

NOTICE OF GROUNDS FOR REVOCATION OF MEMBERSHIP, FILED UNDER ARTICLES 6 AND 7 (and Appendix A “IGLTA PROFESSIONAL CODE OF CONDUCT”) OF IGLTA BY-LAWS (as revised 14 December 2009 per <http://iglta.org/bylaws.cfm>)

ALLEGATION: That the IGLTA membership/s of GMaps 360 and Pablo de Luca and Gustavo Noguera and GNetwork360 (herein referred to as “GN360”) as many of whom are currently members of IGLTA) should be revoked according to the By-Laws of the IGLTA, in particular for repeated violations of Article 7.1 of these By-Laws as set out in this document.

NOTICE FILED BY: Ian Johnson, CEO, Out Now
16 September 2011

If further information is required on any of these points, Ian Johnson of Out Now would be happy to provide this to the Board of IGLTA.

A Summary

This document sets out five (5) grounds upon which membership of those named (referred to here as “GN360” for simplicity’s sake) render each of the parties referred to individually and collectively ineligible for continuing membership of IGLTA according to the published requirements of continuing membership as set out in the IGLTA By-Laws dated 14 September 2009).

GN360 has demonstrated a continuing pattern of disregard for IGLTA Professional Code of Conduct (“the Code”) requirements through their actions as set out in this document.

It is the assertion of Ian Johnson of Out Now (“ON”) that merely the first of these actions (Item 1) by GN360 is sufficient to breach the Code.

It is further asserted that Items 2 and 3 alone are also sufficient to substantiate breach of the Code sufficient to warrant revocation of membership under the IGLTA By-Laws.

Item 4 involves an act of Criminal Perjury as defined under US laws and International Conventions related to the internet - sufficient in and of itself to invoke the penalty of revocation of membership under Article Articles 6.2 and 6.3 and according to Article 7.1 of the By-Laws for breach of the Code.

Item 5 involves failure to pay monies owed from GN360 to ON.

It is the submission of ON that the behaviors complained of in this notice are sufficiently serious to warrant no action less than revocation of membership. Failure to follow that course would lead to the unfortunate conclusion that such actions are justifiable within the IGLTA Professional Code of Conduct - a contention that ON alleges cannot be allowed to stand.

B GENERAL ACTION SOUGHT: As a member of IGLTA in good standing it is ON’s submission that revocation of GN360 membership/s of IGLTA is/are warranted by the attached materials and is/are needed to protect the reputation of the Association.

C SPECIFIC ACTIONS SOUGHT:

- (i) That any memberships by any of the named parties “GN360” be revoked with immediate and enduring effect.
- (ii) That the award granted to GN360 (“Best Networking Event”) be also revoked.
- (iii) That GMaps 360 be removed from the IGLTA as a media partner.
- (iv) That these actions be made public to the IGLTA membership at large by suitable means (newsletter or similar communication).

D NOTE ON APPENDICES: Supporting materials to substantiate each of the listed Items appears under the five items listed as the same numbered Appendix. For example, materials referred to under the heading “Item 1” below are to be found in this document under the heading “Appendix 1”.

E ADDITIONAL NOTE: Item 4 - Criminal Perjury demonstrates a willingness on the part of GN360 to fabricate untrue statements and it is ON’s submission that this needs to be taken into account when assessing the veracity of GN360’s responses to this notice. By contrast, ON has since the time of Items 2 and 3 included on our website (in Spanish and English) a publicly published document setting out the facts of our grievances with GN360 (see <http://www.outnowconsulting.com/latinamerica/gnetwork360>). ON has no issues with providing additional evidence, if requested, for each of the Items listed below and also to appearing in person or by telephone at the hearing of these matters by the Board of IGLTA.

ARTICLE 6: RESIGNATION AND REVOCATION OF MEMBERSHIP

6.1 Any member may resign by filing a written resignation with the IGLTA's World Headquarters. All rights and privileges of a member in the IGLTA shall cease on termination of membership as herein provided. Resignation does not relieve the member from liability for dues accrued and unpaid as of the date of resignation.

6.2 The Board of Directors may recommend the revocation of membership of any member for just cause including but not limited to violations of the obligations, rights and privileges of membership defined by IGLTA By-Laws and the IGLTA Professional Code of Conduct. A two-thirds (2/3) vote of the Board of Directors in attendance is required to effect revocation, and only after 30 days notice in advance is given in writing to the member charged - including details of the charges alleged. The membership will go on inactive status as soon as notification is given, and the member may request the Board convene a closed hearing on the charges within thirty (30) days or at the next Board of Directors meeting, whichever occurs first. All affected parties shall have the right to be heard at this hearing. At the closed hearing, the Board of Directors shall rule on each of the charges brought against the member and based upon these findings, shall take recorded votes to: (1) reaffirm the member's continued status by 2/3rds vote; (2) officially revoke the membership by 2/3rds vote; or, (3) impose such lesser sanctions on the member as the Board of Directors may deem appropriate by 2/3rds vote. All adverse decisions of the Board of Directors may be appealed in writing to the General Membership within thirty (30) days of decision.

6.3 All rights and privileges of a member in the Corporation shall cease on termination of membership as herein provided.

ARTICLE 7: IGLTA PROFESSIONAL CODE OF CONDUCT

7.1 Upon admission to membership, IGLTA members shall agree to act in accordance with the IGLTA Professional Code of Conduct (attached as Appendix A to the By-Laws). Failure to adhere to this code may result in disciplinary action including revocation of membership. Complaints or alleged violations of this code should be filed in writing to the Board of Directors. For purposes of consistency and fairness, where applicable, the Professional Code of Conduct shall apply equally to employees of IGLTA.

7.2 The Board of Directors, from time to time, shall have the power to establish, amend and repeal the IGLTA Professional Code of Conduct, without amending the association By-Laws. The IGLTA Professional Code of Conduct may contain rules with respect to professional ethics, decorum in meetings, and such other subjects as determined appropriate by the Board of Directors. A copy of the IGLTA Professional Code of Conduct shall be posted on the member section of the IGLTA website.

7.3 If violations of the Code of Conduct are alleged, and the Board of Directors receives a written complaint or allegation, the Board of Directors then may act according to membership procedures defined in Article 6.2 above.

Appendix "A"

IGLTA Professional Code of Conduct

The International Gay and Lesbian Travel Association, Inc., hereafter referred to as IGLTA, is the world's leading travel trade association committed to growing its members' gay and lesbian tourism business through education, promotion, and networking.

The following "Professional Code of Conduct," as approved by the board of Directors of IGLTA, are general rules which apply to member's conduct with respect to professional ethics and decorum in meetings and especially, when serving in any capacity as a member, representative or voice of IGLTA.

As a member, you must agree to recognize the following rules, and honor the Professional Code of Conduct as follows:

- Each member will conduct business with honesty, integrity, and fairness with respect to customers, clients, employees, and business associates alike.
- In the conduct of IGLTA meetings and events, each member will adhere to the highest standards of decorum, mutual respect and professional integrity.
- Each member will be accessible and accountable to customers or clients and make every reasonable effort to act in the customers' or clients' best interest and benefit.
- Each member will protect their customers' or clients' confidentiality to the extent that is ethically and legally applicable.
- Each member will not discriminate as to sex, race, color, religion, national origin, age, disability status, sexual orientation, gender identity or gender expression.
- Each member will be responsible at all times for the truthful and non-deceptive advertising or promotion regarding his/her business and its products or services.
- Each member will conduct business with strict adherence to the laws and regulations of the state and country where incorporated and in accordance with business or professional codes adhered to within the travel industry. Furthermore, all members agree to conduct business in accordance with generally accepted ethical business practices.

The Board of Directors on behalf of IGLTA, acting in accordance with the By-Laws of the IGLTA reserves the right to revise our Professional Code of Conduct at any time.

LIST OF ITEMS UPON WHICH THIS NOTICE IS BASED

ITEM 1 - Theft of Intellectual Property - ON Seminar Text (as written by ON in 2010)

Breaches pertaining to this Item:

Each member will conduct business with honesty, integrity, and fairness with respect to customers, clients, employees, and business associates alike.

Each member will be responsible at all times for the truthful and non-deceptive advertising or promotion regarding his/her business and its products or services.

Each member will conduct business with strict adherence to the laws and regulations of the state and country where incorporated and in accordance with business or professional codes adhered to within the travel industry. Furthermore, all members agree to conduct business in accordance with generally accepted ethical business practices.

See this web page: http://expovallartalgbt.com/site/index.php?option=com_content&view=article&id=61&Itemid=59&lang=en

which includes the text that constitutes theft of ON's intellectual property by GN360.

GN360 have stolen text written by Ian Johnson for ON presentation at GNetwork 360 event in Buenos Aires in July 2010. ON has given no permission for this text to be used by GN360 at any time other than to promote the specific seminar at which ON presented in Buenos Aires in July 2010.

This text stolen as shown in the examples in Appendix 1 (both in original English and translated Spanish) is (with the exception of "Out Now" being replaced with "GNetwork 360" and "Ian Johnson" being replaced with "Pablo de Luca and Gustavo Noguera") identical to the text written by Ian Johnson.

ITEM 2 - Theft of Intellectual Property - ON survey questions (as written by ON in 2010)

Breaches pertaining to this Item:

Each member will conduct business with honesty, integrity, and fairness with respect to customers, clients, employees, and business associates alike.

Each member will be responsible at all times for the truthful and non-deceptive advertising or promotion regarding his/her business and its products or services.

Each member will conduct business with strict adherence to the laws and regulations of the state and country where incorporated and in accordance with business or professional codes adhered to within the travel industry. Furthermore, all members agree to conduct business in accordance with generally accepted ethical business practices.

See this web page: <http://www.outnowconsulting.com/latinamerica/gnetwork360> which describes the circumstances that constitute theft of ON's intellectual property by GN360.

GN360 have survey questions written by Ian Johnson for a research project collaboration between ON and GN360 in 2010. When GN360 failed to provide their billing address to arrange invoicing by ON of GN360 to make payment of an amount of 1500 euro owed by GN360 to ON under the terms of this collaboration, ON subsequently discovered that GN360 copies word-for-word the questions that ON had written for this survey - and made identical copy surveys that appeared to be the correct sites the subject of the ON and GN360 collaboration but which were in fact under the control of GN360 alone.

When ON discovered this Ian Johnson immediately called GN360 and spoke to Gustavo Noguera. Johnson asked Noguera to switch the links to the surveys back to the correct surveys and to provide their billing address for the invoice to be sent. Noguera refused to do so. Johnson asked Noguera to reconsider over the weekend and when, by Monday they had not complied, Johnson sent notice to Noguera that the survey relationship was ended and that GN360 were to make no further use of the surveys in question.

It is important to note that in concealing their intellectual property theft at this time that GN360 made only one spelling error in the many pages of text they copied to set up their stolen copy surveys: instead of including a link to the original surveys set up by ON via <http://www.CommunityValues2010.com> - the spelling of this link (the only misspelling in all of the text copied) was incorrectly written as <http://www.ComunityValues2010.com> - meaning that no people taking the survey could ever have shared a link that would have resulted in other respondents filling in the correct, original ON produced surveys.

When the third party supplier for the survey software (<http://www.QuestionPro.com> - run by Survey Analytics) discovered the actions of GN360 - all the copy surveys (which were being hosted by this same company) were immediately deleted and the GN360 account with that company terminated.

Evidence of this Item appears below in Appendix 2.

ITEM 3 - Theft of Intellectual Property - SECOND THEFT of ON survey questions (as written by ON in 2010)

Breaches pertaining to this Item:

Each member will conduct business with honesty, integrity, and fairness with respect to customers, clients, employees, and business associates alike.

Each member will be responsible at all times for the truthful and non-deceptive advertising or promotion regarding his/her business and its products or services.

Each member will conduct business with strict adherence to the laws and regulations of the state and country where incorporated and in accordance with business or professional codes adhered to within the travel industry. Furthermore, all members agree to conduct business in accordance with generally accepted ethical business practices.

See this web page: <http://www.outnowconsulting.com/latinamerica/gnetwork360> which describes the circumstances that constitute theft of ON's intellectual property by GN360.

Following GN360 being barred from use of QuestionPro survey site to host the survey questions stolen from ON, GN360 set about again copying the same survey questions that were all drafted by ON. In most instances the questions were either identical, or altered only slightly by one or more words, but with the same questions, in the same order and overall content being the same.

GN360 did this despite having been:

- i) warned by ON that we assert full intellectual property rights in all survey questions the subject of this Item and Item 2; and
- ii) having been barred from using the same question set by the service provider www.QuestionPro.com

When the third party supplier for the survey software on this second occasion (<http://www.SurveyMonkey.com>) discovered the actions of GN360 - all the copy surveys (which were being hosted by this same company) were immediately suspended.

GN360 on this occasion though filed a Declaration under the Digital Millennium Copyright Act (DMCA) which implements the International Treaties pertaining to Intellectual Property laws as defined by the World Intellectual Property Organization (WIPO). This Act provides that filing a false Declaration is held to be legal Perjury under relevant laws - and it is this perjury that is the subject of Item 4 (below).

Evidence of this Item appears below in Appendix 3.

It is worth noting that the Screenshot shown in that Appendix illustrates a very small but very important piece of proof that this set of survey questions were appropriated by GN360 from ON's original intellectual property. It is seen there that in copying one of the survey questions, GN360 have changed several words - but the meaning and content of the question remains the same - and even included a full stop "." that ON had erroneously included in the original version of the survey questions. The presence of that "." shows that GN360 were in this instance stealing the question set drafted by ON - yet again.

ITEM 4 - Criminal Perjury under the terms of the Digital Millennium Copyright Act (DMCA)

Breaches pertaining to this Item:

Each member will conduct business with honesty, integrity, and fairness with respect to customers, clients, employees, and business associates alike.

Each member will be responsible at all times for the truthful and non-deceptive advertising or promotion regarding his/her business and its products or services.

Each member will conduct business with strict adherence to the laws and regulations of the state and country where incorporated and in accordance with business or professional codes adhered to within the travel industry. Furthermore, all members agree to conduct business in accordance with generally accepted ethical business practices.

The DMCA makes it a criminal offense for any organization to file as part of the process set out in that Act a false or misleading Declaration.

GN360 did precisely that in a document submitted to Stuart Loh of SurveyMonkey.com and signed by Pablo de Luca and Gustavo Noguera of GN360 on November 4, 2010 (this document is included in Appendix 4).

Note that the following false statements are made there, and are proved as false statements, in breach of the DMCA and giving rise to resulting penalty of legal perjury, by the rebutting evidence submitted here by ON in Appendix 4 of this document.

