

January 28, 2022

Critical Density Studios

Derek Napoli
11005 Roessner Ave.
Hagerstown, MD 21740-7666
(250) 452-5200

Dylan Napoli
2811 Zion Ln #107
Casper, WY. 82609
(307) 315-5112

Dear Derek and Dylan:

I received the attached email from Dylan disputing my copyright of PlayMaker Football, that it's graphics and user interface are protected by that copyright, and that you infringed on that copyright by copying and incorporating specific elements into your "Greats of the Gridiron" application, including player graphics and the Play Editor and AI user interface as referenced in my original notice (see <https://playmaker.com/gotg-infringement.pdf>).

My copyright as it is present and visible in the PlayMaker Football application installer and the "About" screen of the application (see <https://playmaker.com/v2.3/installer.png> and <https://playmaker.com/v2.3/about.png>). Derek, co-founder of Critical Density Studios (see <https://www.linkedin.com/in/derek-napoli-3b33b19/> and <https://www.facebook.com/loriannnapoli/posts/976201703238467>) and an active participant in the APFL online league (see <http://www.nypfl.net> and <https://storage.googleapis.com/wzukusers/user-33404635/documents/7f7f6aa5a5ef45b1b110fff16d62d8e4/Salem.pdf>) since at least 2018 (see <https://www.youtube.com/watch?v=Pih4hy-vNbM&t=71s>), used PlayMaker Football version 2.x as a requirement of that online league. This establishes both your foreknowledge of the copyright and your access to the original.

Additionally, there is no record of Derek's purchase of a valid license for PlayMaker Football, which may represent a separate case of copyright infringement.

There is no question that graphics and user interface elements are protected under copyright law and that the elements you copied are substantially similar and therefore an infringement of my copyright. I am confident a judge and jury will confirm this.

I engaged in good faith conversations with you in attempt to resolve this out of court from December 28th, 2021 through January 4th, 2022. At that time you indicated your intent to change your player graphics and Play Editor and AI user interface to satisfy my request and eliminate any issue of infringement. Your email and the DMCA counter notice you filed with Valve Corporation make it clear you do not intend to honor that course of action.

Therefore, be advised: if you resume advertising and distributing a version of your application that includes the infringing elements, I will take legal action.

Sincerely,

A handwritten signature in black ink that reads "Brian Brinkmann". The signature is written in a cursive style with a large initial "B" and a long, sweeping underline.

Brian Brinkmann
PlayMaker Software, Inc.
9555 Hillside Drive
Roswell, GA 30076
(925) 252-5075