

September 8, 2022

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**VIA EMAIL**

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Postearly, Inc. AKA Robles Meran Interactive Media, S.R.L.  
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Roble Corporate Center, C / Rafael A. Sánchez #86,  
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National District,  
Dominican Republic

**Re: Cease and Desist Abuse of Facebook and Instagram – Postearly, Inc. AKA Robles Meran Interactive Media, S.R.L.**

Dear Mr. Robles Meran and Ms. Guzman:

We represent Meta Platforms, Inc. (formerly Facebook, Inc., and hereinafter “Meta”). Meta operates, among other products, Instagram. Meta has gathered evidence that you are facilitating activity that violates Meta’s and Instagram’s terms. Specifically, your service “Postearly”

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improperly automates access to and facilitates unauthorized functionality on Instagram, such as automatically engaging with posts and followers and scraping information about Instagram accounts to facilitate features such as direct messaging and scheduled posting. Postearly facilitates these features by collecting and storing users' Instagram credentials. Your service "Dm Magic" also purports to offer automated direct messaging on Instagram. These activities violate Meta's and Instagram's terms.

**Meta demands that you stop this activity immediately.**

Meta takes the protection of the user experience very seriously, and it is committed to keeping its products safe for users to interact and share information. Meta has developed terms and policies to protect the user experience and facilitate these goals.

Meta's and Instagram's terms prohibit, among other things:

- Using Instagram to do anything unlawful, misleading, or fraudulent, or for an illegal or unauthorized purpose;
- Accessing or collecting users' content or information via automated means without Meta's prior express written permission;
- Soliciting, collecting, or storing user credentials;
- Interfering with and impairing the intended operation of Instagram;
- Selling likes and followers or artificially collecting likes and followers; and
- Facilitating or encouraging others to violate terms.

See Meta's Terms of Service, <https://www.facebook.com/legal/terms>; Developer Policies, <https://developers.facebook.com/devpolicy/>; Platform Terms, <https://developers.facebook.com/terms>; Instagram's Terms of Use, <http://instagram.com/about/legal/terms/>.

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Meta has taken technical steps to deactivate your Facebook and Instagram accounts, and hereby revokes your limited licenses to access Facebook and Instagram. **This means that you, your agents, employees, affiliates, or anyone acting on your behalf (“You” or “Your”) may not access the Facebook or Instagram websites, mobile applications, Platforms, services, or networks for any reason whatsoever.** Meta will treat any further activity by You on its websites, mobile applications, Platforms, services or networks as intentional and unauthorized access to its protected computer networks.

Please respond to me **WITHIN 48 hours confirming that You:**

- Have stopped and will not in the future access the Facebook and Instagram websites and/or use Facebook’s and Instagram’s services for any reason whatsoever;
- Have preserved and will continue to preserve in the future all information related to the activities described herein;
- Have stopped and will not in the future offer, transfer, market, sell or offer to sell any services related to Facebook or Instagram;
- Will account for and disgorge any and all revenue earned from your unauthorized activities related to Facebook and Instagram;
- Have secured all data from Facebook and Instagram under your control and ensured it is no longer accessible;
- Have shut down all websites you operate that are used to sell Facebook or Instagram related services, and have removed all advertisements or postings on external websites advertising or describing Facebook or Instagram related services;
- Will, following the accounting required below, **and only after receiving a specific instruction from me**, delete all data obtained from Facebook and Instagram; and
- Will enter into a written agreement memorializing your commitment to compliance with the demands in this letter.

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**Along with Your response, You must provide the following information:**

- A complete list of each and every product you created that targets Facebook or Instagram users and/or interacts with Facebook or Instagram services;
- A complete accounting all compensation or revenue received by You in connection with your unauthorized services;
- A detailed description of the methods You used to obtain data from Facebook, Instagram, or any other Meta affiliated companies;
- A complete list of domain names that You own, maintain, or control presently, along with all domain names that You have previously used to offer Facebook or Instagram related services;
- A detailed description of the methods used to automate Instagram functionality and provide Meta-related services, including a full list of all apps or APIs that You utilized or developed;
- A copy of each and every version of any software code You have developed or used to interact with the Meta websites and/or services, including any libraries, frameworks, or other code, and the source for that code if not Your own development; and
- A complete accounting of all data that You obtained from Facebook and Instagram.

If you ignore this letter and continue your current improper conduct, Meta will take whatever measures it believes are necessary to enforce its rights, maintain the quality of its websites, and protect users' information and privacy.

This letter is not intended by us, and should not be construed by you, as a waiver or relinquishment of any of Meta's rights or remedies in this matter. Meta specifically reserves all

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such rights and remedies whether at law or in equity, under applicable domestic and foreign laws.

Sincerely,



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