

Sample Internet Take-Down Letter

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[attorney name and contact information]

[date]

Via First-Class Mail

Yahoo! Inc.
Attn. Legal Department
CT Corporation System
111 Eighth Avenue
New York, NY 10011

Dear Sir/Madam:

This letter is in request of Yahoo! Inc. (“Yahoo”) to remove or revise its cache to its article [name of article] (found at [web address]) (the “webpage”), which is currently posted on the Internet. This letter seeks the removal or revision of the cache to the webpage. Technical advisors have informed me that this is the only process by which Internet search engines will no longer produce the webpage in their results.

This letter is first and foremost an appeal to your company’s corporate conscious to assist my client in moving on from her traumatizing experience as a victim of a federal sex crime. Each time my client’s name is run through a search engine, the webpage appears as a top result. As a result, my client continues to be associated with this crime, which she is attempting to put in her past and recover from. However, this continued association presents a substantial obstacle in her pursuit of a livelihood, including, inter alia, impeding her ability to seek employment without a potential employer first discovering this association by merely running a simple web search. My client sincerely hopes that a large company, such as Yahoo, with significant influence over our society would voluntarily provide her this assistance in her healing process from the mental and emotional anguish and trauma that her victimization has caused.

In addition, the webpage violates federal and state law as it currently exists because it subjects my client to a violation of her rights as a crime victim under federal and state law. In addition to the federal statutes discussed below, state law also imposes liability for the continuing damages that my client continues to sustain as a result of her continued association with this crime. However, my client does not wish to pursue damages, but, instead, merely desires that her name be disassociated with the webpage and this crime. As discussed below, my client is entitled to this relief because the webpage violates several of her rights as a crime victim

that are guaranteed to her under federal law. Accordingly, this letter demands that you either: (1) revise the cache of this internet-posted article such that it does not return as a search result when my client's name is searched through any internet search engine; or (2) remove the article in its entirety.

Under federal law, victims of federal crimes are afforded broad protection of their rights to dignity and privacy. Under 18 U.S.C. § 3771, a victim of a federal offense has “[t]he right to right to be treated with fairness and with respect for the victim’s dignity and privacy.” Moreover, § 3771 provides the victim of a federal offense statutory grounds to seek relief for the violation of that right. Additionally, 18 U.S.C. § 1513(e) makes it a federal crime to “knowingly . . . interfere[] with the lawful employment or livelihood of any person, for providing to a law enforcement officer any truthful information relating to the commission of any Federal Offense.” A violation of this section is punishable by a fine and/or a term of imprisonment not to exceed ten years. Also § 1514 of Title 18 of the U.S.C. provides that a victim of a federal crime may obtain a temporary restraining order and/or a protective order when that victim is being subjected to harassment. Finally, my client may seek an adjudication of her rights under the federal declaratory judgment statute.

Here, my client is a victim of a federal offense and is thereby entitled to the aforementioned rights, as well as being entitled to assert them under, inter alia, the statutory vehicles discussed above. My client is a victim of a federal offense because [describe crime], and this crime was prosecuted under federal law. The perpetrator of this crime was arrested, charged, convicted, and sentenced as a result of the crime. Furthermore, my client cooperated with federal law enforcement officers in providing information necessary to the prosecution of the crime. Therefore, she has the right to be free from knowing interference with her livelihood. Each time the webpage appears in the results of a search of my client's name that is run through an Internet search engine, my client is associated with this crime.

This association has violated my client's rights because it has subjected my client to, inter alia, a considerable burden by preventing her from recovering from this terrible crime and pursuing a livelihood. For example, as a result of the webpage, my client has received at least one intimidating and harassing letter. Additionally, my client cannot apply for a job without becoming distressed about whether the potential employer will discover this crime through a simple web search of her name, thereby associating her with this crime. In fact, the titles of the webpage are alone disparaging and harassing because the title of the webpage is “[name of article].” Also, from viewing the title that is returned in the search results, one could not even determine whether my client was the victim or perpetrator of the crime.

This letter is not intended to be threatening or to issue an ultimatum. Instead, it is merely a plea to you seeking the removal of my client's name from the webpage cache, which is necessary for my client to move on with her life and to pursue an enjoyable livelihood. My client sincerely hopes that a company such as yours would voluntarily provide her this assistance in her healing process from the mental and emotional anguish and trauma that her victimization has caused. To pursue a restraining order or injunction in open court would only cause my client to incur extended and additional distress and trauma. Again, I am merely requesting that the

cache be updated such that my client's name is no longer linked to it. We do not object to the substance of the article, but merely seek to disassociate my client from the article.

In closing, both my client and I would like to stress the importance of providing a sincere and profound effort in assisting victims of crimes in moving on with their lives. Thank you for your prompt and courteous attention to this matter. Please contact me at the phone number listed above should you have any questions or concerns regarding this matter.

Respectfully,

[attorney name]