Re: Notice of Copyright Infringement

Orest Melnyk
Sent: Thursday, June 18, 2026 5:05 AM
To: Mariusz Nowak Photography [photo@mariusznowak.com]
Cc: OMA Comp Sales

Dear Mariusz,

Thank you for your email and for providing the updated invoice.

As I mentioned previously, the photographs in question have been removed and there is no intention to use them again without proper authorization.

I would like to fully and properly respond to your claim; however, before doing so, I need additional time and information to investigate the circumstances surrounding this matter. I am currently in Europe assisting my elderly mother with her transition into assisted living, which has limited my ability to review all of the relevant communications, permissions, and records associated with the event and the promotional activities.

For context, OMA Comp has worked with the American Polish Cultural Center for many years under an ongoing marketing agreement and has dedicated substantial time and resources supporting APCC events and the broader Polish-American community. The photographs at issue were reposted in connection with promoting an APCC event and related activities. At the time, I understood the materials being circulated through APCC channels to be available for event promotion, and any use of the photographs occurred as a result of that understanding. There was never any intention to claim ownership of your work, deprive you of credit, or knowingly infringe upon your rights.

In order for me to properly evaluate and respond to your demand, please provide the following information:

1. Identification of the specific photographs included in your claim.
2. Copyright registration information for the photographs at issue, including registration number(s) and registration date(s), if applicable.
3. The basis for the $100 per image valuation reflected on the invoice.
4. Any documentation supporting your claimed licensing fees or damages.
5. Confirmation as to whether the amount requested represents a settlement demand, a licensing fee, or another form of claimed damages.

Once I have had an opportunity to review this information and complete my investigation, I will provide a more substantive response.

I appreciate your patience while I gather the necessary information and look forward to resolving this matter professionally.

Sincerely,

Orest Melnyk
OMA Comp
orest@omacomp.com
248-867-0711

> On Jun 17, 2026, at 17:12, Mariusz Nowak Photography <photo@mariusznowak.com> wrote:
>
> Orest,
>
> Thank you for your response.
>
> I disagree with several statements in your email.
>
> The facts are straightforward. The photographs were copied from Facebook profile https://www.facebook.com/AmericanPolishCulturalCenter where they were originally published and reposted on OMA Comp's Facebook page without my knowledge or permission. The posts promoted OMA Comp and its activities. Whether the infringement resulted from a misunderstanding regarding permissions does not change the fact that my copyrighted images were used without authorization.
>
> Your statement that the content was removed promptly is also inaccurate. The infringing content remained publicly available for more than a week after it was posted and was not removed until several days after I reported it.
>
> While I appreciate your apology, I do not believe a phone conversation is necessary at this stage. I prefer that all communications regarding this matter remain in writing so that there is a clear record of our discussions and positions.

As a gesture of good faith and in an effort to resolve this matter, I am willing to reduce the amount of the invoice from its original amount to $600. This offer is made solely for settlement purposes and should not be construed as a waiver of any of my rights or an admission regarding the value of my claim.

If you wish to resolve this matter, please confirm in writing that you will remit payment of $600 and provide an anticipated payment date.

I look forward to your response.

Best,

Mariusz Nowak

On Wed, Jun 17, 2026 at 7:27 AM Orest Melnyk <Orest@omacomp.com> wrote:

> Dear Mariusz,
>
> Thank you for your email and for clarifying your position regarding the photographs.
>
> First, I want to reiterate that I sincerely apologize for this situation. The photographs were reposted in connection with promoting and supporting the American Polish Cultural Center and its event, not for the purpose of exploiting your work or claiming ownership of it. The reposting occurred under the mistaken assumption that the content being shared from APCC-related sources was authorized for that purpose.
>
> Upon receiving your notice, the content was promptly removed. There was no intention to infringe upon your copyright or to misrepresent ownership of your photographs.
>
> For many years, both personally and through OMA Comp, I have dedicated substantial time, resources, and support to promoting APCC and community events. In this instance, the reposting was done solely in support of that mission and without any intent to derive commercial benefit from your images.
>
> I acknowledge your position that any authorization granted to APCC did not extend to OMA Comp. At the time of posting, I believed the materials were being shared within the scope of our ongoing support and management activities related to APCC. Clearly, there was a misunderstanding regarding permissions, and I will ensure that future reposting of third-party content is confirmed directly with the copyright holder beforehand.
>
> At this point, I would appreciate the opportunity to discuss the matter further and better understand your concerns, including the basis for the invoice you referenced. If you are available for a conversation, please let me know a convenient time and number to reach you.
>
> Again, I regret the misunderstanding and appreciate your bringing it to my attention. I hope we can resolve this matter professionally and amicably. I am abroad and any responses you referring were done on my behalf while assisting my mother in Poland. Please let me know if we could have a quick call
>
> Sincerely,
>
> Best regards,
>
> Orest Melnyk
>
> OMA Comp (Digital Marketing Agency)
> www.omacomp.com
> 248-616-3057 office
> 248-867-0711 direct
>
> > On Jun 17, 2026, at 01:08, Mariusz Nowak Photography <photo@mariusznowak.com> wrote:
> >
> > Dear Orest,

Your statement is incorrect and misleading.

