

**From:** [REDACTED]  
**Sent:** Wednesday, March 24, 2010 4:15 PM  
**To:** FN-OMB-IntellectualProperty  
**Cc:** hfaonlineinfo@harryfox.com  
**Subject:** Pirated CD's

**Follow Up Flag:** Follow up  
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To: Victoria Espinel  
US Intellectual Property Enforcemnt Coordinator

3/24/10

My name is Elias Pereda, composer, musician and vocalist residing in Newark, California in the Bay Area. The genre of my music is: "World Jazz" instrumental compositions and "Great American Songbook" vocals ala Frank Sinatra.

I am bitter and discouraged by the pirating of 2 CD's that cost me over \$100,000 to produce. The titles are: Dawn's Breaking and Midnight Club. Since times are so bad for music (the last 20 yrs.) I sent 5 copies of each CD to CDbaby.com in approximately 2003. The agreement was they would post them on their website to sell. I haven't received one penny from this. I was able to go in the administrative part of their website and discover that I rec'd 30-100 hits a day on my CDs. These CDs are high quality, they are rated 4 & 5 star.(5 staar being the best) They were recorded in professional studios, the top musicians, even the George Lucas strings. I rec'd 3 certificates of achievement from Billboard Magazine from Quincy Jones for my originals. The law of averages would gaurantee the sale of at least 100 over all this time. These CDs were a culmination of my life's work all copywritten and properly done.

Derek Seivers the owner of CDbaby sold this website (he says) about 3-5 yrs ago to Disc Makers in New Jersey who also own Itunes. (hmmmmmm) I began to check out through Google my name and the name of my CD's and much to my surprise they are being sold in 25 countries all over the world including the US (Amazon, Itunes, etc.)

My CD has definately been pirated and copied exactly as I made them including the artwork. I reported this to Harry Fox which I belong to as I am one of their publishers, over 6 mos. ago. I have heard no reply from them only that they did receive all of the printed copies of the different sites all over the world that is selling them.

I can't begin to tell you how upset I have been about this matter, my family also. I have no inspiration to write any more and my faith in justice has been severely tested. Not to mention they have gone double platinum in Europe and I am missing over a million in revenue. I even called the FBI because I thought they could direct me, I never heard back from them after leaving several messages.

I please thank President Obama for looking into this unlawful practice of pirating intellectual property. 'm sorry I couldn't include more info for you but I only received this from Harry Fox 2 days ago.

Hoping you can do something for me and all the people in my situation before I die.

Thank you and respectfully,

ELIAS PEREDA  
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