If further information is required on any of these points, ON would be happy to provide this to IGLTA.

These three following statements are each made in the document (see below) signed by Pablo de Luca and Gustavo Noguera filed under the provisions of the DMCA legislation.

4.1 FALSE STATEMENT: “Because 100% of this content was written by me and my partner. (Pablo De Luca & Gustavo Noguera).”

4.2 FALSE STATEMENT: “We knew he was using some of our questions in other surveys he was conducting, and we didn’t care, because we just listed a bunch of topics and made questions, and we never thought of being the owners of “how old are you” or “are you male or female” and also because we had a good business relationship at the beginning of the surveys. Now as you see, he’s trying to block us from finishing our work.”

4.3 FALSE STATEMENT: “You’ll also find questions (more specific) consulting about destinations, and if you find any similarity in any question, it will be because Johnson knows us very well, and follows everything we do in South America.”

See Appendix 4 for evidence rebutting these contentions and see below for the original statement signed by Pablo de Luca and Gustavo Noguera of GN360.

ITEM 5 - Failure to provide requested billing details for payment of monies owed by GN360 to ON as part of a sponsorship secured during a presentation by ON to Delta Air Lines in Buenos Aires - such failure being connected to Items 2 and 3 in this document, namely the subsequent theft of ON's Intellectual Property in the survey questions

Breaches pertaining to this Item:

Each member will conduct business with honesty, integrity, and fairness with respect to customers, clients, employees, and business associates alike.

Each member will be responsible at all times for the truthful and non-deceptive advertising or promotion regarding his/her business and its products or services.

Each member will conduct business with strict adherence to the laws and regulations of the state and country where incorporated and in accordance with business or professional codes adhered to within the travel industry. Furthermore, all members agree to conduct business in accordance with generally accepted ethical business practices.

Appendix 5 contains supporting material showing that GN360 were supposed to pay half of a 3000 euro sponsorship fee from Delta Air Lines to ON, but failed to do so.

They further failed to provide their billing address for invoicing when asked to do so.

In the interim they intimated by telephone that ON was to bill Delta - not them - for the monies owed, a fact they must have known to not be true as Delta Air Lines personnel then advised ON that they monies were to be paid via GN360 and we should bill them, not Delta.

APPENDIX 1 - Theft of Intellectual Property - ON Seminar Text (as written by ON in 2010)

A1.1) Email thread between GN360 and ON in May/June 2010 - note other presenters at the GN360 July 2010 event received similar emails requesting the written details for the seminar each speaker was to present:

From: Ian Johnson OUT NOW <ian.johnson@outnowconsulting.com>
Date: June 1, 2010 9:57:35 AM GMT+02:00
To: "Pablo De Luca :: Gnetwork360" <pablo@gnetwork360.com>
Cc: Ian Johnson OUT NOW <ian.johnson@outnowconsulting.com>
Subject: Re: HI THERE IAN!

Bio is attached.

Pic of me and logos for program. Great if you can include GayComfort logo too as we want to push this into the region!

I am not sure if (3) is too long for you? I made a shorter version below that I called (4). Use whichever you prefer.

(1) Out Now: Latin America - A New LGBT Market Opens For Business

(2) Ian Johnson, CEO of Out Now - the global LGBT marketing agency - brings two decades of insight to Latin America, and reveals findings of the first Latin America LGBT Market research study.

(3) More than 500 million people live in Latin America. Until now, LGBT people were ignored by most businesses. That situation is now set to change - and change fast.

This Out Now session will place the region into the broader global context of developments in LGBT marketing, and show how some Latin American countries are set to be amongst the most significant centers of gay and lesbian market growth for the rest of this decade.

Out Now Global is the world's LGBT marketing agency, and their CEO - Ian Johnson - is pleased to present this seminar, including an exclusive preview of the findings from the *Out Now GNetwork360 LGBT Market Study*. This new research study is the first LGBT market research of the region. It is underway in seven countries: Argentina, Brazil, Chile, Ecuador, Mexico, Peru and Uruguay.

The data that results from this research represents an invaluable tool for marketers to understand the many diverse issues and needs of LGBT people - right across the Latin American region.

Out Now has for two decades been relied upon by the world's leading brands to better understand and meet the needs of their LGBT customers. Clients include IBM, Toyota, Citibank, Lufthansa, Delta Air Lines, German National Tourist Office, TUI and Hilton Hotels.

Out Now will also be announcing at the GNetwork360 conference a major new initiative in the region to benefit the hotels sector and its continuing development of LGBT travel market opportunities.

(4) More than 500 million people live in Latin America. Until now, LGBT people were ignored by most businesses. That situation is now set to change - and change fast.

This Out Now session will place the region into the broader global context of developments in LGBT marketing, and show how some Latin American countries are set to be amongst the most significant centers of gay and lesbian market growth for the rest of this decade.

This seminar, includes a world-exclusive preview of the findings from the *Out Now GNetwork360 LGBT Market Study*. This new research study is the first LGBT market research of the region. It is underway in seven countries: Argentina, Brazil, Chile, Ecuador, Mexico, Peru and Uruguay.

Out Now will also be announcing at the GNetwork360 conference a major new initiative in the region to benefit the hotels sector and its continuing development of LGBT travel market opportunities.

Bio, pic and logos are attached.

With best wishes,
Ian.

IAN JOHNSON
Founder and CEO



Gay marketing. Solved.

<http://www.OutNowConsulting.com>

PRESENTERS: Out Now LGBT Marketing Masterclass
-- WTM World Travel Market, London, UK - November 2010
-- Buenos Aires, Argentina, GNetwork360 - July 2010
-- Helsinki, Finland - December 2009
-- Milano, Italy, TTG Roadshow - November 2009
-- Tel Aviv, Israel - October 2009

AWARD WINNING: "Outstanding Interactive" -- Out Now Lufthansa campaign
-- Images In Advertising Awards, New York, USA

COMMUNICATORS: Out Now creates "Year's Most Talked About Tourism Ads" --
AdWeek.com

For the latest news, by Out Now:
<http://www.GayMarketNews.com>

World's best travel accreditation program:

<http://www.GayComfort.com>

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(0)2-8003 5253
São Paulo +55 - 11- 3020 3429 |

This message and attachment/s is confidential, may be privileged or otherwise protected from disclosure. If received by mistake please let us know by reply and then delete from your system; you should not copy message or disclose contents to others. Note e-mails susceptible to change. Out Now & Significant Others Consulting not liable for improper/incomplete transmission of information contained in emails or any damage to your system. We do not guarantee the integrity of this communication has been maintained nor that it is free of viruses, interceptions or interference.

On Jun 1, 2010, at 6:58 AM, Pablo De Luca :: Gnetwork360 wrote:
HI IAN,

PLEASE, WE NEED AS SOON AS POSSIBLE THE FOLLOWING INFORMATION FROM YOU:

- (1) TITLE OF YOUR PRESENTATION
- (2) SUBTITLE
- (3) BRIEF DESCRIPTION OF THE PRESENTATION

(1) **Business and the LGBT Community: A Marriage in the Making**

(2) Bob Witeck Shares a 360° View from Leading Corporations

(3) As a community leader and business consultant for nearly three decades, Bob Witeck shares unique insights and trends that influence how global businesses today, and tomorrow, embrace their LGBT partners, allies, employees and customers.

NOTE:

**FOR THOSE WHO HAVE NOT SEND THEIR OWN BIO, PLEASE SEND US SOMETHING TO COMPLETE THAT INFO IN OUR WEBSITE.
WE´LL BE GOING ONLINE THIS WEEK AND WOULD BE GREAT TO RECEIVE THAT INFO ASAP SO WE CAN OPEN THE REGISTRATION.**

As an example we copied BOB WITECK´S PRESENTATION TITLE, SUBTITLE, AND DESCRIPTION.

THANKS IN ADVANCE !!!

**PABLO & GUSTAVO
GNETWORK360**

A1.2) English Text written by Ian Johnson for this 2010 seminar - description written by Ian Johnson (presented by ON at GN360 event “ XXXX “):

More than 500 million people live in Latin America. Until now, LGBT people were ignored by most businesses. That situation is now set to change - and change fast.

This Out Now session will place the region into the broader global context of developments in LGBT marketing, and show how some Latin American countries are set to be amongst the most significant centers of gay and lesbian market growth for the rest of this decade.

Out Now Global is the world's LGBT marketing agency, and their CEO - Ian Johnson - is pleased to present this seminar, including an exclusive preview of the findings from the Out Now GNetwork360 LGBT Market Study. This new research study is the first LGBT market research of the region. It is underway in seven countries: Argentina, Brazil, Chile, Ecuador, Mexico, Peru and Uruguay.

The data that results from this research represents an invaluable tool for marketers to understand the many diverse issues and needs of LGBT people - right across the Latin American region.

Out Now has for two decades been relied upon by the world's leading brands to better understand and meet the needs of their LGBT customers. Clients include IBM, Toyota, Citibank, Lufthansa, Delta Air Lines, German National Tourist Office, TUI and Hilton Hotels.

Out Now will also be announcing at the GNetwork360 conference a major new initiative in the region to benefit the hotels sector and its continuing development of LGBT travel market opportunities.

A1.3) Spanish text for this 2010 seminar - description written by Ian Johnson
(presented by ON at GN360 event “ XXXX “) - see <http://gnetwork360.com/buenosaires2010/conferencias.php#conferencia11> :

VIERNES 23 DE JULIO (2010)

14:00 HS - AUDITORIO BUENOS AIRES, RECOLETA

AMERICA LATINA, UN NUEVO MERCADO LGBT

ABRE SUS PUERTAS A LAS EMPRESAS...

Ian Johnson, CEO de Out Now - la agencia de marketing LGBT global - trae dos decadas de conocimientos a America Latina, y revela resultados del primer Estudio de Mercado LGBT Latinoamericano, realizado en 2010 en conjunto por OutNow + Gnetwork360.

Mas de 500 millones de personas viven en America Latina. Hasta ahora, gays, lesbianas, bisexuales y transgeneros fueron ignorados por la mayoria de las empresas. La region esta lista para un cambio, un cambio rapido. En esta sesion pondremos a la region en el contexto global de los desarrollos de marketing LGBT y mostraremos como algunos paises de America Latina se estableceran como centros de este creciente mercado durante el resto de esta decada.

Este seminario incluye un exclusivo anticipo muncial de los principales resultados del estudio Out Now + GNetwork360 LGBT Market Study . Este nuevo estudio de mercado es la primera investigacion del mercado LGBT en esta region. El estudio se esta llevando acabo actualmente en 7 países: Argentina, Brasil, Chile, Ecuador, México, Perú y Uruguay.

IAN JOHNSON | Presidente & CEO :: OUT NOW Global (Francia)

Fundador de OUT NOW Global, es uno de los pioneros del marketing gay. Con mas de dos décadas de experiencia, es reconocido mundialmente como una de las mas importantes autoridades del marketing orientado a consumidores gays y lesbianas.

Empresas como Barclays, Hilton, IBM, Toyota, KLM, Lufthansa y Citibank confían sus campañas y productos a su firma que opera en Estados Unidos, Inglaterra, Holanda, Bélgica, Francia, Italia, Escandinavia y Australia.

A1.4) English Text appearing at this website http://expovallartalgbt.com/site/index.php?option=com_content&view=article&id=61&Itemid=59&lang=en for the International LGBT Expo in Puerto Vallarta to take place in November 2011:

Latin America - A New LGBT Market Opens For Business

Presented by: Pablo de Luca and Gustavo Noguera (Argentina)

GNETWORK360, LGBT market research and strategies.

More than 500 million people live in Latin America. Until now, LGBT people were often 'invisible' within these societies, and ignored by most businesses. That situation is now set to change - and change fast.

This GNETWORK360 session will place the region into the broader global context of developments in LGBT marketing, and show how some Latin American countries are set to be amongst the most significant centers of gay and lesbian market growth for the rest of this decade.

GNETWORK360 is the Latin American LGBT marketing agency, and their directors - Pablo De Luca & Gustavo Noguera - are pleased to present this seminar, including an exclusive preview of the findings from the GNetwork360 Latin American LGBT Market Study. This new research study is the first LGBT market research of the region. It has been done in nine countries: Argentina, Brazil, Chile, Ecuador, Mexico, Colombia, Venezuela, Peru and Uruguay.

The data that results from this research represents an invaluable tool for marketers to understand the many diverse issues and needs of LGBT people - right across the Latin American region.

GNETWORK360 has for the last 6 years been relied upon by leading brands to better understand and meet the needs of their LGBT customers. Clients include Delta Air Lines, Hertz, LAN Air Lines, Aerolíneas Argentinas, Axel Hotels.

A1.5) Spanish Text appearing at this website http://expovallartalgbt.com/site/index.php?option=com_content&view=article&id=61&Itemid=59&lang=es for the International LGBT Expo in Puerto Vallarta to take place in November 2011:

*Un mercado de oportunidades: LATINOAMERICA LGBT
Presentada por: Pablo de Luca y Gustavo Noguera*

GNETWORK360, estudio de mercado LGBT y estrategias.


Más de 500 millones de personas viven en Latinoamérica. Hasta ahora, gays y lesbianas fueron a menudo "invisibles" dentro de estas sociedades, e ignoradas por la mayoría de las empresas. Esta situación está muy próxima a cambiar, y el cambio será rápido. Esta sesión de GNETWORK360 ubicará a nuestra región en un contexto global más amplio de desarrollo de marketing enfocado en el segmento LGBT y mostrará cómo algunos países de América Latina estarán entre los centros más importantes de crecimiento del mercado LGBT durante el resto de la próxima década.

GNETWORK360 es la agencia de marketing LGBT de América Latina, y sus directores - Pablo De Luca & Gustavo Noguera- tienen el honor de presentar este seminario, incluyendo un adelanto en exclusiva de las conclusiones del "Estudio de Mercado LGBT Latinoamericano Gnetwork360". Este proyecto de investigación es el primer Estudio de Mercado LGBT realizado en la región. Ha sido realizado en nueve países, incluyendo: Argentina, Brasil, Chile, Ecuador, México, Colombia, Venezuela, Perú y Uruguay.

La información resultante de esta investigación representa una herramienta invaluable para que especialistas en marketing en las empresas de nuestra región comprendan los distintos aspectos y necesidades de quienes conformamos el segmento LGBT a lo largo y a lo ancho de Latino América.

Durante los últimos 6 años, marcas líderes confiaron en GNETWORK360 para comprender mejor y satisfacer las necesidades de sus clientes LGBT. Entre ellas se incluyen Delta Air Lines, Hertz, Lan Airlines, Aerolíneas Argentinas, Axel Hotels.

