Claim and federal lawsuit (Lanham Act and DMCA violations)

To whomever it may concern:

My name is Brian A. Wilkins, and I am the CEO/owner of Veracity Objectives, LLC. (“Veracity”), a New Mexico LLC., with principle places of business in Las Vegas, Nevada and West Des Moines, Iowa. Veracity also does business as COVID Legal USA (<https://covidlegalusa.com>). The official blog of COVID Legal USA is The COVID Blog™, <https://thecovidblog.com>. The latter is the subject of this letter and [HostGator.com](https://hostgator.com) LLC (Host Gator) violations not only of the Digital Millennium Copyright Act (DMCA), but also the Lanham Act, 15 U.S.C. § 1125 *et seq.*

The website, <https://thecovidworld.com> (“World”), upon information and belief, is hosted by your company, but uses CloudFlare to mask said relationship. Host Gator, upon information and belief, is also the domain registrar for World. Numerous articles of ours have not only been plagiarized with slight modifications by World, but also our entire trademark, brand and identity has been improperly, illegally, wantonly and maliciously appropriated and sold for profit on the World website.

There are two contact emails listed on the World website:
thecovidworld@protonmail.com and advertisetheworld@protonmail.com.

This letter is official notification of our intent to file a complaint in either the U.S. District Court of Iowa or Nevada, under diversity and federal question, seven (7) days after receipt of this notice by Host Gator. The lawsuit will seek to redress both the copyright and trademark violations. As you’re aware, there is no DMCA immunity for web hosts related to trademark violations.

The follow memorandum of points and authorities supports our claims.

The COVID Blog™ vs. the infringer - timeline and violations

The COVID Blog™ was registered as a domain on January 6, 2021. **See Attached Exhibit A - WHOIS screenshot.** The first article was published live online on The COVID Blog™ on January 8, 2021. The COVID Blog™ quickly became a high-ranking domain, garnering over 10,000 page views per day by February 2021. By April 2021, The COVID Blog™ was receiving over 30,000 page views per day, with some months in 2021 exceeding one million page views alone.

The COVID Blog™ is supported by subscriber payments (donations) and advertising from small companies (no Google or other affiliate marketing). The COVID Blog™ publishes an average of 30 articles per month, with some months exceeding 45 articles. We pride ourselves on thorough, investigative journalism, along with transparency, all of which are ignored and/or belittled by mainstream media. Unfortunately because of our success, we have written to numerous webmasters who have infringed on both our copyrights and trademarks. Most have been cooperative and either add proper attribution once contacted by us, or remove the content or websites completely. That brings us to the infringer.

World first came online on August 13, 2021, more than eight months after The COVID Blog™ and at a time of peak success for The COVID Blog™. **See Attached Exhibit B - WHOIS screenshot.** Interestingly or otherwise, <https://thecovidworld.com> came online just four days after The COVID Blog was banned from PayPal, Venmo and other payment platforms¹. <https://thecovidworld.com> and its name are near-mirror images of The COVID Blog™. **See Exhibits C (The COVID World) and D (The COVID Blog) - home page screenshots of both websites.**

World is completely anonymous and hide the names of its owners. The website was created by one or more users on an anonymous web forum called 4chan /pol², which is known for, to put it mildly, its unscrupulous content and users³. The foregoing footnote shows the creators of <https://thecovidworld.com> bragging about making a lot of money in cryptocurrency from the website in November.

World backloaded numerous articles on August 13, 2021, and dated them as published before World was online, with many/most of them copying The COVID Blog™.

¹ <https://thecovidblog.com/2021/08/09/breaking-the-covid-blog-and-covid-legal-usa-banned-from-paypal/>

² <https://archive.4plebs.org/pol/thread/345713814/>

³ <https://en.wikipedia.org/wiki//pol/>

For instance the first article published on World is entitled “(VIDEO) Gregory Michael: “Very Healthy” 56-Year-Old Doctor Dies 2 Weeks After Receiving Pfizer COVID-19 Vaccine.” **See attached Exhibit E.** The byline said, “Original story date: January 9th, 2021; The COVID World post date: August 14th, 2021.”

The third story ever published on The COVID Blog™ on January 8, 2021 is entitled, “Gregory Michael: Miami doctor is dead two weeks after receiving Pfizer BioNTech COVID vaccine.” **See Attached Exhibit F.** There are hundreds more examples like this. We are providing three more herein as a representative sample, as compiling the rest is being reserved for when we file the official lawsuit (due to the tediousness of the data gathering). Or Host Gator may simply look and see for themselves.

