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26/07/2004

Baulkham Hills Shire Council – 5 Acres Now Website

We act on behalf of the Baulkham Hills Shire Council (**Council**).

It has recently come to our client's attention that a website with the domain name www.5acresnow.ccstar.net (**5 Acres Now website**) contains Council documents.

1. Provision of electronic and hardcopy versions of Council documents

We note that the 5 Acres Now Website contains electronic versions of Council documents including the *Submission to draft Rural Strategy – Stage 2 – Rural Lands Study (FP116)* and *Summary of Submissions to Draft Rural Strategy (Reports)*.

The 5 Acres Now Website also suggests that hardcopies of the Reports may be provided to members of the public upon request.

We are instructed that Council is concerned that by making the Reports available on the 5 Acres Now Website, the person or persons responsible for the website are infringing Council's copyright or authorising the infringement of Council's copyright under the *Copyright Act 1968 (Cth)* by publishing the works or communicating the works to the public.

2. Link to council website

We are also instructed that the 5 Acres Now Website provides a link to the website, www.baulkhamhills.nsw.gov.au. Council is concerned that the provision of this link may suggest to website visitors that Council is associated or affiliated with the 5 Acres Now Website, which it is not.

According to a search of the records of the Network Solutions Inc database on 22 July 2004, you are the registrant of the ccstar.net domain name.

Accordingly, we are instructed to request on behalf of Council that you arrange for the:

- removal of electronic copies of Council's Reports from the 5 Acres Now Website;
- discontinuance of the provision of hard copies of Council Reports;
- removal of the link to Council's website from the 5 Acres Now Website; and
- confirmation to us in writing that the above have been done.

We are instructed that Council will take no further action if this request is complied with by Friday 30 July 2004, but otherwise retains all its legal rights to take action to prevent infringement of its copyright.

Please refer any correspondence in relation to this matter to this office.

Yours faithfully



David Baird
Executive Partner