A1.6) Screenshot of July 2010 seminar presented by Ian Johnson in Buenos Aires (see : <http://gnetwork360.com/buenosaires2010/conferencias.php#conferencia11>)


AMBIE: 25.0°C  Fri 16 Sep 17:06
GNETWORK360 | Conferencias

http://gnetwork360.com/buenosaires2010/conferencias.php#conferencia11

ABN-PrivaatCC ABN Priv ABN Bus ABN FBL: Values GrandPlace AdWords Y!Search Apple (417) Yahoo! News (3,370) GayMarketNews Times SMH Jun

File Sharing, Send large fil... IGLTA - International Gay & Lesbi... MUGLER menswear S/S 2012 - Y... Out Now Consulting - Gay and Le... CON


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MAIN SPONSOR  **DELTA**

VIERNES 23 DE JULIO
14:00 HS - AUDITORIO BUENOS AIRES, RECOLETA

AMERICA LATINA, UN NUEVO MERCADO LGBT ABRE SUS PUERTAS A LAS EMPRESAS...

Ian Johnson, CEO de Out Now - la agencia de marketing LGBT global - trae dos decadas de conocimientos a America Latina, y revela resultados del primer Estudio de Mercado LGBT Latinoamericano, realizado en 2010 en conjunto por OutNow + Gnetwork360.




IAN JOHNSON
OUT NOW GLOBAL

Mas de 500 millones de personas viven en America Latina. Hasta ahora, gays, lesbianas, bisexuales y transgeneros fueron ignorados por la mayoría de las empresas. La region esta lista para un cambio, un cambio rapido. En esta sesion pondremos a la region en el contexto global de los desarrollos de marketing LGBT y mostraremos como algunos paises de America Latina se establecieron como centros de este creciente mercado durante el resto de esta decada.

Este seminario incluye un exclusivo anticipo muncial de los principales resultados del estudio *Out Now + GNetwork360 LGBT Market Study* . Este nuevo estudio de mercado es la primera investigacion del mercado LGBT en esta region. El estudio se esta llevando acabo actualmente en 7 paises: **Argentina, Brasil, Chile, Ecuador, México, Perú y Uruguay.**

IAN JOHNSON | Presidente & CEO :: **OUT NOW** Global (Francia)

Fundador de **OUT NOW** Global, es uno de los pioneros del marketing gay. Con mas de dos décadas de experiencia, es reconocido mundialmente como una de las mas importantes autoridades del marketing orientado a consumidores gays y lesbianas. Empresas como Barclays, Hilton, IBM, Toyota, KLM, Lufthansa y Citibank confian sus campañas y productos a su firma que opera en Estados Unidos, Inglaterra, Holanda, Bélgica, Francia, Italia, Escandinavia y Australia.



REGISTRESE YA EN ESTA PRESENTACION
HAGA CLICK AQUI !

subir

VIERNES 23 DE JULIO
15:10 HS - AUDITORIO BUENOS AIRES, RECOLETA

EL "MERCADO GAY" NO EXISTE...

A1.7) Screenshot of November 2011 seminar (Spanish text) to be presented by GN360 in Puerto Vallarta (see : http://expovallartalgbt.com/site/index.php?option=com_content&view=article&id=61&Itemid=59&lang=es)

help AMBIE: 25.0°C Fri 16 Sep 17:09

CONFERENCIAS

http://expovallartalgbt.com/site/index.php?option=com_content&view=article&id=61&Itemid=59&lang=es

ABN-PrivaatCC ABN Priv ABN Bus ABN FBL: Values GrandPlace AdWords YISearch Apple (417) Yahoo! News (3,370) GayMarketNews Times SMH Jumble South Park ABC CNBC BB

sharing, Send lar... IGLTA - International Gay &... MUGLER menswear S/S 201... Out Now Consulting - Gay a... CONFERENCIAS GNETWORK360 | Conferencias

asociaciones. Es miembro del "Comité de Medios de Comunicación Social" de Red Roof, y también lleva a cabo el MIT entrenamiento de ventas para todos los nuevos Gerentes Generales.

Un mercado de oportunidades: LATINOAMERICA LGBT

Presentada por: **Pablo de Luca y Gustavo Noguera**


GNETWORK360, estudio de mercado LGBT y estrategias.

Más de 500 millones de personas viven en Latinoamérica. Hasta ahora, gays y lesbianas fueron a menudo "invisibles" dentro de estas sociedades, e ignoradas por la mayoría de las empresas. Esta situación está muy próxima a cambiar, y el cambio será rápido. Esta sesión de GNETWORK360 ubicará a nuestra región en un contexto global más amplio de desarrollo de marketing enfocado en el segmento LGBT y mostrará cómo algunos países de América Latina estarán entre los centros más importantes de crecimiento del mercado LGBT durante el resto de la próxima década.

GNETWORK360 es la agencia de marketing LGBT de América Latina, y sus directores -Pablo De Luca & Gustavo Noguera- tienen el honor de presentar este seminario, incluyendo un adelanto en exclusiva de las conclusiones del "Estudio de Mercado LGBT Latinoamericano Gnetwork360". Este proyecto de investigación es el primer Estudio de Mercado LGBT realizado en la región. Ha sido realizado en nueve países, incluyendo: Argentina, Brasil, Chile, Ecuador, México, Colombia, Venezuela, Perú y Uruguay.

La información resultante de esta investigación representa una herramienta invaluable para que especialistas en marketing en las empresas de nuestra región comprendan los distintos aspectos y necesidades de quienes conformamos el segmento LGBT a lo largo y a lo ancho de Latino América.

Durante los últimos 6 años, marcas líderes confiaron en GNETWORK360 para comprender mejor y satisfacer las necesidades de sus clientes LGBT. Entre ellas se incluyen Delta Air Lines, Hertz, Lan Airlines, Aerolíneas Argentinas, Axel Hotels.



LATIN AMERICA LGBT
A New LGBT Market Opens For Business

Pablo de Luca &
Gustavo Noguera
GNETWORK360, LGBT market research
and strategies

22 NOV

INTERNATIONAL
EXPO & BUSINESS LGBT
PUERTO VALLARTA 2011

PABLO DE LUCA | Presidente y Co-Fundador de la Cámara de Comercio Gay & Lésbica Argentina (**CCGLAR**) (Argentina), Director de **GNETWORK360**, la agencia de marketing LGBT latinoamericana, y Organizador de Gnetwork360, la Conferencia Internacional de Marketing y Turismo LGBT. También es editor de **GMAPS360** Buenos Aires | Miami | Mar del Plata. El medio LGBT nacional de mayor tirada y circulación.

GUSTAVO NOGUERA | Vicepresidente y Co-Fundador de la Cámara de Comercio Gay & Lésbica Argentina (**CCGLAR**) (Argentina), Director de **GNETWORK360**, la agencia de marketing LGBT latinoamericana, y Organizador de Gnetwork360, la Conferencia Internacional de Marketing y Turismo Gay Lésbico y Editor de **GMAPS360** Buenos Aires | Miami | Mar del Plata. El medio LGBT nacional de mayor tirada y circulación.

A1.8) Screenshot of 2011 seminar (English text) to be presented by GN360 in Puerto Vallarta (see : http://expovallartalgbt.com/site/index.php?option=com_content&view=article&id=61&Itemid=59&lang=es)

AMBIE: 25.0°C [weather icons] Fri 16 Sep 17:11 [calendar] Ian Johnson [search]

CONFERENCES

http://expovallartalgbt.com/site/index.php?option=com_content&view=article&id=61&Itemid=59&lang=en [Reader] [search]

IN-PrivaatCC ABN Priv ABN Bus ABN FBL : Values GrandPlace AdWords YISearch Apple (417) Yahoo! News (3,370) GayMarketNews Times SMH Jumble South Park ABC C

ring, Send lar... IGLTA - International Gay &... MUGLER menswear S/S 201... Out Now Consulting - Gay a... CONFERENCES GNETWORK360 | Confe

Latin America - A New LGBT Market Opens For Business

Presented by: Pablo de Luca and Gustavo Noguera (Argentina)

GNETWORK360, LGBT market research and strategies.

More than 500 million people live in Latin America. Until now, LGBT people were often 'invisible' within these societies, and ignored by most businesses. That situation is now set to change - and change fast.

This GNETWORK360 session will place the region into the broader global context of developments in LGBT marketing, and show how some Latin American countries are set to be amongst the most significant centers of gay and lesbian market growth for the rest of this decade.

GNETWORK360 is the Latin American LGBT marketing agency, and their directors - Pablo De Luca & Gustavo Noguera - are pleased to present this seminar, including an exclusive preview of the findings from the GNetwork360 Latin American LGBT Market Study. This new research study is the first LGBT market research of the region. It has been done in nine countries: Argentina, Brazil, Chile, Ecuador, Mexico, Colombia, Venezuela, Peru and Uruguay.

The data that results from this research represents an invaluable tool for marketers to understand the many diverse issues and needs of LGBT people - right across the Latin American region.

GNETWORK360 has for the last 6 years been relied upon by leading brands to better understand and meet the needs of their LGBT customers. Clients include Delta Air Lines, Hertz, LAN Air Lines, Aerolíneas Argentinas, Axel Hotels.



LATIN AMERICA LGBT
A New LGBT Market Opens For Business

Pablo de Luca &
Gustavo Noguera
GNETWORK360, LGBT market research
and strategies

22 NOV

INTERNATIONAL
EXPO & BUSINESS LGBT
PUERTO VALLARTA 2011

PABLO DE LUCA | President and Co-Founder of the Chamber of Commerce Gay & Lesbian Argentina (CCGLAR) (Argentina), Director of **GNETWORK360**, LGBT marketing agency in Latin America and Gnetwork360 Organizer, International Conference on LGBT Marketing and Tourism. He is also editor of GMAPS360 Buenos Aires | Miami | Mar del Plata. The LGBT media company with the largest national circulation.

Gustavo Noguera | Vice President and Co-Founder of the Chamber of Commerce Gay & Lesbian Argentina (CCGLAR) (Argentina), Director of **GNETWORK360**, LGBT marketing agency in Latin America and Gnetwork360 Organizer, International Conference on Marketing and Tourism Gay and Lesbian editor GMAPS360 Buenos Aires | Miami | Mar del Plata. The LGBT media company with the largest national circulation.

APPENDIX 2 - Theft of Intellectual Property - ON survey questions (as written by ON in 2010)

ON hosted the original survey questions on www.QuestionPro.com - and when GN360 copied the survey questions, they hosted them on the same hosting company, but with different http links - in an effort to conceal their theft.

All aspects of the ON written surveys were copied including color scheme, every single question, every line break.

The only difference between the original ON written surveys - which can be viewed still at <http://www.CommunityValues2010.com> - was that in an introductory 'refer a friend' request in the survey preambles (in the GN360 copies in Portuguese and Spanish) the link to this ON website was deliberately misspelled as <http://www.ComunityValues2010.com> - so that no survey referrals could reach the original ON surveys.

When ON discovered this theft we immediately contacted GN360 and asked them to revert the links to the Spanish and Portuguese surveys - via the GN360 controlled website <http://www.encuestalgbt.com> - back to the original ON survey http links. This call was made on Thursday September 9, 2010.

When GN360 had not by Monday September 13, 2010 reverted the links back to the correct ON written original surveys, ON sent an email advising GN360 that we no longer felt able to do business with a company capable of such deliberate commercial deception.

It is hard to think of a more stark example of breach of any and each of the following provisions:

As a member, you must agree to recognize the following rules, and honor the Professional Code of Conduct as follows:

- *Each member will conduct business with honesty, integrity, and fairness with respect to customers, clients, employees, and business associates alike.*

- *Each member will be responsible at all times for the truthful and non-deceptive advertising or promotion regarding his/her business and its products or services.*

- *Each member will conduct business with strict adherence to the laws and regulations of the state and country where incorporated and in accordance with business or professional codes adhered to within the travel industry. Furthermore, all members agree to conduct business in accordance with generally accepted ethical business practices.*

Relevant email threads appear below:

EMAIL ONE:

Begin forwarded message:

From: Ian Johnson OUT NOW <ian.Johnson@OutNowConsulting.com>

Date: September 8, 2010 4:26:19 PM GMT+02:00

To: encuesta@gnetwork360.com, "Pablo De Luca :: GMAPS360"

<pablo@gmaps360.com>, "Gustavo Noguera :: GMAPS360" <gustavo@gmaps360.com>

Cc: Ian Johnson OUT NOW <ian.Johnson@OutNowConsulting.com>

Subject: Update on questions access and invoicing

Hi gentlemen

I got a response from QuestionPro - they are looking at it and don't know yet why the problem is happening. They said the good news is that data collection is not affected so we are capturing all data at this time.

I will go back to them again tomorrow if they did not resolve this by tonight.

We are working on accounts here this week.

Marcelo and Javier at Delta said that the fee for the research (3000 euro) is to be paid by Delta to GNetwork - not billed by Out Now to them - and you are to be billed by us for Out Now's share, as we previously discussed. Javier said he is waiting on your invoice to Delta for that and he will speak with you about this.

In terms of you making international payments to Out Now this is something you can arrange, so if you are not sure how to do it, just talk with your bank. We have a BIC (Swift) code and an IBAN number that uniquely identifies our bank account in the Netherlands - so there is no way it should be difficult.

Can you please send me now your company address? - We want to arrange that invoice this month before the end of the financial quarter here.

If you send me the billing address today, I can send and date your invoice tomorrow with 21 days to pay - so we will get it by 30 September. As discussed the amount is 1000 euro (1500 euro being our share of the Delta deal less the 500 we agreed to pay GN360 for the sponsorship Darren secured from Key West).

Thanks.

With best wishes,
Ian.

IAN JOHNSON
Founder and CEO



LGBT marketing. Solved.

<http://www.OutNowConsulting.com>

PRESENTERS: Out Now LGBT Marketing Masterclass

- London, UK: WTM World Travel Market - November 2010
- Los Angeles, USA: Out & Equal, Workplace Summit - October 2010
- Buenos Aires, Argentina: GNetwork360 - July 2010
- Antwerp, Belgium: IGLTA Annual Convention - June 2010
- Helsinki, Finland - December 2009
- Milano, Italy: TTG Roadshow - November 2009
- Tel Aviv, Israel - October 2009

AWARD WINNING: "Outstanding Interactive" -- Out Now Lufthansa campaign
-- Images In Advertising Awards, New York, USA

COMMUNICATORS: Out Now creates "Year's Most Talked About Tourism Ads" --
Adweek.com

For the latest news, by Out Now:
<http://www.GayMarketNews.com>

World's best travel accreditation program:
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+1-646-808 0740
Paris +33-(0)6-4788 0555 | Los Angeles +1-310-878 4878 | Sydney +61-
(0)2-8003 5253
São Paulo +55 - 11- 3020 3429 |

This message and attachment/s is confidential, may be privileged or otherwise protected from disclosure. If received by mistake please let us know by reply and then delete from your system; you should not copy message or disclose contents to others. Note e-mails susceptible to change. Out Now & Significant Others Consulting not liable for improper/incomplete transmission of information contained in emails or any damage to your system. We do not guarantee the integrity of this communication has been maintained nor that it is free of viruses, interceptions or interference.

