



BET Networks > Famous Music > MTV Networks > Paramount Pictures

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Dear Fred:

Further to our earlier correspondence and conversations, I wanted to let you know that in addition to the language described in Mike Fricklas' letter of April 11, Viacom expects to add the following language to the area of its corporate website addressing fair use:

“Regardless of the law of fair use, we have not generally challenged users of Viacom copyrighted material where the use or copy is occasional and is a creative, newsworthy or transformative use of a limited excerpt for non commercial purposes.”

Again, thanks for your thoughtful input.

Best regards.

Sincerely,

Mark C. Morril