

CEASE AND DESIST LETTER

[Artist's Letterhead]



Remove all language in italics before using this form.

[Date]

FOR SETTLEMENT PURPOSES ONLY
FED. R. EVID. 408

[First and Last Name][Address]

RE: [List project or issue]

Dear [Name]:

It has come to my attention that you have made an unauthorized use of my copyrighted work entitled [name of work] (“the Work”). I own all rights, including copyright, in the Work, [first published in [date]], [and have registered copyright therein]. Your work entitled [name of infringing work] is essentially identical to the Work [or clearly copies certain portions of the Work]. [Give a few examples that illustrate direct copying.]

As you neither asked for nor received permission to use the Work as the basis for [name of infringing work] nor to make or distribute copies, including electronic copies, of same, I believe you have willfully infringed my rights under 17 U.S.C. Section 101 et seq. [and could be liable for statutory damages as high as \$150,000 as set forth in Section 504(c) (2) therein].*

I demand that you immediately cease the use and distribution of [name of infringing work] and all other infringing works derived from the Work, and that you delete or remove from circulation all copies, including electronic copies, of same; that you deliver to me, if applicable, all unused, undistributed copies of same, or destroy such copies immediately; and that you desist from this or any other infringement of my rights in the future. I also require an accounting of all profits you have made to date from sales or other exploitation of [name of infringing work]. If I have not received an affirmative response from you by [date—give them about 2 weeks] indicating that you have fully complied with these requirements, I shall take further action against you. This letter is written without prejudice to my rights, all of which are hereby expressly reserved.

Very truly yours,

*Text in brackets only applies if the copyright for the infringed work has been registered.