EMAIL TWO:

From: Ian Johnson OUT NOW <ian.johnson@OutNowConsulting.com>
Date: September 9, 2010 10:59:34 AM GMT+02:00
To: "Pablo De Luca :: GMAPS360" <pablo@gmaps360.com>, "Gustavo Noguera :: GMAPS360" <gustavo@gmaps360.com>, encuesta@gnetwork360.com
Cc: Ian Johnson OUT NOW <ian.johnson@OutNowConsulting.com>
Subject: Billing address

Pablo and Gustavo

Can you send me your billing address and I will email you the invoice for the research study.

I wanted to get that from you today as discussed.

Thanks.

With best wishes,
Ian.

IAN JOHNSON
Founder and CEO



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incomplete transmission of information contained in emails or any damage to your system. We do not guarantee the integrity of this communication has been maintained nor that it is free of viruses, interceptions or interference.

EMAIL THREE:

From: Ian Johnson OUT NOW <lan.Johnson@OutNowConsulting.com>
Date: September 13, 2010 4:56:27 PM GMT+02:00
To: ROY HEALE <rheale@shaw.ca>
Cc: Ian Johnson OUT NOW <lan.Johnson@OutNowConsulting.com>
Subject: Screenshots - two versions

First is from correct Out Now version of site.

eg <http://lgbt2010ar.questionpro.com/>

Second is from GN360 unauthorized ghost mirror version of the site.

eg1 <http://argentina2010.questionpro.com/>

eg 2 <http://brasil2010.questionpro.com/>

Note deliberate misspelling of the reference website for people to circulate - on the GN360 version the correct Out Now link

<http://www.CommunityValues2010.com> is deliberately misspelled in both Spanish and Portuguese GN360 versions so as to lead to a non-existent website <http://www.ComunityValues2010.com> - thus preventing any referrals from ever reaching the Out Now correct version of the data collection landing page website.

Ian

Safari File Edit View History Bookmarks Window Help
QuestionPro Survey - ONG 2010 AR
http://lgbt2010ar.questionpro.com/

Survey - ARGENTINA_2010 Survey - ONG 2010 AR Gnetwork360 + OutNow G... Survey - BRASIL_2010 Survey - CHILE_2010 Survey - ONG 2010 CL

Exit Survey »

1%

**ESTUDIO LATINO AMERICA 2010
OUT NOW + GNETWORK360**

Muchas gracias por ser parte del Estudio de Mercado más grande del mundo que investigará las necesidades de lesbianas, gays, bisexuales y trans (LGBT).

Esta encuesta es presentada en Latinoamérica por Out Now y GNETWORK360.

En agradecimiento por tu tiempo y por participar, nos complace incluirte en el sorteo de pasajes aéreos gratis, y vouchers para bajar música de iTunes y comprar libros en Amazon.

Completar este cuestionario puede insumir hasta 15 minutos, de nuestra parte te agradecemos que seas parte de esta oportunidad que nos ayuda a hacer oír nuestras voces. Tu aporte ayudara a informar a quienes toman decisiones en gobiernos, negocios y otras organizaciones sobre lo que los consumidores LGBT pensamos y como entendernos mejor.

Recuerda que todo lo que contestes será completamente confidencial y tu información personal nunca será entregada por OutNow ni Gnetwork360 a ningún tercero por lo que no recibirás spam por completar esta encuesta.

Simplemente lee y contesta cada pregunta de la manera mas completa posible y luego haz click en el botón CONTINUAR al final de cada pantalla para pasar a la siguiente y completar la encuesta.

Out Now y Gnetwork360 te agradecen por ser parte de este importante y novedoso proyecto de investigación.

Súmate y hagamos historia juntos, cuantos más seamos, mas sabrán y mas sabremos de nosotros. Envíale este link a tus amigos: www.encuestaLGBT.com o www.CommunityValues2010.com

Gracias por tu apoyo!

Ian Johnson

Safari File Edit View History Bookmarks Window Help
QuestionPro Survey - ARGENTINA_2010
http://argentina2010.questionpro.com/

Survey - ARGENTINA_2010 Survey - ONG 2010 AR Gnetwork360 + OutNow G... Survey - BRASIL_2010 Survey - CHILE_2010 Survey - ONG 2010 CL

Exit Survey »

1%

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Gracias por tu apoyo!

Ian Johnson
Founder CEO Out Now

With best wishes,
Ian.

IAN JOHNSON
Founder and CEO



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EMAIL FOUR:

From: Ian Johnson OUT NOW <Ian.Johnson@OutNowConsulting.com>

Date: September 13, 2010 7:45:37 PM GMT+02:00

To: "Pablo De Luca :: GMAPS360" <pablo@gmaps360.com>, "Gustavo Noguera :: GMAPS360" <gustavo@gmaps360.com>

Cc: Ian Johnson OUT NOW <Ian.Johnson@OutNowConsulting.com>, Darren Cooper OUT NOW <darren.cooper@outnowconsulting.com>

Subject: Out Now and GNetwork360

Pablo and Gustavo

It is entirely unacceptable for you to expect you can behave in the manner you have done without repercussions.

To treat a business partner in the manner you have done is something I have no experience of. To describe your conduct as "unacceptable" hardly goes far enough. I will confine my remarks in this email to 'next steps' from this point.

You leave me with no option but to commence with the following. I - and Out Now - reserve the right to take further action not outlined in this email to limit the damage that you have caused to my business and reputation also.

"GN360" in this email is to mean individually and collectively any and all of the following entities: GMaps, GNetwork360, Pablo De Luca, Gustavo Noguera and any associated people and/or legal or other corporate entities over which they exercise control and/or who undertake actions according to their instructions.

Cause/s of problem:

Recent actions by GN360 have regrettably achieved the following: rendered all pre-existing discussions with Out Now unable to stand.

This has had the effect of making continuing the relationship pointless - and practically and effectively void. The actions below are germane:

A) Failure to respond in any way as requested to make payment of monies owed from GN360 to Out Now under a sponsorship discussion had with Delta Air Lines, and negotiated by Out Now, and previously agreed to by GN360.

B) Setting up, with no attempt to discuss any related issues, a series of online 'ghost' websites to deliberately mirror the look and feel of the Out Now original survey data collection websites. This was done by GN360 without permission from Out Now and with the sole intended purpose to collect data independent of the technically identical sites set up originally by Out Now for this data collection purpose.

The content of the survey, written and uploaded by Out Now, has been copied and pasted in its entirety by GN360 without seeking nor obtaining Out Now's permission to do this.

An example is the correct site
<http://lgbt2010ar.questionpro.com/>
established by Out Now;

and the equivalent 'ghost' mirror site set up by GN360 without consulting Out Now
<http://argentina2010.questionpro.com/>
intended to appear to be the original site.

Had I not accidentally discovered on Thursday evening last week that you had done this, I can only conclude that your intention was for me not to find out, and certainly not at this time.

I note you even went so far as to appear to include the collective site of Out Now's for this project <http://www.CommunityValues2010.com> BUT to deliberately misspell the web address in your copy and paste version to become a wrong website address - www.ComunityValues2010.com - so that anyone that shared that link would never reach the Out Now website.

The attached screenshots show that you deliberately did this in all of your ghost mirror surveys set up last week - even for the Portuguese translation. I attach the Chile and Brazil screenshots of your ghost survey showing this deliberate misspelling and the correct Out Now version with the correct link for <http://www.CommunityValues2010.com> not misspelled.

In choosing to undertake these actions GN360 has sadly destroyed the trust relationship needed between any businesses to be effective partners in a project such as the Out Now research study.

The undertaking of such actions by GN360 is completely unacceptable to Out Now.

Similarly, failure to attempt any discussions to communicate GN360's planned actions prior to their implementation is also completely unacceptable. The actions of GN360 were discovered by Out Now by chance. Failure to communicate motivations behind GN360's actions has effectively destroyed any needed trust between the two organizations.

Next steps:

- i) GN360 is to cease all use of Out Now logo, branding and (so far as in their control now and at all times in the future) any and every referral to Out Now in connection with any surveys anywhere in the world.
- ii) Out Now is to do the same in relation to GN360 logo, branding and (so far as in their control now and at all times in the future) any and every referral to GN360 in connection with any surveys anywhere in the world.
- iii) Out Now has written all questions in this survey and as such owns the copyright in it. Out Now withdraws entirely GNetwork360's right to use any of the questions written by Out Now in any survey at any time anywhere in the world.
- iv) You are to remove the testimonial video Out Now made supporting GNetwork360 - as we most certainly no longer feel this way about you and your company.

-- Ian

IAN JOHNSON
Founder and CEO



LGBT marketing. Solved.

<http://www.OutNowConsulting.com>

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Safari File Edit View History Bookmarks Window Help
QuestionPro Survey - ONG 2010 BR
http://lgbt2010br.questionpro.com/

1%

2010 Out Now Global + GNetwork360 LGBT SURVEY

Gratos por fazer parte do maior e mais abrangente estudo mundial existente até hoje sobre as necessidades de lésbicas, gays, bissexuais e transsexuais (LGBT)

A pesquisa é patrocinada pela Out Now e GNetwork360 - ambas as organizações cujos proprietários ou operadores são gays.

Como forma de agradecimento por nos dispensar seu valioso tempo, teremos o prazer de incluí-lo (a) nos nossos sorteios de bilhetes aéreos gratuitos, vouchers da Amazon book e voucher da iTunes.

Estas perguntas normalmente levam de 15 minutos para serem respondidas, e seremos muito gratos se v. aproveitar esta oportunidade para que sua voz seja ouvida. Suas informações irão ajudar às pessoas que tomam decisões no governo, em empresas e outras organizações sobre o que pensam os consumidores LGBT pensam e a entender melhor sobre nossa vida.

Lembre-se que tudo que disser será totalmente sigiloso e seus dados pessoais jamais serão divulgados pela Out Now a terceiros (assim v. não receberá mensagens de spam depois de responder a pesquisa).

Basta que leia tudo e responda cada pergunta da maneira mais completa possível, clique em "Continue" no final de cada tela para prosseguir com a pesquisa. Se preferir não responder uma determinada pergunta, simplesmente pule para a pergunta seguinte e continue até o final para entrar no sorteio dos prêmios.

A Out Now e a GNetwork360 agradecem muito a você pela ajuda para fazermos a história juntos com esse novo grande projeto de pesquisa.

PS - Favor enviar este link da pesquisa para quaisquer amigos que possam nos ajudar a fazer história juntos -- <http://www.CommunityValues2010.com>

Nós agradecemos o apoio da Associação Brasileira de Turismo GLS (ABRAT GLS) que é nossa parceira nesta pesquisa, bem como da Expo Business LGBT Mercosul de São Paulo.

Gratos por seu apoio.

Jan Johnson

Safari File Edit View History Bookmarks Window Help
QuestionPro Survey - BRASIL_2010
http://brasil2010.questionpro.com/

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PS - Favor enviar este link da pesquisa para quaisquer amigos que possam nos ajudar a fazer história juntos -- <http://www.pesquisalgbt.com/> o <http://www.ComunityValues2010.com>

Gratos por seu apoio.

Safari File Edit View History Bookmarks Window Help
QuestionPro Survey - ONG 2010 AR
http://lgbt2010ar.questionpro.com/

Survey - ARGENTINA_2010 Survey - ONG 2010 AR Gnetwork360 + OutNow G... Survey - BRASIL_2010 Survey - CHILE_2010 Survey - ONG 2010 CL

Exit Survey »

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**ESTUDIO LATINO AMERICA 2010
OUT NOW + GNETWORK360**

Muchas gracias por ser parte del Estudio de Mercado más grande del mundo que investigará las necesidades de lesbianas, gays, bisexuales y trans (LGBT).

Esta encuesta es presentada en Latinoamérica por Out Now y GNETWORK360.

En agradecimiento por tu tiempo y por participar, nos complace incluirte en el sorteo de pasajes aéreos gratis, y vouchers para bajar música de iTunes y comprar libros en Amazon.

Completar este cuestionario puede insumir hasta 15 minutos, de nuestra parte te agradecemos que seas parte de esta oportunidad que nos ayuda a hacer oír nuestras voces. Tu aporte ayudara a informar a quienes toman decisiones en gobiernos, negocios y otras organizaciones sobre lo que los consumidores LGBT pensamos y como entendernos mejor.

Recuerda que todo lo que contestes será completamente confidencial y tu información personal nunca será entregada por OutNow ni Gnetwork360 a ningún tercero por lo que no recibirás spam por completar esta encuesta.

Simplemente lee y contesta cada pregunta de la manera mas completa posible y luego haz click en el botón CONTINUAR al final de cada pantalla para pasar a la siguiente y completar la encuesta.

Out Now y Gnetwork360 te agradecen por ser parte de este importante y novedoso proyecto de investigación.

Súmate y hagamos historia juntos, cuantos más seamos, mas sabrán y mas sabremos de nosotros. Envíale este link a tus amigos: www.encuestaLGBT.com o www.CommunityValues2010.com

Gracias por tu apoyo!

Ian Johnson

Safari File Edit View History Bookmarks Window Help
QuestionPro Survey - ARGENTINA_2010
http://argentina2010.questionpro.com/

Survey - ARGENTINA_2010 Survey - ONG 2010 AR Gnetwork360 + OutNow G... Survey - BRASIL_2010 Survey - CHILE_2010 Survey - ONG 2010 CL

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Gracias por tu apoyo!

Ian Johnson
Founder CEO Out Now

Safari File Edit View History Bookmarks Window Help QuestionPro Survey - ONG 2010 CL
http://lgbt2010cl.questionpro.com/ Google

Survey - ARGENTINA_2010 Survey - ONG 2010 AR Gnetwork360 + OutNow Global Survey - BRASIL_2010 Survey - CHILE_2010 Survey - ONG 2010 CL



Exit Survey »

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Gracias por tu apoyo!

