



**Roosevelt Island  
Operating Corporation**

**ANDREW M. CUOMO**  
Governor

**SHELTON J. HAYNES**  
Acting President & CEO

**BOARD OF DIRECTORS**

RuthAnne Visnauskas, Chair, Commissioner of NYSHCR  
Robert F. Mujica Jr., Director of BUDGET  
Conway S. Ekpo  
Jeffrey R. Escobar  
David Kapell  
David Kraut  
Howard Polivy  
Michael Shinozaki

February 23, 2021

VIA EMAIL [davidstone@me.com](mailto:davidstone@me.com)

Mr. David Stone  
Editor & Publisher  
Roosevelt Island Daily News

**Re: Alleged Copyright Infringement**

Dear Mr. Stone:

Please allow this letter to acknowledge the receipt of your email to Roosevelt Island Operation Corporation (“RIOC”) dated February 4, 2021, alleging that RIOC infringed on a photograph of Mr. Roy Eaton that also appeared in the Roosevelt Island Daily News blog.

We have reviewed the above correspondence and consulted with our staff. RIOC takes every measure to ensure that its staff is trained in the proper use of photographs and other intellectual property that is protected by copyright infringement laws; and would not knowingly use such items without receiving permission from their owners. To that end, RIOC received permission from Mr. Eaton to use his picture in the *RIOC News!* publication and published the same.

To the extent you claim copyright privileges to a photograph used in RIOC’s newsletter, assuming the facts are as you state them, we would sincerely apologize for this mistake. A review of the photograph did not indicate that it was in fact protected by copyright laws or that any such protection would be imparted to you as the owner of said photograph. And, although you are seeking payment for the use of the photograph, RIOC’s use of the photograph was unknowing and innocent in that its staff was not aware that any such copyright protection existed. Moreover, such use would fall within the well-defined “fair use” exception to the copyright laws.

Based on the above, RIOC will not honor your request for payment. Rest assured that RIOC will take the proper steps to ensure that a misunderstanding like this does not happen again.

Thank you for bringing this to our attention.

Very truly yours,

*Gretchen Robinson*

Gretchen Robinson

Vice President/General Counsel