



2504 Avenue D
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COPYRIGHT INFRINGEMENT POLICY

The Company complies with the Online Copyright Infringement Liability Limitation Act of 1998 (Act). As required by the Act, we have adopted a policy to address broadband accounts involved in repeated copyright infringement. Our repeat infringer policy is as follows:

If two copyright infringement notices are received within a 60-day period regarding a broadband account, we will suspend that broadband account's service for 10 days;

If a third copyright infringement notice is received regarding the same broadband account within 60 days of service suspension, we will terminate that broadband account's service for 1 month; and,

If we receive another copyright infringement notice regarding that broadband account, we will permanently terminate service to that broadband account.

The Company accommodates and does not interfere with standard technical measures to identify and protect copyrighted works, subject to the limitations of the Act.

The following checklist provides guidance for procedures to take after a designated agent receives a notice of infringement.

1. Is the notice proper? A proper notice must be in writing and contain the following:
 - a. The physical or electronic signature of the copyright owner or representative.
 - b. Identification of the copyrighted work.
 - c. Identification of the infringing material or activity with information reasonably sufficient to permit the Company to locate the material.
 - d. Information sufficient for the Company to contact the complaining party.
 - e. A statement that the complaining party has a good faith belief that the use of the material is not authorized by the copyright owner, its agent or law.
 - f. A statement that the information in the complaint is accurate, and under penalty of perjury, the complaining party is entitled to act on behalf of the owner.

If the notification does not substantially comply with the above requirements, it does not constitute notice. If a notification identifies the copyrighted work, the alleged infringement, and provides a means to contact the complaining party, the Company must attempt to contact the complaining party to assist with preparing a proper notice.



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2. Response to proper notice.
 - a. If it is information residing on the Company's network (e.g. shared/backup storage), the Company must promptly remove the allegedly infringing material or activity, or disable access to it. Document the response.
 - b. If it is peer-to-peer (P2P) or transitory digital network communications (transmission of material over the network – material is not modified by the transmission), the Company is not required to take down the allegedly infringing material, but must terminate service according to its repeat infringer policy.
 3. Has a subscriber placed the material or activity on the network?
 - a. If no – no further action required.
 - b. If yes – promptly notify the subscriber that the material has been removed or access to the material has been disabled (e.g. shared/backup storage).
 4. Has the subscriber sent the designated agent a proper counter notification? A proper notice must be in writing and contain the following:
 - a. The physical or electronic signature of the subscriber.
 - b. Identification of the material that has been removed or to which access has been disabled, and the location of the material.
 - c. A statement under penalty of perjury that the subscriber has a good faith belief that the material was removed or disabled as a result of a mistake or misidentification.
 - d. The subscriber's name, address, telephone number and a statement that the subscriber consents to the jurisdiction of the federal district court and that the subscriber will accept service from the complaining party.
 5. Response to counter notification. Promptly provide a copy of the counter notification to the complaining party with notice that the material will be replaced or access will be enabled within 10 business days.
 6. Has the complaining party responded to the counter notification with a notice of legal action?
 - a. If no – replace the material or enable access between 10 and 14 business days after responding to the counter notification.
 - b. If yes – continue removal or disabled access until ordered otherwise by the court.
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