

Your ref: RB:CP:14314

11 August 2014

Ray Barber
PO Box 397
Coolum Beach Qld 4573

Dear Mr Barber,

I refer to your letter dated 7 August 2014 regarding the alleged breach of copyright in relation to a photographic image created by Austin-Zande Imagery.

First and foremost, the Board of Sunshine Coast Creative Alliance Inc. extend their most sincere apologies for any discomfort this matter has caused Mr and Mrs Austin-Zande.

The Board would like to assure Mr and Mrs Austin-Zande that the image in question has been completely removed from the Creative Alliance website and Facebook page, including appearance in all posts, blogs and articles.

The Creative Alliance is a not-for-profit organisation which advocates for the benefit of all members of the creative industries on the Sunshine Coast. Accordingly, the Creative Alliance seeks always to act in the best interests of the creative industry as a whole.

The use of any image by the Creative Alliance has been made only where it is believed appropriate permission has been given.

Unfortunately, due to technical issues, the Creative Alliance did not receive, and therefore could not respond to Mr Austin-Zande's earlier correspondence. By the time Mr Austin-Zande's correspondence was recovered, it was our understanding that the matter had been resolved and no further action on our part was required.

You have indicated that your client's damages exceed \$2,139.00 yet, you have not provided any detail of how those alleged damages are calculated. You will appreciate that we did not purchase the image and there appears to be no legal basis on which your client can invoice the Creative Alliance. Your client's claim must be made for damages suffered. These alleged damages must be properly detailed. We understand that this has upset your client and we regret this however in the circumstances, we cannot understand how your client could have suffered any legal damages.

The Board once again apologises for any discomfort caused and assures Mr and Mrs Austin-Zande that policies have been established to ensure events of this nature will not happen again.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Phil Smith', with a stylized flourish at the end.

Phil Smith
Board member