1. World article: “Georgia Clark: 27-year-old Journalist Hospitalized 10 days after receiving second Pfizer Covid-19 vaccine, diagnosed with pericarditis.” The COVID World post date: August 15, 2021. **See Attached Exhibit G**

<https://thecovidworld.com/georgia-clark-27-year-old-australian-journalist-hospitalized-10-days-after-2nd-pfizer-dose-diagnosed-with-pericarditis/>

The COVID Blog™ article: Georgia Clark: 27-year-old Australian reporter hospitalized with pericarditis 10 days after Pfizer injection, encourages others to still get the injections.” Published August 12, 2021. **See Attached Exhibit H**

<https://thecovidblog.com/2021/08/12/georgia-clark-27-year-old-australian-reporter-hospitalized-with-pericarditis-10-days-after-pfizer-injection-encourages-others-to-still-get-the-injections/>

2. World article: “Jack Last: Fit and Health 27-year-old Died 3 Weeks After receiving AstraZeneca COVID-19 vaccine, NHS starts investigation.” Original story date: April 29, 2021. The COVID World post date: August 14, 2021. **See Attached Exhibit I**

<https://thecovidworld.com/jack-last-27-year-old-dies-21-days-after-astrazeneca-covid-19-jab/>

The COVID Blog™ article: “Jack Last: 27-year-old British engineer dead 21 days after experimental AstraZeneca viral vector shot.” Published April 30, 2021. **See Attached Exhibit J.**

<https://thecovidblog.com/2021/04/30/jack-last-27-year-old-british-engineer-dead-21-days-after-experimental-astrazeneca-viral-vector-shot/>

3. World article: “Camilla Canepa: 18-year-old Dies 12 days after receiving AstraZeneca COVID-19 vaccine.” Original story date: June 11, 2021. The COVID World post date: October 16, 2021. **See Attached Exhibit K.**

<https://thecovidworld.com/camilla-canepa-18-year-old-girl-dies-12-days-after-receiving-the-astrazeneca-covid-19-vaccine/>

The COVID Blog™ article: “Camila Canepa: 18-year-old Italian woman develops blood clots, dead two weeks after experimental AstraZeneca shot.” Published June 13, 2021. **See Attached Exhibit L.**

<https://thecovidblog.com/2021/06/13/camilla-canepa-18-year-old-italian-woman-develops-blood-clots-dead-two-weeks-after-experimental-astrazeneca-shot/>

Note in the Camila Canepa story, the infringer uses an original date of June 11, 2021, two days after The COVID Blog™ article. But again, World did not exist until August 13, 2021, and simply tried varying the dates a bit so to not make things more obvious than they already are.

We were first made aware of World in mid-December, after already seeing signs of confusion from our subscribers. A blogger wrote an article on November 1, 2021, that was sent to us in mid-December, outlining who and what World was⁴.

The likelihood of confusion between our trademark website and the infringer is no longer likely, but happening. We found several posts on Twitter that post the text of our domain in a tweet, only to redirect to the infringer website. **See Attached Exhibits M, N and O.** Note that Exhibits N and O had to be captured with two screenshots because they were too big to fit the screen. However you can see the timestamps when each screenshot was taken to see that they are authentic, just pieced together with overlap.

We also started receiving comments on The COVID Blog™ from people believing we are the infringer site. **See Attached Exhibit P.**

Claim for relief

The COVID Blog™ is currently a pending registered trademark with the U.S. Patent and Trademark Office. It will be an official registered trademark any day now. Meanwhile, The COVID Blog™ is a common law trademark and has similar protections under the Lanham Act, particularly with the foregoing evidence as presented.

⁴ <https://cherishsisters.com/what-is-thecovidworld-com-anonymous-website-for-sale/>

“Title 15 of the United States Code § 1125 — the ‘unfair competition’ provision -- provides the same protection to unregistered trademarks that the infringement provision of § 1114 provides to registered marks.” *Ford Motor Co. v. Greatdomains.com, Inc.*, 177 F. Supp. 2d 635 (E.D. Mich. 2001)

First, the infringer is in violation of the 1999 Anticybersquatting Consumer Protection Act (“ACPA”), 15 U.S.C. § 1125(d), Section 43 of the Lanham Act.

A person shall be liable in a civil action by the owner of a mark...if, without regard to the goods or services of the parties, that person:

(i) has a bad faith intent to profit from that mark; and

(ii) registers, traffics in, or uses a domain name that—

(l) in the case of a mark that is distinctive at the time of registration of the domain name, is identical or confusingly similar to that mark.

