

DMCA Information

Disclaimer: This information should not be construed as legal advice.

We respect the intellectual property (IP) ownership and rights of others. We take IP matters seriously.

If you strongly believe in good faith that your copyrighted work has been copied or used in a way that constitutes copyright infringement and is accessible on this site, you may notify our copyright agent, as set forth in the Digital Millennium Copyright Act of 1998 (DMCA).

For a complaint to be valid and accepted under DMCA, it must include the following information:

Elements of notification. 17 USC Section 512(c)(3)(A)

(A) To be effective under this subsection, a notification of claimed infringement must be a written communication provided to the designated agent of a service provider that includes substantially the following:

- (i)** A physical or electronic signature of a person authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.
- (ii)** Identification of the copyrighted work claimed to have been infringed, or, if multiple copyrighted works at a single online site are covered by a single notification, a representative list of such works at that site.
- (iii)** Identification of the material that is claimed to be infringing or to be the subject of infringing activity and that is to be removed or access to which is to be disabled, and information reasonably sufficient to permit the service provider to locate the material.
- (iv)** Information reasonably sufficient to permit the service provider to contact the complaining party, such as an address, telephone number, and, if available, an electronic mail address at which the complaining party may be contacted.
- (v)** A statement that the complaining party has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.
- (vi)** A statement that the information in the notification is accurate, and under penalty of perjury, that the complaining party is authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

Fair Use Warning

Proceed with caution. It is possible that the perceived copyright infringement is a valid use. The owner of the work may have a valid lawful right to use under **Fair Use** or some other copyright exception.

We believe in **good faith** that any use of other works in our blog or website is de minimis, transformative, has no market effect, and constitutes a valid **Fair Use** under U. S. Copyright law 17 USC Section 107 and Fair Use court cases.

Any unwarranted or improper attempts to takedown or claim our work or content under the Digital Millennium Copyright Act (DMCA) may subject you to legal action and damages for **bad faith** under 17 USC Section 512(f).

Before initiating any formal DMCA takedown action, please submit a polite informal inquiry to us by mail or email expressing your questions or concerns about possible copyright infringement. A reply from us or another relevant party may resolve the issue quickly without requiring further time, effort, or expense. Failure to do so may constitute **bad faith**.

Before submitting a formal DMCA Takedown Notice, the complaining copyright owner must carefully consider the likelihood of a lawful defense and counterclaim of **Fair Use** or other exception for the alleged infringing content.

Failure to consider **Fair Use** or other lawful exceptions of the identified work may be found to be in **bad faith** and result in a claim against you for making a **false statement**, including criminal charges of **perjury**, for declaring that you made your claim truthfully in **good faith**.

Consult with an attorney for legal advice about copyright laws, DMCA, Fair Use, and other exceptions. See *Lenz v. Universal Music Corp.*, 572 F. Supp. 2d 1150 (N.D. Cal. 2008).

Misrepresentation and False Reporting. 17 USC Section 512(f)

CAUTION: UNDER FEDERAL LAW, IF YOU KNOWINGLY **MISREPRESENT** THAT ONLINE MATERIAL IS **INFRINGING**, YOU MAY BE SUBJECT TO **CIVIL PENALTIES** INCLUDING MONETARY DAMAGES, COURT COSTS, AND ATTORNEYS' FEES INCURRED BY US, BY ANY COPYRIGHT OWNER, OR BY ANY COPYRIGHT OWNER'S LICENSEE THAT IS INJURED AS A RESULT OF RELIANCE ON YOUR **MISREPRESENTATION**. YOU MAY ALSO BE SUBJECT TO **CRIMINAL PROSECUTION** FOR **PERJURY**.

DMCA Takedown Notice

Third-party Disclosure.

We may provide information that you submit to third parties including the alleged infringer.

1. Your Contact Information

Your full legal name _____

Company name _____

Job title _____

Your e-mail address _____

Street address _____

City _____ State _____ Zip code _____

Phone number _____

2. Your Relationship to the Copyright Holder

I own the copyrighted work

My organization owns the copyrighted work

I am an agent authorized to file this notice on behalf of the copyright holder

3. Identify the Original Work

Links to the original work. If available, please provide direct link(s) to the original work. This can be a representative list. If not available, please ensure that you provide a detailed description of the work below. For multiple URLs, list one URL per line.

a. _____

b. _____

c. _____

4. Description of the Original Work

Please provide a title or description, the type of original work, and the original publication year. (text, graph, chart, table, sketch, drawing, image, logo, photo, audio, video, music, other)

a. _____

b. _____

c. _____

5. Content You are Reporting as Infringing

Please provide link(s) to the content on this website or blog that you allege violates or infringes your copyright. Provide a complete list of each individual page or work that contains content that you are requesting to be removed or disabled from access. For multiple URLs, list one URL per line.

a. _____

b. _____

c. _____

6. Description of the Alleged Infringing Work

Please provide a title or description and type of the specific content (or portion thereof) that you claim to be infringing and that you are requesting to be removed or disabled from access.

a. _____

b. _____

c. _____

7. Additional Comments

Please enter any additional information that may help us process your claim of infringement.

Declarations

8. Good Faith Belief

I have a good faith belief that use of the material I have described is **not authorized** by the copyright owner, its agent, or the law, including any **Fair Use** or other lawful exclusions.

I have been cautioned to **seek legal advice** from an attorney before submitting this notice.

9. Misrepresentation and False Reporting Acknowledgment

I understand that under federal law 17 USC Section 512(f), I may be found **liable** for any damages, including costs and attorneys' fees, if I knowingly materially **misrepresent** that reported material or activity is infringing, when the use is **lawful**, permitted, licensed, or excluded.

10. Declaration Under Penalty of Perjury

I declare **under penalty of perjury** that the foregoing is **true and correct** and I am **authorized** to submit this notice on behalf of the copyright owner.

11. Electronic Signature

Typing your name in the signature line below will act as your authorized electronic signature.

Executed on date _____, 20_____.

Signature _____

Thank you for submitting your DMCA Takedown Notice.

We will review the information and upon verification will take appropriate action shortly.