

VIA EMAIL

June 26, 2017

Kate Wagner
Creator of 'McMansion Hell'
kate@mcmansionhell.com

RE: 'McMansion Hell'

Dear Ms. Wagner:

It has come to our attention that you (collectively, "You" or "Your") are copying, modifying, and publicly displaying content from the website <https://www.zillow.com> (the "Zillow Site"), owned and operated by Zillow, Inc. ("Zillow"), on Your blog 'McMansion Hell.'

Specifically, You are: (i) reproducing images from the Zillow Site (the "Images"), (ii) modifying those Images, and (iii) displaying such modified Images at the following URL: <http://www.mcmansionhell.com/> ("Your Site").

Zillow's [Terms of Use](#) (the "Terms") specifically prohibit reproducing, modifying, distributing, or otherwise creating derivative works from any portion of the Zillow Site. The Terms further prohibit reproduction of any underlying images from real estate listings on the Zillow Site, as well as any use of the Zillow Site that could harm Zillow or its suppliers.

You are in violation of the Terms, and admit to this Yourself in certain posts on Your Site, wherein You state that "[a]ll photographs in this post are from real estate aggregate Zillow.com..." and reference the fact that Your posts feature "[m]anipulated photos."

In addition to violating the Terms, Your actions infringe the rights of each copyright holder of the Images. You state that the Images are used "for the purposes of education, satire, and parody, consistent with 17 U.S.C § 107," which appears to be a claim that Your use constitutes fair use. Courts weigh four primary factors in determining whether use of a copyrighted work is fair use. When those factors are applied to Your use of the Images on Your Site, none support an argument that Your use is fair use.

Furthermore, Your activities may violate the federal Computer Fraud and Abuse Act, 18 U.S.C. § 1030, and state laws prohibiting fraud and interference with Zillow's business expectations and interests.

Zillow demands that You immediately: (i) cease all access to and use of the Zillow Site; and (ii) delete all Images, and derivatives thereof, in Your possession and on Your Site. We demand that You respond in writing no later than 5:00 p.m. Pacific Time on THURSDAY, JUNE 29, 2017 to confirm that You have: (1) stopped, and will not in the future, access or otherwise use the Zillow Site or Images, for any purpose whatsoever; and (2) destroyed all Images, and all derivatives thereof, in Your possession and from Your Site.

This letter is without prejudice to any of Zillow's rights, powers, privileges, remedies, or defenses, now existing or hereafter arising, all of which are hereby expressly reserved.

Very truly yours,



Christopher Poole,
Corporate Counsel

cc: Legal Department, Zillow Group, Inc.