We specifically chose the domain and trade name “The COVID Blog™” because it is considered bad practice to use the word “the” as the first word in a domain. We wanted to be unique. It’s already infringing for World to use a name like “The COVID World” that was obviously chosen in bad faith to harm The COVID Blog, as anyone and everyone in this space knew of The COVID Blog™ by August 13, 2021. The COVID Blog™ is/was a top 100,000 Alexa website in the world then and now, out of billions of websites.

Further, as referenced above in the 4chan thread link, the infringer brags about making large sums of money in cryptocurrency. The near-identical website theme, and numerous plagiarized articles, are just the cherries on top.

Second, the infringer is in violation of the Unfair Competition provision of the Lanham Act § 43(a), 15 U.S.C. § 1125(a)

Unfair competition, as defined in § 1125(a) is:

(1) Any person who, on or in connection with any goods or services, or any container for goods, uses in commerce any word, term, name, symbol, or device, or any combination thereof, or any false designation of origin, false or misleading description of fact, or false or misleading representation of fact, which—

(A) **is likely to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection,** or association of such person with another person, or as to the origin, sponsorship, or approval of his or her goods, services, or commercial activities by another person, or

(B) in commercial advertising or promotion, misrepresents the nature, characteristics, qualities, or geographic origin of his or her or another person's goods, services, or commercial activities,

shall be liable in a civil action by any person who believes that he or she is or is likely to be damaged by such act.

Granted there is clear evidence of malicious intent and willful infringement by World. But the U.S. Supreme Court ruled in 2020 that, “[a] plaintiff in a trademark infringement suit [under 15 U.S.C § 1125(a)] is not required to show that a defendant willfully infringed the plaintiff’s trademark as a precondition to a profits award.” *Romag Fasteners, Inc. v. Fossil, Inc.*, 590 U.S. ____ (2020).

The infringer confirmed, via the 4chan threads, that it makes a lot of money, and that was three months ago. The infringers have profited and been able to skirt the law long enough.

DEMAND

Our position is that we’d rather not include Host Gator in the forthcoming federal lawsuit. Your company is only responsible because you host the infringing site online. The DMCA takedown requests are one thing, and Host Gator has protections if action is taken to halt further copyright violations. But there are no DMCA protections for trademark violations, and those, thus, must be redressed in federal court.

Please note that this is a mere precursor of the actual lawsuit. There will be more claims for relief vs. both Host Gator and the infringer. We will also need to serve a *subpoena duces tecums* on Host Gator to learn the true identity of the infringer and serve them the federal summons accordingly. We’ve worked very hard to build a brand in the last 14 months and cannot and will not allow thieves to destroy it.

Wherefore, we respectfully request that Host Gator take down/remove <https://the-covidworld.com> from its hosting servers to avoid any/all further legal action. We feel there is no other remedy, as taking down single articles is not enough to protect our interests. We’d also like to remove Host Gator from the uncomfortable position of being ordered by a court to reveal the identities of the owners of <https://thecovidworld.com> so they can be named in a lawsuit. We will seek monetary, declaratory and injunctive relief from the federal judiciary.

Once Veracity receives evidence that <https://thecovidworld.com> has been removed from Host Gator servers and is no longer online via Host Gator, then Veracity will discharge Host Gator from any and all liability related to this litigation. Granted Veracity still intends to pursue the owners of <https://thecovidworld.com>. But we already have an investigator on it and will not ask Host Gator to get involved, as long as <https://thecovidworld.com> is promptly removed from the web and Host Gator hosting servers.

Host Gator has seven (7) days from the date it receives this notice to remove the infringing website from its hosting servers. Failure to do so will result in Veracity pursuing relief to the fullest extent of the law in federal court. It's best to communicate with us via the email addresses listed below. If you'd like to schedule calls, please write us first as nobody answers the phone otherwise, just like you list no phone number on your website to call directly.

We are providing this notice in good faith and with the reasonable belief that rights my company owns are being infringed. Under penalty of perjury I certify that the information contained in the notification is both true and accurate, and I have the authority to act on behalf of the owner of the copyright(s) involved.

In addition to service on the HostGator.com LLC registered agent (address listed above), a second copy of this notice was served on the same day to:

HostGator LLC
Attn: Abuse Department, DMCA Complaint
5005 Mitchelldale, Suite #100
Houston, TX 77092

On this _____ day of _____, 2022.

Brian Wilkins
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cc: Maxwell Banks - GM
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