Re: Notice of Copyright Infringement

Orest Melnyk
Sent: Friday, June 19, 2026 4:23 AM
To: Mariusz Nowak Photography [photo@mariusznowak.com]
Cc: OMA Comp Sales

Dear Mariusz,

Thank you for your email and for providing the screenshots identifying the photographs at issue.

As I stated previously, I take your claim seriously and intend to review it thoroughly and respond appropriately. The photographs have been removed, and OMA Comp has no intention of using them going forward without proper authorization.

However, I am not in a position to reach conclusions or make payment decisions until I have completed my investigation and received the information I previously requested.

At present, I am in Poland assisting my elderly mother with significant health and living-transition matters. In addition to the six-hour time difference, this has limited my ability to conduct a complete review as quickly as I would prefer. Nevertheless, I am actively working on the matter and have responded to your communications as promptly as circumstances allow.

To properly evaluate your claim, I have reached out to APCC and am gathering information regarding the origin, distribution, and use of the photographs in connection with event promotion. I am also reviewing the timeline of posting, notification, and removal of the images to ensure that all facts are accurately understood.

I note that several of the questions raised in my prior correspondence remain unanswered, including:

• Copyright registration information, if applicable;
• The basis for the amount reflected on the invoice;
• Documentation supporting the valuation claimed;
• Clarification whether the amount requested represents a licensing fee, settlement demand, claimed damages, or another basis for recovery.

You have presented allegations and requested payment. As a matter of fairness and due diligence, I must be afforded a reasonable opportunity to verify the facts, understand the circumstances, and evaluate the information supporting your claim before providing a substantive response.

On a personal note, we are both members of the same Polish-American community and have each contributed our time and efforts toward supporting organizations such as APCC. My involvement with APCC and the event in question was motivated solely by a desire to support the organization, its mission, and a successful community event. There was never any intent to misuse anyone’s work or obtain a personal benefit at another person’s expense.

For that reason, I am hopeful that we can approach this matter professionally, exchange the information necessary to fully understand the facts, and reach an informed resolution once the review has been completed.

At this time, I am unable to confirm payment of the invoice, agree with the amount claimed, or accept your characterization of the facts. Nothing in this correspondence should be interpreted as an admission of liability, acceptance of your allegations, or waiver of any rights or defenses available to OMA Comp.

Once I have completed my review and received the requested information, I will provide a substantive response.

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 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