



## **ONLINE MEDIA LAW, PLLC**

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### Via U.S. Certified Mail

Kent Walker, Esq.  
General Counsel  
Google Inc.  
1600 Amphitheatre Parkway  
Mountain View, CA 94043

Dear Mr. Walker:

I represent American Buddha, an Oregon non-profit religious corporation. This letter is an effort to informally resolve a serious legal dispute that has arisen between my client and Google Inc. ("Google").

### The American Buddha Library Site Has Been Purged From Google's Index

American Buddha has operated the American Buddha Online Library on the Internet at [www.american-buddha.com](http://www.american-buddha.com), since year 2000 ("the Library Site"). During the last six years, the Library Site has built up a membership of over 50,000 users, and its pages have steadily climbed in "Page Rank" under the Google PR system, until with respect to many search categories, the Library Site would appear on the first page of search results for searches involving major topics of political, artistic, philosophical, and cinematic importance. No more. The Library Site System Administrator has informed American Buddha that the Library Site has been purged from the Google index of websites, and thus Google results never display direct links to the Library Site.

### Consequences of the Purge

By purging the Library Site from its index, Google is generating knowingly false search results that are damaging American Buddha, interfering both with the access of its 50,000-plus members, and with the Library Site's ability to reach new members. Google's knowingly false search results now direct Internet users searching for the Library Site to other websites that remain in the Google index, thus depriving Internet users of access to materials that no other library or free-media institution makes available on the Internet. Google's de facto boycott of the Library Site injures American Buddha, its present and prospective members, and the Internet-using public at large.

## Reasons For The Purge

American Buddha reasonably believes that Google purged the Library Site from its index to retaliate against American Buddha due to political animus engendered by content appearing on the Library Site. American Buddha reasonably believes that a separate, sufficient and independent reason for purging the Library Site from Google's search index was to interfere with American Buddha's provision of copies of copyrighted content pursuant to the library right of fair use secured under 17 U.S.C. § 108.

## The Disablement of the Library Site's Google Search Box

In addition to generating knowingly false search results, Google also breached its promise to provide a functional Google Search Box hosted at the Library Site. The Search Box had operated well for years, and Google has derived revenue from the operation of the Google Search Box hosted on the Library Site by featuring "Google AdSense" advertising appearing on the search results page.

## American Buddha's Demand for Restoration of the *Status Quo Ante*

American Buddha hereby demands that Google promptly reinstate the Library Site in the Google search index, and make all other technical changes necessary to re-establish the *status quo ante*, so that Internet users inputting text and image searches into the Google search engine that correspond with materials on the Library Site will obtain direct links to the Library Site. Additionally, Google is requested to remedy the malfunctioning of the Google search box.

## Requests for Disclosure of Relevant Information

To establish grounds for negotiation, and to enable me to complete a full and fair investigation of the circumstances leading to the purging of the Library Site from the Google search index, in addition to restoring the *status quo ante*, I am requesting immediate disclosure of the following categories of information concerning my client:

1. An accounting of all the ad revenue generated from the advertising that appeared on the search page during the entire time the search page was operative.
2. Full disclosure of the identities of each and every person or governmental or business entity that has communicated with Google, directly or through intermediaries, concerning American Buddha, the Library Site, or Tara Carreon.
3. Full disclosure of all statistical and other information stored in the Google system concerning the Library Site.
4. Full disclosure of the identities of all persons and entities to which Google has disclosed information concerning the Library Site, including all communications in electronic or other format received from or sent to:
  - a. Google employees, agents, or contractors
  - b. Third parties, including:
    - i. Government entities including law enforcement agencies
    - ii. Corporations or businesses
    - iii. Individuals
    - iv. Attorneys for any of the above

5. Full disclosure of all information that Google disseminated internally or disclosed to any such third parties.
6. Full disclosure of every occasion when any Internet user has inputted a search for “American” and “Buddha” or “Buddhist” in any search request since the Library Site was purged from the Google search index.

#### Notice To Preserve Evidence

Litigation may foreseeably arise from Google’s dissemination of false search results and other conduct injurious to American Buddha, and thus Google is enjoined to preserve all evidence relevant to this matter, including the foregoing categories of information, which may be discoverable pursuant to Federal Rules of Civil Procedure 16, 26, 33-37, and 45. Google is further cautioned that it must not exploit the routine operation of an information system to evade discovery obligations by failing to prevent destruction of stored information that it is required to preserve.

#### Expedited Response Requested

This letter is sent with the greatest urgency, as the damages being suffered by the Library Site and American Buddha are severe and continuing. In the absence of a prompt negotiated resolution, American Buddha will be compelled to resort to court action to obtain relief from irreparable harm. All rights are hereby reserved.

Very truly yours,

*s/Charles Carreon*

Charles Carreon

cc: kentwalker@google.com  
Sergey Brin  
Larry Page  
L. John Doerr  
Eric E. Schmidt