

Quincy Lu

From: Vimeo Trust & Safety <support@vimeots.zendesk.com>
Sent: Thursday, August 29, 2024 7:17 AM
To: Quincy Lu
Subject: [Vimeo] Re: Affidavit regarding public availability

[EXTERNAL EMAIL from support@vimeots.zendesk.com]

Melissa Nezhnik (Vimeo Trust & Safety)

29 Aug 2024, 19:47 IST

Hello Quincy,

Please accept this email as confirmation that the video located at <https://vimeo.com/2745624> was uploaded on January 6, 2009 by the Vimeo user located at <https://vimeo.com/user959843> (screen name, "carnal0wnage").

Signed,
Vimeo Trust & Safety

Quincy Lu

28 Aug 2024, 03:31 IST

Hi Melissa, this proceeding is in front of the patent office which does not have the power to issue subpoenas to third parties. Would Vimeo be able to provide the information as a courtesy? Thanks in advance.

Melissa Nezhnik (Vimeo Trust & Safety)

23 Aug 2024, 19:23 IST

Hello Quincy,

Vimeo would be able to provide the requested information in response to a subpoena. Please also provide a draft declaration as a Word copy so that we can review.

You may submit the subpoena and declaration as an attachment to your response to this email.

Signed,
Vimeo Trust & Safety

Quincy Lu

21 Aug 2024, 07:31 IST

Hi Shawn,

We aren't seeking any personal information about users, we just want someone from Vimeo to say that the "January 6, 2009" date on the website is the true and correct date the video was made available. Is that possible?

Shawn (Vimeo Trust & Safety)

21 Aug 2024, 07:27 IST

Hi there,

Sorry, we cannot grant permission to use the videos uploaded by our members or provide any information about it.

Feel free to reach out to Vimeo users directly to request permission. You can contact them by clicking the "Send Message" button on their profile.

Signed,
Vimeo Trust & Safety

Quincy Lu

21 Aug 2024, 07:20 IST

Hi Shawn,

We are interested in using this video as prior art in a patent case: <https://vimeo.com/2745624>

The video says it was uploaded on "January 6, 2009" and in order to establish that the video was published to the Vimeo website and made available for people to view on or shortly after that date, it would be helpful to have someone at Vimeo provide a signed affidavit from someone familiar with Vimeo's records that says something along the lines of, based on your records, that video was in fact published and made available for the public to view on January 6, 2009 (or whichever date it may be).

Thanks in advance!

Shawn (Vimeo Trust & Safety)

21 Aug 2024, 07:05 IST

Hello,

We received your message, and I'd like to get more information so we can determine the best option going forward.

Can you provide more details about what you're trying to do and how you would like Vimeo to be involved?

That way we can either answer your questions directly or pass your request on to the appropriate team to get it taken care of.

Thank you!

Signed,

Vimeo Trust & Safety

Quincy Lu

21 Aug 2024, 06:55 IST

To whom it may concern, I am attorney working on a patent case and was wondering if Vimeo provides affidavits establishing the date certain videos were published to the website? Please let me know if that is a service Vimeo offers, thanks!

This email is a service from Vimeo Trust & Safety.