Safari File Edit View History Bookmarks Window Help QuestionPro Survey - CHILE_2010
http://chile2010.questionpro.com/ Reader Google

Survey - ARGENTINA_2010 Survey - ONG 2010 AR Gnetwork360 + OutNow Global QuestionPro Survey - BRASIL_2010 QuestionPro Survey - CHILE_2010



Exit Survey »

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Gracias por tu apoyo!

EMAIL FIVE:

From: "Online Chat Transcript" <noreply@surveyanalytics.com>

Date: September 20, 2010 5:28:08 PM GMT+02:00

To: info@outnowconsulting.com

Subject: Transcript of your chat

Sign up for free training at: <http://questionpro.com/webinar/>The following is a transcript of your chat session.

General Info

Chat start time

Sep 20, 2010 11:01:41 AM EST

Chat end time

Sep 20, 2010 11:28:08 AM EST

Duration (actual chatting time)

00:26:26

Operator

Ameya

Chat Transcript

info: Please wait for a site operator to respond.

info: You are now chatting with 'Ameya'

Ameya: Hello Ian

you: Hi Ameya

Ameya: Would you be able to provide us with the address to the surveys which use the stolen text and also the copyright information that shows the evidence of the right holder?

you: Sure - our landing page is this address www.communityvalues2010.com where we identify that the text of all surveys is copyright Out Now. The company that has copied the surveys is using this page www.encuestaLGBT.com which you can see the text copying by comparing any of their pages eg Argentina - with our Argentina link.

Ameya: Just a moment

you: thanks

Ameya: Ian, I see what you mean. However, I'll need some time to compare all the links and then get back to the user about this. Is it okay if I have a look and then get back to you in email ASAP?

Ameya: We will contact them and ask them to have the surveys removed, they they don't reply back or are able to provide an evidence, we'll have their surveys inactivated and blocked.

you: Sure - there is more information that is relevant. We had originally partnered with this company GNetwork360 to work on the project. Two weeks ago they failed to make payment under the terms of the agreement. We repeated requests for payment but they did not answer. Then we noticed on facebook that they were promoting their link to the survey (which had previously linked to the Out Now correct links for the study eg <http://lgbt2010ar.questionpro.com> and substituted the correct links to their new Questionpro versions. When we discovered this we immediately contacted them by phone and my email asking them to switch the links back - when they did not do so we terminated the relationship. I have emailed evidence of all this as well as screenshots of when they first switched last week that I can email to you if you give the email address to send to and if you want to review this evidence. The dates of when the surveys were set up is also a very clear clue as to their actions.

you: Thanks for your help with this. Let me know if you would like to receive any more information from us and we will be pleased to supply.

Ameya: It'll be great if you can email a few things related to this to my email - which help us in taking action quickly

Ameya: my email is ameya.deshpande@surveyanalytics.com

you: Thanks Ameya - I will email to you now. Be advised I am in Europe (the NYC number I sent is virtual - it gets my laptop and I answer or it goes to voicemail and I am happy to receive your call. I am about to go out for a few hours now but can talk tomorrow by phone or email. Will send you some of the emails now. Thanks for your help.

you: Am shutting this machine down now Ameya - will email you from my info@outnowconsulting.com email in a few minutes.

you: Bye - and thanks for your time. I appreciate your help. - Ian.

info: Your chat transcript will be sent to info@outnowconsulting.com at the end of your chat.

Ameya: Sure, you're welcome Ian.

Ameya: Bye for now

you: bye.

EMAIL SIX (THREAD):

From: Ameya Deshpande <ameya.deshpande@surveyanalytics.com>

Date: September 22, 2010 8:38:30 PM GMT+02:00

To: Ian Johnson OUT NOW <ian.johnson@outnowconsulting.com>

Cc: Darren Cooper OUT NOW <darren.cooper@outnowconsulting.com>

Subject: Re: Please review this complaint

Hello Ian,

I spoke to our head of support. We have blocked the account for the user and deactivated all their surveys.

Regards,
Ameya

On Wed, Sep 22, 2010 at 4:21 PM, Ian Johnson OUT NOW <ian.johnson@outnowconsulting.com> wrote:

Thanks Ameya.

I read carefully the Terms of Use and endeavored to take a neutral stance on the situation.

The Terms of Use seem quite clear that such actions as engaged in by GNetwork360 fall foul of at least three specific conditions of Use of the QuestionPro service.

That their breach is so blatant to my mind raises the question of - if the Terms of Use are not there to be enforced as provided then what use are they at all?

As previously mentioned I am more than happy to supply any information if you need more evidence, or if your supervisor would like to talk by phone that is also fine by me.

Our priority is to work with you to remedy breaches of the Terms of Use under which all QuestionPro users sign up.

Many thanks for getting back to me and looking forward to working towards a satisfactory resolution of this problem.

With best wishes,
Ian.

IAN JOHNSON
Founder and CEO



LGBT marketing. Solved.

<http://www.OutNowConsulting.com>

PRESENTERS: Out Now LGBT Marketing Masterclass

- London, UK: WTM World Travel Market - November 2010
- Los Angeles, USA: Out & Equal, Workplace Summit - October 2010
- Antwerp, Belgium: IGLTA Annual Convention - June 2010
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AWARD WINNING: "Outstanding Interactive" -- Out Now Lufthansa campaign
-- Images In Advertising Awards, New York, USA

COMMUNICATORS: Out Now creates "Year's Most Talked About Tourism Ads" --
Adweek.com

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+1-646-808 0740
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(0)2-8003 5253
São Paulo +55 - 11- 3020 3429 |

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We do not guarantee the integrity of this communication has been maintained nor that it is free of viruses, interceptions or interference.

On Sep 22, 2010, at 11:10 AM, Ameya Deshpande wrote:

Hello Ian,

Yes, I received the email you sent me yesterday. Personally, I would like to help you in this matter. However, being a support person I am not authorized to take any direct action in such matters without getting a proper permission from the head of the support. I was waiting before I could forward the email to the head of support, unfortunately he was busy yesterday and wasn't available. I will communicate with him further and get back to you as soon as I'm done.

Regards,
Ameya

On Wed, Sep 22, 2010 at 3:50 AM, Ian Johnson OUT NOW
<ian.johnson@outnowconsulting.com> wrote:

Hi Ameya

Can you please confirm by return email that you have received the email sent yesterday? (-- see below signature) Thanks.

Obviously we are keen to remedy this situation as soon as possible.

With best wishes,
Ian.

IAN JOHNSON
Founder and CEO

<ONG-LGBT-sig2.jpg>

<http://www.OutNowConsulting.com>

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On Sep 21, 2010, at 12:41 AM, Ian Johnson OUT NOW wrote:

Ameya

I formally request that you review this decision, and escalate the decision if needs be.

The reason is that GNetwork360 is in clear breach of several of your Terms of Use conditions, is infringing upon Out Now's asserted legal rights to our copyrighted text, and is causing damage to our business as a result.

Your Terms of Use provides as follows:

I User Accounts

3. You may not use the Service for any illegal or **unauthorized purpose**. You must not, in the use of the Service, violate any laws in your jurisdiction (**including but not limited to copyright laws**).

>>> The people who stole our survey questions GNetwork360 have an unauthorized purpose and are therefore in breach of your Terms of Service. They have also copied the text Out Now wrote.

>>> I refer to my email to them dated 13 September 2010 and forwarded to you. In that email Out Now states: "Out Now has written all questions in this survey and as such owns the copyright in it. Out Now withdraws entirely GNetwork360's right to use any of the questions written by Out Now in any survey at any time anywhere in the world."

FURTHER:

In section II sub-section 3 it is stated:

"You may not send, post, distribute or disseminate any defamatory, obscene, or otherwise **unlawful** messages, **material or information, including another person's proprietary information (including trademarks, trade secrets, or copyrighted information)** without express authorization from the rights holder."

>>> Given GNetwork360 has been expressly advised they must NOT use Out Now's text in their surveys they are now making "unlawful" and/or "unauthorised" use as defined in your Terms of Use rendering them in breach of those Terms.

FURTHER:

VI. General Conditions

6. In your use of the Products, you **agree to represent you or your organization accurately and will not impersonate any other person, whether actual or fictitious.**

>>> In setting up the fake accounts (screenshots previously supplied to you) GNetwork360 on 9 September 2010 sought to impersonate on QuestionPro.com that the sites they controlled were part of the Out Now surveys - which they were not, and in doing so sought to impersonate Out Now as being part of their sites (by including the Out Now logo - see screenshots sent earlier) which we were not. GNetwork360 sought to falsely impersonate Out Now in their uploaded websites and are therefore incurred breach of this section of your Terms of Use.

Given the several breaches GNetwork360 are responsible for under your Terms of Use by copying the questions written by Out Now without authority of Out Now (being the copyright holder in those questions), attempting at first instance to impersonate Out Now's involvement in their unauthorized use of our copyrighted survey text written by Out Now, and in disseminating Out Now's proprietary information in breach of your Terms of Use - **we hereby formally request that you revoke their account if they do not remove all offending instances of the surveys.**

We further note the following text:

X. Termination

- 1. Any violation of the Terms of Use constitutes grounds for immediate termination of a user account** without notice or refund. Upon such termination, We shall have no liability or responsibility to you or any third-party.

This gives QuestionPro the right to terminate a user account for "any violation of the Terms of Use" - and it is our strongest possible assertion that the account of GNetwork360 is in breach of a number of your Terms of Use and is thus liable for such termination.

You need only look at the text in the Out Now account and the dates of creation of that text and then compare it to the GNetwork360 account creation dates, as well as compare the text in question to see the blatant infringement of the copyrights Out Now holds, and is clearly asserting to you now, over the text forming the questions of our surveys.

Given the seriousness of this situation I must repeat my formal request that this breach of the Terms of Use by one of your users be remedied urgently as it is directly impinging upon our legal rights, and is likely to cause continuing loss to our business if left unremedied, and is a clear breach of your Terms of Use by GNetwork360.

I look forward to hearing from you as soon as possible.

With best wishes,
Ian.

IAN JOHNSON
Founder and CEO

<ONG-LGBT-sig2.jpg>

<http://www.OutNowConsulting.com>

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On Sep 20, 2010, at 7:59 PM, Ameya Deshpande wrote:

Hello Ian,

Thanks for sending in the emails and the evidence. I forwarded the same to the head of support to verify them and see what action we can take regarding this. However, I'm afraid, I was told that as per our Terms of Service, we cannot monitor the content of individual surveys or make decisions regarding legal aspect of this content. And hence we won't be able to take any action against it. Our terms of service can be found at: <http://www.questionpro.com/help/2.html>

Regards,
Ameya

On Mon, Sep 20, 2010 at 10:20 PM, <ian.johnson@outnowconsulting.com> wrote:

Ameya

(First - apologies for my delayed response. Our email server seems slow - so I am sending this direct from webmail (apologies if you end up getting two copies of this email.)

Thanks for your assistance.

I include a transcript from our chat earlier (below signature line).

I am responding from my direct email ian.johnson@outnowconsulting.com but our QuestionPro account access uses info@outnowconsulting.com -- both reach me fine.

In a nutshell - we had previously been working with a company in Buenos Aires - called GNetwork360 - to undertake a research study of the Latin America region. This involved work in 7 countries (Argentina, Brazil, Chile, Ecuador, Mexico, Peru and Uruguay).

Their role was to promote the survey in the region and Out Now would undertake the research for them, and we would share the findings at the end of the research and provide brand profile for each other's businesses along the way.

There was to be a payment made by them to Out Now.

Approximately three weeks ago we asked them in several emails to provide their billing address for us to invoice them for the money they owed. They did not respond. We repeated our requests.

We learned approximately 10 days ago quite by accident that rather than discuss any concerns they had about making payment that they undertook copying of our survey, and set about to make it look identical to the survey we had then online at our various "correct" links.

I will forward you an email shortly that shows how closely they copied it. Even though they have now changed the template, you will see that the questions are all copied identically from Out Now's work - we have the same questions translated into various languages including Japanese, Polish, French, German, Italian etc as well as our original English version.

You will note (in the next email) that they made only one change on these 'fake' copy sites: whereas we had to that point listed both their site www.encuestalgbt.com and www.communityvalues2010.com as the links to 'refer a friend' to for adding to the sample, in their copy sites they deliberately misspelled the link to our landing page as www.comunityvalues2010.com - with the effect that it would look right, but with the intent that it never send any sample to our correct survey pages.

I will also forward you an email we sent them after we decided that any 'partner' that could think it acceptable to copy our survey work in these circumstances was not a business we could afford to associate with in any way.

If you would be able to stop their copyright infringement that would be appreciated.

You will see from Out Now's account that we are a long term and loyal customer to QuestionPro - and that GNetwork360 is likely to have signed up just days ago - with the sole purpose of stealing Out Now's survey questions.

Feel free at any time to call me or email me should you require additional information and I will be happy to supply this.

Thanks for your help Ameya.

With best wishes,
Ian.

IAN JOHNSON
Founder and CEO

<http://www.OutNowConsulting.com>

PRESENTERS: Out Now LGBT Marketing Masterclass

- London, UK: WTM World Travel Market - November 2010
- Los Angeles, USA: Out & Equal, Workplace Summit - October 2010
- Antwerp, Belgium: IGLTA Annual Convention - June 2010
- Helsinki, Finland - December 2009
- Milano, Italy: TTG Roadshow - November 2009
- Tel Aviv, Israel - October 2009

AWARD WINNING: "Outstanding Interactive" -- Out Now Lufthansa campaign
-- Images In Advertising Awards, New York, USA

COMMUNICATORS: Out Now creates "Year's Most Talked About Tourism Ads" --
Adweek.com

For the latest news, by Out Now:
<http://www.GayMarketNews.com>

World's best travel accreditation program:
<http://www.GayComfort.com>

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web: <http://www.questionpro.com/>
Twitter : twitter.com/questionpro

QuestionPro Survey Software
"Online Research Made Easy"

a division of:
Survey Analytics LLC
Seattle, WA, USA

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APPENDIX 3 - Theft of Intellectual Property - SECOND THEFT of ON survey questions (as written by ON in 2010)

After GN360 had all surveys they stole from ON deactivated from www.QuestionPro.com they took the infringing material, changed a few words from a few questions, then uploaded the same material to the provider www.SurveyMonkey.com .

This resulted in the filing of Item 4 - (see Appendix 4) - a document that constitutes legal perjury.

