

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

In Re DMCA Subpoena to Google LLC

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Case No. 7:20-mc-00119-CS
Honorable Cathy Seibel
**AFFIRMATION OF PAUL D.
POLIDORO IN SUPPORT OF
OPPOSITION TO MOTION TO
QUASH**

PAUL D. POLIDORO, an attorney duly admitted to practice law before the courts of the State of New York, hereby affirms the following to be true under penalty of perjury:

1. I am an Associate General Counsel of Watch Tower Bible and Tract Society of Pennsylvania (“Watch Tower”). As such, I am fully familiar with the facts of this matter as set forth herein based upon my review of the file and personal knowledge.

2. This action arises from the infringement of Watch Tower’s copyrighted works by the YouTube user “JW Apostate.” Watch Tower reported the infringement to YouTube (Google LLC) on February 27, 2020, pursuant to 17 U.S.C. § 512 (c)(3)(A). Without knowing the true identities of the infringers who are illegally posting Watch Tower’s copyrighted works, Watch Tower is unable to defend its copyrighted works against these infringements. In order to uncover the identity of “JW Apostate,” Watch Tower requested a subpoena from this Court pursuant to the Digital Millennium Copyright Act (“DMCA”), 17 U.S.C. § 512(h) (the “DMCA Subpoena”) on February 27, 2020.

3. In the application for the DMCA Subpoena, Watch Tower provided this Court with proof that it was entitled to a DMCA Subpoena pursuant to 17 U.S.C. § 512(h). Specifically, Watch Tower provided: (1) a copy of the copyright infringement notice that it sent to Google, owner of YouTube on February 27, 2020, pursuant to 17 U.S.C. 512(c)(3)(A)

(“DMCA Takedown Notice”), (2) a proposed subpoena, and (3) my sworn declaration, stating that the purpose for which the subpoena was sought was to obtain the identity of an alleged infringer and that such information would only be used for the purpose of protecting rights under the DMCA. After reviewing Watch Tower’s request and all documents submitted in support of the request, this Court found good reason to issue an order directing the clerk to issue the DMCA Subpoena to Google.

4. Watch Tower has applied to the United States Copyright Office for registration of all of the infringed works. Each video includes a copyright notice. The titles of the works and their copyright registration or application numbers are as follows:

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| How Can You Support LDC? | Registration No. PA 2-216-080 |
| Choose Your Apps Wisely | Application No. 1-8675537944 |
| Whose Leadership Can You Trust? | Application No. 1-8540235922 |
| Congregation Accounting Training: Issuing Donation Acknowledgement Letters | Registration No. PA0002230739 |
| Congregation Accounting Training: Transferring Funds to and From the Branch Office | Registration No. PA0002230788 |
| Congregation Accounting Training: Monthly Congregation Accounts Report (S-30) | Registration No. PA0002230738 |
| Congregation Accounting Training: Tutorials for Congregation Accounting-Introduction | Registration No. PA 2-212-279 |
| Congregation Accounting Training: Roles and Responsibilities | Registration No. PA 2-213-383 |
| Congregation Accounting Training: Setting Up and Maintaining a Bank Account | Registration No. PA 2-217-185 |

5. On March 11, 2020, Watch Tower served Google LLC with the DMCA Subpoena.

6. On March 12, 2020, Jane/John Doe filed a Motion to Quash the DMCA subpoena.

7. On March 18, 2020, Google advised the undersigned that “it will await the Court’s ruling before taking any further action.”

WHEREFORE, plaintiff Watch Tower requests that the Court issue an Order denying the motion to quash and order Google to comply forthwith.

Dated: March 26, 2020
Patterson, New York

/s/ Paul D. Polidoro
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