While Izabela, in her role as Marketing Director of APCC, and Elżbieta Wienke, in her role as General Manager, had access to my copyrighted photographs and permission to use them on behalf of APCC, **neither of them had the authority to grant OMA Comp permission to use, reproduce, publish, distribute, or otherwise exploit my images for OMA Comp's promotional, marketing, or commercial purposes.**

Any permission granted to APCC was limited solely to APCC's use of the photographs and did not extend to OMA Comp or any other third party. I never authorized OMA Comp to use my copyrighted images, nor did I grant any license, written or otherwise, for such use.

As the photographer and copyright owner, only I have the authority to grant permission for the use of my photographs. Therefore, your assertion that OMA Comp obtained authorization through Izabela or Elżbieta Wienke is incorrect. The use of my images by OMA Comp occurred without my knowledge or consent and constitutes copyright infringement.

The infringing content may have been removed, but that does not change the fact that the unauthorized use occurred. I have preserved evidence of the infringement and the commercial use of my photographs.

I am again requesting payment of the invoice previously provided for the unauthorized use of my copyrighted images. Please confirm that payment will be made and provide an expected payment date.

While I would prefer to resolve this matter amicably, I continue to evaluate all available legal remedies, including pursuing this matter through the Copyright Claims Board and other appropriate legal action if necessary.

I look forward to your prompt response regarding payment of the outstanding invoice.

Best,
Mariusz

On Tue, Jun 16, 2026 at 5:30 PM Orest Melnyk <Orest@omacomp.com> wrote:

> Removed. We got pictures from Izabela and we manage APCC Facebook page and website.
>
> ---
>
> **From:** Mariusz Nowak Photography <photo@mariusznowak.com>
> **Sent:** Saturday, June 13, 2026 12:06 AM
> **To:** OMA Comp Sales <sales@omacomp.com>; Orest Melnyk <Orest@omacomp.com>
> **Subject:** Notice of Copyright Infringement
>
> **Subject:** Notice of Copyright Infringement
>
> Mariusz Nowak Photography LLC
> 530 Charlesina Dr
> Rochester, MI 48306
> photo@mariusznowak.com
> 248-270-7959
> 6/12/2026
>
> **OMA Comp**
> Orest Melnyk
> 318 Woodlawn Avenue
> Royal Oak, MI 48073-2615
>
> **Re:** Unauthorized Use of Copyrighted Photographs
>
> Dear Orest Melnyk,
>
> I am writing to inform you of a violation of my intellectual property rights. It has come to my attention that multiple of my copyrighted photographs have been used by your organization without my authorization. The specific details are as follows:
>
> 1. **Description of the Photographs**:
>
> Multiple photographs from **A Polish Retro-Style Dance (Zabawa w Stylu PRL)** (please see attachments)
>
> 2. **Location of Unauthorized Use**:
>
> OMA Comp Facebook page:
>
> https://www.facebook.com/OMAComp
>
> https://www.facebook.com/OMAComp/posts/pfbid0Ry9QjBx4YcuygGsshWb1gJKgMNdNJZtBouGLZs4ADB2sHBy8eKMNYHjrsKM2oXFdl
>
> 3. **Date(s) of Infringement**: June 9th, 2026 - present
>
> As the creator and copyright holder of these photographs, I retain exclusive rights to their use and distribution under applicable copyright laws, including the United States Copyright Act (Title 17, U.S. Code). Unauthorized use of these works constitutes copyright infringement and may subject you to liability for damages, including statutory damages, and attorneys' fees.

I request that you take the following actions immediately:

1. Remove the unauthorized photographs from all locations where they are currently being used, including but not limited to websites, social media, printed materials, or advertisements.
2. Cease any further use of my copyrighted photographs without obtaining proper authorization.
3. Provide a written response to this letter within 14 business days, confirming your compliance with the above requests and explaining how the unauthorized use occurred.
4. Provide compensation for current usage (the invoice will be sent shortly following the receipt of this correspondence).

If you would like to license the images in the future, please contact me.

If I do not receive a satisfactory response and compensation within the specified time frame, I will have no choice but to consider further legal action to protect my rights. This may include filing a formal copyright infringement claim and seeking damages as permitted by law.

I hope we can resolve this matter promptly and amicably. If you have any questions or would like to discuss licensing terms, please feel free to contact me directly.

Thank you for your immediate attention to this matter.

Sincerely,

Mariusz Nowak