EMAIL ONE:

From: Ian Johnson OUT NOW <ian.johnson@outnowconsulting.com>
Date: October 28, 2010 7:10:53 PM GMT+02:00
To: support@surveymonkey.com
Cc: Ian Johnson OUT NOW <ian.johnson@outnowconsulting.com>, Darren Cooper OUT NOW <darren.cooper@outnowconsulting.com>
Subject: URGENT Fwd: Please review this complaint

CONFIDENTIAL AND WITHOUT PREJUDICE

Dear Sir/Madam,

COPYRIGHT AND INTELLECTUAL PROPERTY RIGHTS INFRINGEMENT NOTICE

I write to you with grave concerns regarding a number of identically worded surveys that you are hosting that infringes on both our intellectual property rights and also on the copyright that Out Now has asserted over the questions in the offending surveys.

See active links to our company's original Out Now surveys here: <http://www.CommunityValues2010.com>

See active links to the offending (GNetwork360) surveys here: <http://www.encuestalgbt.com>

This is the second time that we have had to contact a survey company regarding these duplicate surveys being hosted, and we assert that the previous action taken by [QuestionPro.com](http://www.QuestionPro.com) illustrates a precedent that validates our concerns.

This is the relevant response from QuestionPro in relation to the previous occasion when these people stole our survey questions:

From: Ameya Deshpande <ameya.deshpande@surveyanalytics.com>
Date: September 22, 2010 8:38:30 PM GMT+02:00
To: Ian Johnson OUT NOW <ian.johnson@outnowconsulting.com>
Cc: Darren Cooper OUT NOW <darren.cooper@outnowconsulting.com>
Subject: Re: Please review this complaint

Hello Ian,

I spoke to our head of support. We have blocked the account for the user and deactivated all their surveys.

Regards,
Ameya

The conversation thread that appears below is one that we had with QuestionPro.com last month which resulted in them removing the offending surveys from their site - as they agreed with us that they blatantly infringe upon their terms and conditions, and infringed on our company's intellectual property rights.

We assert in the strongest possible terms that the surveys that GNetwork 360 have uploaded on to SurveyMonkey.com remain in breach of both our intellectual property rights and also our copyright, that they breach SurveyMonkey.com's published Terms of Use - and we request in the strongest terms that they be similarly removed from your website without delay.

We have already spent significant time and resources in defending this infringement on our rights and in the attached Word document you will find clear examples of how the surveys hosted on SurveyMonkey remain in breach of these. While this is not a complete list of the copied material we believe that it clearly demonstrates a breach of both our copyright and intellectual property rights, and also breach of various of SurveyMonkey's Terms and conditions.

You can peruse our original Out Now survey for Argentina:

<http://lgbt2010ar.questionpro.com/>

and compared to the equivalent questions on the copied version uploaded by GNetwork360:

<http://www.surveymonkey.com/s/6Y6RZHD>

you can see for yourself that the vast majority of Out Now's questions have again been copied by GNetwork360 in theft of our intellectual property.

JUST ONE EXAMPLE:

Q19B. ORIGINAL OUT NOW QUESTIONPRO SURVEY has been stolen and appears on SurveyMonkey as SECTION 6. Q2 GNETWORK SURVEY ON SURVEYMONKEY.

important - **note the presence of a full stop** proving that GNetwork360 has copied and pasted the original Out Now question when they copied this example question.

See **the second last response option in each of the attached two screenshots** where the full-stop (period ".") appears in the original Out Now survey AND then has been left in by GNetwork360 - which can only have happened when they copied and pasted the question set from Out Now's original survey.

This full stop could not accidentally have appeared in that exact spot in both online surveys - unless GNetwork360 knowingly and deliberately copied Out Now's original survey - and are thus infringing upon Out Now's clearly asserted intellectual property and copyright.

We also take this opportunity to confirm that this question has never been asked by any other company, anywhere in the world, and was - along with every question in the Out Now surveys - originally drafted by Out Now.

Q19B. Indicar que importancia tienen los siguientes ítems para ti cuando eliges con que aerolíneas volar. (Saltar esta pregunta si no viajas en avión):

	Bastante importante	Algo importante	Neutral	No tan importante	No es importante o relevante para nada
Precio del Billete	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Programa de Viajero Frecuente	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Salones VIP en el Aeropuerto	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
La aerolínea elige comercializar para clientes LGBT	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
La aerolínea patrocina eventos o grupos LGBT	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Red de destinos	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Los horarios de vuelos	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
La aerolínea tiene igualdad de trato para su personal gays y lesbianas.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Miembro de una alianza global de aerolíneas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

2. ¿Qué grado de importancia tienen las siguientes opciones al momento de decidir volar con una línea aérea?

	Bastante importante	Algo importante	Indiferente	No tan importante	No es importante para nada
Precio del Billete	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Programa de Viajero Frecuente	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Salones VIP en el Aeropuerto	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
La empresa comercializa y promueve servicios para clientes LGBT	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
La empresa patrocina eventos o a grupos LGBT	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Amplitud de la red de destinos	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Los horarios de sus vuelos	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
La empresa tiene políticas de inclusión para su staff LGBT.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
La empresa es miembro de una alianza global de aerolíneas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

On both intellectual property law grounds and copyright law grounds, GNetwork360 is in clear breach of our rights, and your Terms of Use.

If you peruse the Out Now original surveys, and compare this with the GNetwork360 copies, you will see that almost all the questions are copied from Out Now.

We kindly request that you review both the attached document and also our previous conversations with [QuestionPro.com](https://www.questionpro.com) with regard to this matter (see thread below signature line) and take the appropriate action immediately.

IMPORTANT: We note that the infringing surveys breach several terms of your [SurveyMonkey.com](https://www.surveymonkey.com/termsandconditions) Terms of Use Policy, and that you are within your powers under these Terms of Use to remove the offending surveys.

NAMELY:

RE: USER CONTENT

5.2. SurveyMonkey may... block, modify, terminate access to, or remove any such User Content that SurveyMonkey, in its sole discretion, considers to be non-compliant with any of the requirements of this Agreement.

5.4. SurveyMonkey may disable User's account and User's access to use the Site and/or the Services and SurveyMonkey may recover from User any losses, damages, costs or expenses incurred by SurveyMonkey resulting from or arising out of User's non-compliance with any provision of this Agreement.

RE: USER CONDUCT

In connection with User's use of the Site and the Services, and without limiting any of User's other obligations under this Agreement or applicable law, User:

(a) shall comply with: (i) this Agreement, including SurveyMonkey's anti-spam policy and all other policies as published on the Site from time to time, (ii) **all local and international laws** applicable to User, **including**, among other things, **...intellectual property**

(b) shall not upload, post, email, distribute, communicate, transmit or otherwise make available **any User Content**: (i) **that is unlawful**, ...(ii) **that infringes any** patent, trademark, trade secret, **copyright**, or other **intellectual property right of any party**, (iii) that User does not have the right to make available by reason of any law or contractual or fiduciary relationship (including inside information, and proprietary or confidential information obtained or disclosed in connection with an employment relationship or pursuant to a confidentiality agreement),

Every single survey uploaded by GNetwork360 to your server is in breach of these Terms, and we ask that you immediately delete them under your Terms of Use policies.

You will find all offending surveys are identical in text to the examples attached and quoted above and below, and are linked to from here:

<http://www.encuestalgbt.com>

This is the list of them:

<http://www.surveymonkey.com/s/6Y6RZHD>
<http://www.surveymonkey.com/s/chile2010>
<http://www.surveymonkey.com/s/colombia2010>
<http://www.surveymonkey.com/s/JWQYHZ3>
<http://www.surveymonkey.com/s/D8L386V>
<http://www.surveymonkey.com/s/peru2010>
<http://www.surveymonkey.com/s/8N85WKG>
<http://www.surveymonkey.com/s/venezuela2010>

If you require any further information please do not hesitate to contact me.

I thank you in advance for your quick action.

With best wishes,
Ian.

IAN JOHNSON
Founder and CEO



LGBT marketing. Solved.

<http://www.OutNowConsulting.com>

PRESENTERS: Out Now LGBT Marketing Masterclass

- Stockholm, Sweden: SAS LGBT Marketing Workshop - December 2010
- London, UK: WTM World Travel Market - November 2010
- Los Angeles, USA: Out & Equal, Workplace Summit - October 2010
- Antwerp, Belgium: IGLTA Annual Convention - June 2010
- Helsinki, Finland - December 2009
- Milano, Italy: TTG Roadshow - November 2009
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-- Images In Advertising Awards, New York, USA

COMMUNICATORS: Out Now creates "Year's Most Talked About Tourism Ads" --
Adweek.com

For the latest news, by Out Now:
<http://www.GayMarketNews.com>

World's best travel accreditation program:

<http://www.GayComfort.com>

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EMAIL TWO:

From: Stuart Loh <stuartl@surveymonkey.com>

Date: November 4, 2010 12:16:04 AM GMT+01:00

To: Ian Johnson OUT NOW <ian.johnson@outnowconsulting.com>

Cc: Darren Cooper OUT NOW <darren.cooper@outnowconsulting.com>, legal <legal@surveymonkey.com>

Subject: RE: Out Now - Copyrighted surveys issue

Dear Ian,

We have taken down the surveys at the URLs you listed. Due to limitations in our administrative tools, the customer may still reactivate these surveys (although we have warned them not to do that). If you find out that the surveys have been reactivated, please let us know and we will close the surveys again and likely suspend their entire account. The customer may also choose to file a counter-notification in accordance with the DMCA, in which case we will contact you again with the relevant details.

Regards,
Stuart

From: Ian Johnson OUT NOW [<mailto:ian.johnson@outnowconsulting.com>]

Sent: Tuesday, November 02, 2010 3:52 AM

To: legal

Cc: Ian Johnson OUT NOW; Darren Cooper OUT NOW; Stuart Loh
Subject: Fwd: Out Now - Copyrighted surveys issue

Dear [SurveyMonkey.com](http://www.surveymonkey.com) Legal department personnel.

Out Now claims intellectual property and copyright infringement is currently taking place by virtue of the following surveys uploaded by an Argentinean company called GNetwork360.

Offending surveys are:

- 1) <http://www.surveymonkey.com/s/6Y6RZHD>
- 2) <http://www.surveymonkey.com/s/chile2010>
- 3) <http://www.surveymonkey.com/s/colombia2010>
- 4) <http://www.surveymonkey.com/s/JWQYHZ3>
- 5) <http://www.surveymonkey.com/s/D8L386V>
- 6) <http://www.surveymonkey.com/s/peru2010>
- 7) <http://www.surveymonkey.com/s/8N85WKG>
- 8) <http://www.surveymonkey.com/s/venezuela2010>

Attached are the following documents:

a) DMCA Notice of Copyright Infringement Form naming GNetwork360

and two supporting documents:

b) "DOCUMENT1-OUTNOW.DOC" - this document shows various examples of questions GNetwork360 has appropriated in copying the content originally drafted by Out Now.

c) "DOCUMENT2-OUTNOW.PDF" - this document contains initial correspondence with [SurveyMoneky.com](http://www.surveymonkey.com) from Out Now as well as third party correspondence Out Now has had with [QuestionPro.com](http://www.questionpro.com) and is for [SurveyMonkey.com](http://www.surveymonkey.com) reference only and should not be released to any other parties.

Please do not hesitate to contact me for further information.

We note that QuestionPro.com has already removed these surveys in September 2010 and closed the account of GNetwork360 and we request urgently that SurveyMoneky.com do the same due to GNetwork360 infringing upon Out Now's asserted intellectual property rights and copyright infringement, pursuant to the attached supporting materials and previous correspondence.

With best wishes,
Ian.

IAN JOHNSON
Founder and CEO

APPENDIX 4 - Criminal Perjury under the terms of the Digital Millennium Copyright Act (DMCA)

A copy of the Declaration made by Pablo de Luca and Gustavo Noguera under the terms of the DMCA the subject of this Item appears below, followed by rebuttal evidence of the claims made therein. The relevant provisions of this legislation can be found at: <http://www.copyright.gov/legislation/hr2281.pdf>

The effect of this Act so far as it relates to the actions of GN360 is described as follows:

<http://www.citmedialaw.org/legal-guide/responding-dmca-takedown-notice-targeting-your-content> --

*Before you send a counter-notice, you should consider carefully whether you are in fact infringing the complaining party's copyright. There are two reasons for you to consider this carefully. First, the counter-notice requires you to state, **under penalty of perjury, that you have a good faith belief that your material was wrongly removed**. You do not want to make this claim lightly because it might come back to haunt you. Second, if the complaining party has a good infringement claim, sending a counter-notice may trigger a lawsuit. If you are not prepared to stand up for your use of the copyright owner's work in a lawsuit, you should think twice about firing back a counter-notice.*

4.1 **FALSE STATEMENT:** "Because 100% of this content was written by me and my partner. (Pablo De Luca & Gustavo Noguera)."

RESPONSE BY ON: ALL questions (except for two suggested by GN360, related to frequency of visiting a gym and whether respondents owned a passport) were written by ON. Evidence of these facts appear below in emails sent by ON to GN360 at the time ON wrote all of the survey questions.

4.2 **FALSE STATEMENT:** "We knew he was using some of our questions in other surveys he was conducting, and we didn't care, because we just listed a bunch of topics and made questions, and we never thought of being the owners of "how old are you" or "are you male or female" and also because we had a good business relationship at the beginning of the surveys. Now as you see, he's trying to block us from finishing our work."

RESPONSE BY ON: ALL questions (except for two suggested by GN360, related to frequency of visiting a gym and whether respondents owned a passport) were written by ON. Evidence of these facts appear below.

4.3 **FALSE STATEMENT:** "You'll also find questions (more specific) consulting about destinations, and if you find any similarity in any question, it will be because Johnson knows us very well, and follows everything we do in South America."

RESPONSE BY ON: A Latin American LGBT market survey was conceived and written by ON - as described in this contemporaneous published article (26

February 2010): http://www.mediapost.com/publications/?fa=Articles.showArticle&art_aid=123316 which states:

“The study, by Holland-based marketing firm Out Now Global, which numbers IBM, Toyota, Citibank and Merck among clients, is also the first-ever such study in Latin America. Ian Johnson, Out Now Global's founder and CEO, says... the idea to create a global study came in July when he was invited to speak in Buenos Aires at an event for GNetwork360.

"I got to know them; I respected the way they operated, and a comment was made during a presentation that one of the things they lacked in Latin America was research. I thought, 'I'm here, I like these guys, we talked and basically sketched the idea on the back of an envelope and announced it at the conference.'"

GN360 were invited by Ian Johnson of ON to participate in this project as local partners, and were responsible for translating the survey questions written by ON and liaising with local media partners.

When Out Now secured 3000 euro sponsorship from Delta Air Lines Buenos Aires office, it was decided that this money would be split between ON and GN360 and that GN360 were responsible for payment of half this amount to ON (see Item 5).

Details outlining the chronology of the project appear here at <http://www.outnowconsulting.com/latinamerica/gnetwork360> and are reprinted here below:

GNetwork360

Statement regarding GNetwork360 (traducción de español a continuación)

In July 2009 Out Now decided to undertake an LGBT research study of countries in the Latin American region.

In October 2009 it was announced by Out Now that this would include seven countries - Argentina, Brazil, Chile, Ecuador, Mexico, Peru and Uruguay.

The GNetwork360 organization, based in Buenos Aires, was involved to assist Out Now with promoting the research to Latin American partners. In return, Out Now would provide agreed branding opportunities for GNetwork360 and research data.

In August 2010, Out Now requested GNetwork360 to provide its correct billing details for Out Now to invoice GNetwork360 to make a payment then owed to Out Now as part of the relationship.

GNetwork360 failed to respond to this payment request.

Out Now repeated the payment request to GNetwork360 a number of times at the beginning of September 2010. These requests to provide correct billing information were also not responded to.

On 9 September 2010, Out Now discovered that GNetwork360 was using one of their own websites to direct survey respondents from across the research area in Latin America to duplicate (copy) survey data collection websites - uploaded and *controlled by GNetwork360*.

Out Now was not made aware by GNetwork360 of their setting up of these copy websites, even though all aspects of the original surveys - including questions, page breaks, color scheme and *even Out Now's own logo* - had been copied by GNetwork360 and uploaded

without permission to the same surveys data collection hosting company used by Out Now.

These copy websites were identical in (almost) every detail to the legitimate Out Now data collection websites. We believe they were deliberately designed this way by GNetwork360 to appear to observers to be the legitimate Out Now created survey data collection websites. There was however one critical difference: in copying the surveys that Out Now had written for this research study, *GNetwork360 changed the spelling of a website linking back to the correct Out Now landing page for the research* - from www.CommunityValues2010.com to www.ComunityValues2010.com (note one "m" was used - rather than two - in "Comunity"). Even though all other aspects of the Out Now surveys had been copied and precisely pasted by GNetwork360, this misspelled link was the only difference in their copied text - and had the effect that anyone clicking this link would never be able to reach the correct Out Now surveys landing page - at CommunityValues2010.com .

Out Now believes that these actions of GNetwork360's were related to Out Now's request for payment. Our best estimate is that the copy websites were uploaded by GNetwork360 on or around 8 or 9 September 2010.

We formed a conclusion that GNetwork360's use of our intellectual property - by appropriating the survey questions written by Out Now for this research without approval - was fraudulent, insofar as it seemed to be designed to mislead survey respondents, research media partners and others into thinking that they had reached the legitimate Out Now managed research websites.

Although GNetwork360 has never been involved previously in such LGBT research analysis - and could not therefore deliver the level of strategic insight into results analysis that Out Now does with our two decades of experience at undertaking such work - it remains Out Now's view that: GNetwork360 set out to mislead respondents and research partners, as well as to appropriate Out Now's intellectual property; and that GNetwork360 sought to do all this in a way designed to be difficult to notice - by copying Out Now's surveys' 'look and feel', as well as copying all of our survey questions content verbatim.

Given our conclusion about GNetwork360's conduct, Out Now therefore severed all ties with their organization upon discovering what they had done.

When the surveys hosting website became aware of this conduct they agreed with Out Now's view that the actions of GNetwork360 were unacceptable, and had infringed upon Out Now's intellectual property rights. On 22 September 2010 the surveys hosting company terminated the offending copied surveys which GNetwork360 had uploaded to host on their server.

Out Now has no interest in associating our brand with any organization that is capable of the unauthorised appropriation of our intellectual property.

The actions by GNetwork360 demonstrate a willingness to engage in conduct that Out Now considers to be completely unacceptable in any circumstance in the conduct of global business.

Any company that is willing to engage in such conduct is most definitely not a partner that Out Now is able to associate with in any way.

Out Now has two decades experience of working with media partners, corporate clients and LGBT people around the world to better understand and enhance LGBT lives.

We are strongly committed to Latin America, and we are continuing to work with media partners, NGOs and other partners throughout Latin America to deliver the first ever LGBT research study of the region - as part of our '2010 Out Now Global LGBT Study'.

Out Now is pleased to now be researching the lives of LGBT people in 23 countries around the world.

Ian Johnson, CEO

Out Now Global

27 September 2010

Comunicado respecto a GNetwork360

En Julio de 2009, Out Now decidió llevar a cabo un Estudio de Investigación LGBT en los países de la región de América Latina.

En Octubre de 2009, Out Now anunció que este Estudio incluiría 7 países: Argentina, Brasil, Chile, Ecuador, Mexico, Peru y Uruguay.

Out Now solicitó a la empresa GNetwork360, radicada en Buenos Aires, de colaborar en el proyecto con la promoción de la Investigación entre el público LGTB, con los medios de comunicación y con otros asociados comerciales de Latino América.

Como contraprestación, Out Now proveería determinadas y establecidas oportunidades de posicionamiento de marca para GNetwork360 e información sobre los resultados de la Investigación.

En Agosto de 2010, Out Now le solicitó a GNetwork360 que proveyera correcta información de facturación a los efectos de permitir a Out Now facturar a GNetwork360, y que éste, GNetwork360, pudiese realizar el pago a Out Now a la fecha pendiente, como parte de la relación comercial existente. GNetwork360 no respondió este requerimiento de pago.

Out Now repitió el requerimiento de pago a GNetwork360 repetidas veces durante el comienzo de Septiembre de 2010. Estas solicitudes de proveer la adecuada información de facturación tampoco fueron respondidas.

El 9 de Septiembre de 2010, Out Now descubrió que GNetwork360 estaba usando uno de sus propios sitios web para redireccionar las respuestas de la encuesta del área Latino Americana, duplicando (copiando) la información recibida en sitios web controlados por Out Now.

Out Now no fue informado por GNetwork360 del establecimiento de estas copias de sus sitios web, aunque todos los aspectos de las encuestas originales, incluyendo las preguntas, los cortes de página, la combinación de colores y el propio logo de Out Now fue copiado por GNetwork 360 colocándolo sin permiso en la misma compañía de recolección de información de las encuestas usada por Out Now.

Las mencionadas copias de los sitios web eran casi idénticas en todos los detalles a los sitios web legítimos de recolección de información de Out Now.

Nosotros creemos que esto fue deliberadamente diseñado por GNetwork360 para aparecer ante los observadores como los sitios web legítimos de recolección de información originados por Out Now.

Sin embargo, había una diferencia crítica: cuando se copiaron las encuestas que Out Now había escrito para esta Investigación, GNetwork360 cambió la ortografía / el deletreo de un sitio web que conectaba la correcta página de descarga para la investigación de www.CommunityValues2010.com a www.ComunityValues2010.com (por favor nótese que una "m" fue utilizada en lugar de dos "m" en la palabra "Comunity").

Aunque todos los otros aspectos de la Encuesta de Out Now habían sido copiados y colocados correctamente por GNetwork360, este error en el deletreo de la conexión (link) era la única diferencia en su texto, y tenía el efecto de que, a cualquiera que cliqueara esta conexión (link) nunca le sería posible llegar a la correcta página de descarga de Out Now en www.CommunityValues2010.com.

Out Now cree que estas acciones de GNetwork360 estuvieron relacionadas con la solicitud de pago de Out Now.

Según nuestros mejores estimados los sitios web para copiar la información fueron generados / cargados por GNetwork360 el o alrededor del 8 o 9 de Septiembre de 2010.

Nosotros establecimos como conclusión que el uso nuestra propiedad intelectual, la apropiación de las preguntas escritas por Out Now para esta Investigación sin nuestra aprobación, fue fraudulenta, desde el momento que fue diseñada para inducir a un error a aquellos que respondieran la encuesta, a los asociados de la investigación en los medios de

comunicación y a otros pensando que todos se habían conectado con los legítimos sitios web que manejaban la Investigación.

Aunque GNetwork360 nunca estuvo antes relacionado en tal nivel de análisis de investigación LGTB, y no podría, por lo tanto, entregar un nivel estratégico de comprensión de los resultados similar al análisis que Out Now realiza con más de dos décadas de experiencia en el mercado, permanece el punto de vista de Out Now que GNetwork 360 se propuso inducir incorrectamente a aquellos que respondieron la encuesta y a los asociados en la investigación, así como, apropiarse de propiedad intelectual de Out Now y que GNetwork360 busco de hacer todo esto en una forma diseñada para dificultar de ser detectado, copiando "la forma y la apariencia" de las encuestas de Out Now, también copiando todos los contenidos de las preguntas de la encuesta textualmente.

En base a nuestra conclusión acerca de la conducta de GNetwork360, Out Now decidió cortar todas las relaciones con esta empresa luego de descubrir lo que la misma había realizado.

Cuando los sitios web que actuaban como servidores de las página web referidas se dieron cuenta de esta conducta, ellos estuvieron de acuerdo con el punto de vista de Out Now que las acciones de GNetwork360 eran inaceptables y habían violado los derechos de propiedad intelectual de Out Now.

En 22 de Septiembre de 2010 las compañías proveedoras de servidores eliminaron de sus bases las páginas que originaron el problema cargadas por GNetwork360 y que habían sido copiadas en su servidor.

Out Now no tiene interés en asociar su marca con ninguna organización que sea capaz de apropiarse sin autorización de su propiedad intelectual.

Las acciones de GNetwork360 demostraron voluntad de llevar a cabo una conducta que Out Now considera completamente inaceptable bajo cualquier circunstancia en la usos y costumbres de los negocios globales.

Toda compañía que desee involucrarse en tal conducta no es definitivamente un asociado comercial con el que Out Now sea capaz de asociarse de ninguna manera.

Out Now tiene dos décadas de experiencia en trabajar con asociados de los medios de comunicación, clientes corporativos y público LGTB alrededor del mundo para entender y mejorar las vidas LGTB.

Nosotros estamos fuertemente comprometidos con América Latina, y continuamos trabajando con asociados de los medios de comunicación, organizaciones no gubernamentales y otros asociados a través de Latino Americanos para entregar el primer estudio de investigación LGTB de la región como parte del "Estudio Global LGTB 2010 de Out Now"

Out Now está ahora feliz de estar investigando la vida de gente LGBT en 23 países alrededor del mundo.

Ian Johnson, CEO
Out Now Global
27 September 2010



A4.1, 4.2 and 4.3) - Proof that Out Now drafted the survey questions the subject of the dispute between ON and GN360.

The effect of this email thread is highly significant.

It proves that in submitting their Declaration dated November 4, 2011 in which GN360 make various claims including: "*There's only one reason to believe that our content does not violate any of the rights claimed in the notice and that is: Because 100% of this content was written by me and my partner. (Pablo De Luca & Gustavo Noguera).*"

That claim is in breach of the 'good faith' provisions of the DMCA legislation and therefore constitute legal perjury by GN360 under these laws and related Treaties on Intellectual Property.

EMAIL ONE:

From: "Pablo De Luca :: GMAPS360" <pablo@gmaps360.com>
Date: April 7, 2010 6:14:13 AM GMT+02:00
To: "Ian Johnson OUT NOW" <ian.johnson@outnowconsulting.com>
Subject: **Re: Survey questions**

I think it is ok.
We'll open our skype at 12 then.
Hugs!

Pablo and Gustavo

----- Original Message -----

From: [Ian Johnson OUT NOW](mailto:ian.johnson@outnow.com)
To: Gustavo@orange.fr ;
["Noguera:"@orange.fr:Gmaps360gustavo@gmaps360.com](mailto:Noguera:@orange.fr:Gmaps360gustavo@gmaps360.com)
Cc: ian.johnson@outnow.com ; [pablo](mailto:pablo@gmaps360.com)
Sent: Tuesday, April 06, 2010 3:02 AM
Subject: Re: Survey questions

I know how busy you get!

Let us go for Wednesday when you have a clearer time. Same sort of time then? Say 12 o'clock BA time? Or tell me what time is best for you then.

With best wishes,
Ian.

IAN JOHNSON
Founder and CEO



<http://www.OutNowConsulting.com>

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PRESENTERS: Out Now Gay Marketing Masterclass
-- WTM World Travel Market, London, UK - November 2010
-- Buenos Aires, Argentina, GNetwork360 - July 2010
-- Helsinki, Finland - December 2009
-- Milano, Italy, TTG Roadshow - November 2009
-- Tel Aviv, Israel - October 2009

AWARD WINNING: "Outstanding Interactive" -- Out Now Lufthansa campaign
-- Images In Advertising Awards, New York, USA

COMMUNICATORS: Out Now creates "Year's Most Talked About Tourism Ads" --
AdWeek.com

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<http://www.GayMarketNews.com>

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On Apr 6, 2010, at 3:56 AM, Gustavo Noguera :: Gmaps360 wrote:
Hi Ian, what a week!!!! eheehehe
Chance and Justin are still here in BA
Hopefully they will come back to the States tomorrow.
We can talk by skype tomorrow between 12 and 2pm BA Time, if not it could be possible on Wednesday when we'll be more time at home.
We'll collect the information required from every country.
Thanks!!!
Big Hugs!

Pablo and Gustavo

----- Original Message -----

From: [Ian Johnson OUT NOW](#)
To: [Pablo De Luca](#) ; [Gustavo Noguera :: Gmaps360](#)
Cc: [Ian Johnson OUT NOW](#) ; latinamerica@outnowconsulting.com
Sent: Monday, April 05, 2010 7:45 AM
Subject: Survey questions

Hi boys

I see you are busy this weekend with the NGLCC guys - hope all goes well there.

Just a quick question: do you have any specific questions to add into the survey?

I am almost finished Draft 2 now (sorry it took longer than planned) and will send that to you tomorrow, then will need to send to sponsors like Delta on Wednesday.

One issue I am not clear with is how to handle the various websites. My thinking is to limit the survey to social media connection sites (eg facebook, myspace, local versions) rather than dating sites (Manhunt, Gayromeo etc) BUT maybe it is worth including the dating sites as maybe we can sell them a copy of the results report?

In any case - do you know the top three social networking sites for each country in the Lat Am region and the top three dating sites (gay sites AND lesbian sites if possible).

Happy Easter and looking forward to talking with you in next couple of days.

x

With best wishes,
Ian.

IAN JOHNSON
Founder and CEO

<ONG_email_sig.jpg><http://www.OutNowConsulting.com>

PRESENTERS: Out Now Gay Marketing Masterclass
-- WTM World Travel Market, London, UK - November 2010
-- Buenos Aires, Argentina, GNetwork360 - July 2010
-- Helsinki, Finland - December 2009
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EMAIL TWO:

From: Ian Johnson OUT NOW <Ian.Johnson@OutNowConsulting.com>
Date: April 16, 2010 9:23:09 AM GMT+02:00
To: Pablo De Luca <pablo@gmaps360.com>, "Gustavo Noguera :: Gmaps360" <gustavo@gmaps360.com>
Cc: Ian Johnson OUT NOW <Ian.Johnson@OutNowConsulting.com>, latinamerica@outnowconsulting.com
Subject: Survey questions timing

Hi gentlemen

Here is how I am looking at the timings.

Please review and let me know if you can meet this:

April 18

IJ to finalise all survey questions and send to GN and PDL (NOTE - Delta question will likely be not signed off by them until middle next week)

April 19 - 24

PDL and GN to arrange translation of survey into Portuguese and Spanish (If you want to do just Spanish first and leave Portuguese a week that could work fine too.)

Issues to resolve:

Currencies for each country in survey - please advise

Average annual income levels - need to be set realistically per country based on general figures

Websites to include in tested list of usage

April 25

GN and PDL send Ian the translated survey text (with Delta questions included by this time we hope)

April 26 - 27

IJ to upload the survey online to seven separate web links - one for each Lat Am country

April 28 - 29

GN, PDL and IJ to test the survey live online

April 30

Survey goes live

GN and PDL to create and supply survey banner for all partners in LatAm

IJ to help write text for banners, editorial text for coverage (with linking) and other tasks agreed together as this unfolds.

Press release?

Okay boys - hold on: we are about to lift-off!

Let me know - can this timeline work for you?

Please send me the website list and currency list as soon as you can.

Next week I am on the road (if any of us get out of Europe - Volcanic ash? Good grief.) for almost the whole week so need you to get your things done ready for 25 April.

Hope this works well for you and the Barcelona presence is going well.

Great that you met Pedro!!

With best wishes,
Ian.

IAN JOHNSON
Founder and CEO



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EMAIL 3:

From: Ian Johnson OUT NOW <ian.johnson@outnowconsulting.com>

Date: May 28, 2010 7:28:16 PM GMT+02:00

To: "Gustavo Noguera :: Gmaps360" <gustavo@gmaps360.com>, Pablo de Luca <pablo@gmaps360.com>, latinamerica@outnowconsulting.com

Cc: Ian Johnson OUT NOW <ian.johnson@outnowconsulting.com>

Subject: Survey - Final Draft questions attached

Pablo and Gustavo

Attached is the final draft for the survey questions.

When can you send the translations? We need to go live as soon as possible or you will not be able to get the results in time for GNetwork. We are going live on Monday into UK, USA and Ireland.

Here are sample ads for how those banners will look.

<http://www.twistedpicture.co.uk/clients/outnow/OutNowSurveyBannerMen120x600.html>

<http://www.twistedpicture.co.uk/clients/outnow/OutNowSurveyBannerMixed728x90.html>

Hope to hear back from you soon.

You can always skype me anytime you see me on. Talk soon.

With best wishes,
Ian.

IAN JOHNSON
Founder and CEO



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**ATTACHED TO THIS DOCUMENT WAS "SURVEY 2010 - DRAFT - FINALFINAL3.DOC
HEADED "Out Now Global 2010 SURVEY DRAFT FINAL"**

COPYRIGHT INFRINGEMENT COUNTER-NOTICE

Date: 11/4/2010

To: SurveyMonkey.com, LLC
Attn: Legal – DMCA Notices
285 Hamilton Avenue, Suite 500
Palo Alto, CA 94301, USA

Or via Fax to: +1 (650) 289-0335
Attn: Legal – DMCA Notices

Or via Email to: legal@surveymonkey.com

MY CONTACT INFORMATION

Name:

PABLO DE LUCA & GUSTAVO NOGUERA

Company (if applicable):

Address:

SAN MARTIN 4522 – FLORIDA – 1602 – BUENOS AIRES

Telephone:

54 11 4730 0729

E-mail:

info@gnetwork360.com

SurveyMonkey username (if applicable):

gnetwork360

INFORMATION ABOUT THE COPYRIGHTED MATERIAL

Date of the Notice and Name of Claimant:

November 2, 2010 – IAN JOHNSON

Removed or Disabled Material:

<http://www.surveymonkey.com/s/6Y6RZHD>

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<http://www.surveymonkey.com/s/JWQYHZ3>

<http://www.surveymonkey.com/s/D8L386V>

<http://www.surveymonkey.com/s/peru2010>

<http://www.surveymonkey.com/s/8N85WKG>

<http://www.surveymonkey.com/s/venezuela2010>

Justification:

There's only one reason to believe that our content does not violate any of the rights claimed in the notice and that is: Because 100% of this content was written by me and my partner. (Pablo De Luca & Gustavo Noguera). We knew he was using some of our questions in other surveys he was conducting, and we didn't care, because we just listed a bunch of topics and made questions, and we never thought of being the owners of "how old are you" or "are you male or female" and also because we had a good business relationship at the beginning of the surveys. Now as you see, he's trying to block us from finishing our work. What we ask to our people is something simple that you will find in most of the surveys about travel, habits, and tourism. If you see our survey, it has some topics in common (for example... ¿do you have passport?) but is the same question that you will find in most of the companies that work as we do with reaserch or surveys. You'll also find questions (more specific) consulting about destinations, and if you find any similarity in any question, it will be because Johnson knows us very well, and follows everything we do in South America.

We are doing this project to help business and NGO's to understand better gays and lesbians in Latin America for the 1st time. We're not charging anyone for the reports or results. In fact, we'll make these results PUBLIC DOMAIN when we finish the data collection process, (we are already communicating some key findings in some countries). We're not pursuing profits from this study. This is our contribution to LGBT community not only in Argentina but also in Latin America. We are also president and vice president of Argentina Gay & Lesbian Chamber of Commerce, a non profit organization, and this project was developed by our organization and conducted by us as regional leaders in Latin America.

It would be so easy for me to explain you WHY he's trying to block us from finishing this project properly, but I would need to have a better English or to explain that in Spanish (my first language). I can't believe what is happening.... But I know that he's a big liar.

Hope this document and these words are ok so you can reactivate our surveys online again, if not, please let me know what we have to do, because we have not infringed any law, not here in Argentina and not at any other part of the world. Our prestige and reputation is recognized in the International LGBT Community and we trusted our data and data collection to your company, and that is why we paid the whole year in advance, and hope we'll be able to finish it successfully. We know we'll be your customers for many years. Thanks in advance,

Pablo de Luca and Gustavo Noguera

PS: If you consider it necessary, we might provide you with articles in newspapers, pictures or videos of the day we launched this Project, hundreds of witnesses in the most relevant LGBT organizations that know our work and reputation. Thanks again

I, the undersigned, hereby **declare under penalty of perjury** that I have a good faith belief that the material described or referred to above was removed or disabled as a result of mistake or misidentification. I have truthfully stated above the reasons why I believe said content does not violate any of the rights claimed in the notice.

I consent to the jurisdiction of Federal District Court for the judicial district in which my address is located, or if my address is outside of the United States, for the Federal District Court located in the Northern District of California or any judicial district in which SurveyMonkey may be found. I will accept service of process from the Claimant identified above or his/her agent.

I authorize SurveyMonkey.com, LLC, at its own discretion, to provide my contact information and /or a copy of this counter-notice to third parties, especially its legal counsels, as well as the Claimant and/or his/her agent.

Physical or Electronic Signature:

PABLO DE LUCA & GUSTAVO NOGUERA (SIGNED)

The image shows two handwritten signatures in black ink. The signature on the left is more stylized and appears to be 'Pablo de Luca'. The signature on the right is also stylized and appears to be 'Gustavo Noguera'. Both signatures are written in a cursive, flowing style.

APPENDIX 5 - Money owed by GN360 under the agreement for research in Latin America

ON met with Delta Air Lines in Buenos Aires and secured 3000 euro sponsorship for the research.

It was when ON asked GN360 to provide their billing address for the invoicing of this amount that GN360 appears to have copied the surveys (Item 2).

Material above covers this request for payment and for billing address.

As a consequence of GN360 being discovered stealing the survey questions, this relationship was terminated by ON and the monies paid by Delta to GN360 - half of which was owed by GN360 to ON - was never paid by GN360 to ON.

Prior to this, GN360 advised ON that we were to invoice Delta for the money owed, but Delta was surprised by this when we asked for their billing details - as GN360 had already claimed the full amount of the sponsorship owed from Delta Air Lines.

EMAIL ONE:

From: Ian Johnson OUT NOW <Ian.Johnson@OutNowConsulting.com>

Date: February 22, 2010 2:11:53 PM GMT+01:00

To: Javier H Diaz <Javier.H.Diaz@delta.com>, Marcelo C Costa <Marcelo.C.Costa@delta.com>

Cc: Ian Johnson OUT NOW <Ian.Johnson@OutNowConsulting.com>, Out Now Latin America <latinamerica@outnowconsulting.com>, Gustavo Noguera <gustavo@gmaps360.com>, Pablo de Luca <pablo@gmaps360.com>

Subject: Draft1 agreement for your comments

Dear Javier and Marcelo

We have been busy working on the research study - as you will see below and in the attached pdf document.

This week we are sending out Media Releases worldwide - if you would like to send us a quote about Delta's involvement, we would be pleased to include this into this PR for you.

The study is now covering 7 countries in Lat Am (we have added Mexico, Venezuela and Peru) - so we have allowed an optional decision for you to also secure those markets for Delta as part of this Agreement. There is also an opportunity to sponsor the European survey (PEGASUS) taking place in seven European countries at the same time (optional - see below).

This means we are all now involved in the world's largest ever LGBT market study.

Please let me know if the below is in line with your position, and if so I will send you a separate email to be replied to so both you and Out Now have agreed.

This is going to be an amazing piece of work - and we are so pleased Delta will benefit so much. Pablo and Gus have been working very hard on this so we can all be very grateful to them for being such consummate professionals.

Let me know your thoughts as soon as possible on this. Looking forward to working with you.

-- Ian

AGREEMENT

1. Delta is to be the exclusive airline partner for the 2010 Out Now Gnetwork360 Latin America research study.
2. Out Now and GNetwork360 agree not to provide information from the research that is specific to Delta Airlines two proprietary questions to any other airline, nor any other organisation.
3. Delta Air Lines will provide two proprietary questions to Out Now for inclusion into four agreed Latin American markets: Argentina, Brazil, Chile and Uruguay. Out Now can assist Delta with drafting these questions if desired by Delta.
4. For this Delta agrees to pay a fee of 3000 euros - 50% due now (14 days terms) and 50% due at conclusion of data collection. Out Now will provide Delta with the survey findings from all relevant areas (including demographics, travel, leisure and related lifestyle questions) for those countries sponsored by Delta as part of this Agreement.
5. OPTIONAL: Since first discussed, Out Now and GNetwork360 have expanded the reach of the research study. It now includes a further 3 countries: Mexico, Peru and Venezuela. If Delta would like to receive survey data results for the additional three countries these can be added in to this project (on same basis as above) for the cost of 1000 euro per additional country.
6. OPTIONAL: Out Now is also running a similar research study in Europe ("PEGASUS") which surveys gay and lesbian travelers in seven Europe-based countries: France, Germany, Israel, Italy, Spain, Sweden, UK. If Delta wishes to become a partner sponsor in this study it can do so for an additional 7,000 euro (NON-exclusive basis) or an additional 15,000 euro (as exclusive airline sponsor). NOTE - this option is subject to availability, as other airlines have expressed interest in this Europe research.

With best wishes,
Ian.

IAN JOHNSON
Founder and CEO



LGBT marketing. Solved.

<http://www.OutNowConsulting.com>

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London, UK - November 2010
-- Tel Aviv, Israel - October 2009
-- Buenos Aires, Argentina, GNetwork - October 2009
-- Milan, Italy, TTG Italia LGBT Roadshow - November 2009
-- Helsinki, Finland - December 2009

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EMAIL TWO:

From: Ian Johnson OUT NOW <ian.Johnson@OutNowConsulting.com>

Date: September 6, 2010 5:38:38 PM GMT+02:00

To: Javier H Diaz <Javier.H.Diaz@delta.com>

Cc: Ian Johnson OUT NOW <ian.Johnson@OutNowConsulting.com>, Marcelo C Costa <Marcelo.C.Costa@delta.com>

Subject: Quick question

Hi Javier

Regarding the Out Now LatAm research study - we were asked by Gustavo and Pablo last week to invoice Delta direct for the agreed fee.

I just spoke to Marcelo and he said to check with you as you were arranging this. It would be great if you can email me back to let me know what you prefer us to do.

Many thanks.

With best wishes,
Ian.

IAN JOHNSON
Founder and CEO



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PRESENTERS: Out Now LGBT Marketing Masterclass

- London, UK: WTM World Travel Market - November 2010
- Los Angeles, USA: Out & Equal, Workplace Summit - October 2010
- Buenos Aires, Argentina: GNetwork360 - July 2010
- Antwerp, Belgium: IGLTA Annual Convention - June 2010
- Helsinki, Finland - December 2009
- Milano, Italy: TTG Roadshow - November 2009
- Tel Aviv, Israel - October 2009

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EMAIL THREE:

From: Ian Johnson OUT NOW <ian.johnson@outnowconsulting.com>
Date: September 9, 2010 10:59:34 AM GMT+02:00
To: "Pablo De Luca :: GMAPS360" <pablo@gmaps360.com>, "Gustavo Noguera :: GMAPS360" <gustavo@gmaps360.com>, encuesta@gnetwork360.com
Cc: Ian Johnson OUT NOW <ian.johnson@outnowconsulting.com>
Subject: Billing address

Pablo and Gustavo

Can you send me your billing address and I will email you the invoice for the research study.

I wanted to get that from you today as discussed.

Thanks.

With best wishes,
Ian.

IAN JOHNSON
Founder and CEO



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<http://www.OutNowConsulting.com>

PRESENTERS: Out Now LGBT Marketing Masterclass
-- London, UK: WTM World Travel Market - November 2010
-- Los Angeles, USA: Out & Equal, Workplace Summit - October 2010
-- Buenos Aires, Argentina: GNetwork360 - July 2010
-- Antwerp, Belgium: IGLTA Annual Convention - June 2010

- Helsinki, Finland - December 2009
- Milano, Italy: TTG Roadshow - November 2009
- Tel Aviv, Israel - October 2009

AWARD WINNING: "Outstanding Interactive" -- Out Now Lufthansa campaign
-- Images In Advertising Awards, New York, USA

COMMUNICATORS: Out Now creates "Year's Most Talked About Tourism Ads" --
Adweek.com

For the latest news, by Out Now:
<http://www.GayMarketNews.com>

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