

Removal of Material for Which Copyright Infringement is Claimed

DMCA: Digital Millennium Copyright Act

We will respond to allegations of copyright violations in accordance with the Digital Millennium Copyright Act (DMCA). The DMCA provides a process for a copyright owner to give notification to an online service provider concerning alleged copyright infringement. When a valid DMCA Notice is received, the online service provider responds under this process by taking down the offending content. On taking down content under the DMCA, we will take reasonable steps to contact the owner of the removed content so that a Counter-notification may be filed. On receiving a valid Counter-notification, we generally restore the content in question, unless we receive notice from the DMCA Notice provider that a legal action has been filed seeking a court order to restrain the alleged infringer from engaging in the infringing activity or unless we believe the posting otherwise violates our EULA or Terms of Service. If we believe that a user or account holder is continually abusing the DMCA process, either with filings that appear to be without basis, or by continually re-posting content that is the subject of valid DMCA notifications, it is our policy that under these and other appropriate circumstances, we may exercise our right to terminate the abusing party's account.

Any person who knowingly materially misrepresents that material or an activity is infringing or that material or activity was removed or disabled by mistake or misidentification, shall be liable to us for any damages, including costs and attorneys' fees, incurred by us in removing or disabling access to the material or activity claimed to be infringing, or in replacing the removed material or enabling access to it.

We may provide copies of such notices to the participants in the dispute or to third parties, at our discretion and as required by law. **Our privacy policy does not protect any information contained in any DMCA Notice or Counter-notification.**

To File a DMCA Notice - A written notification must be made. The notification must:

1. Identify in sufficient detail the copyrighted work that you believe has been infringed upon (i.e., describe the work that you own).
2. Identify the posting, content, or item that you claim is infringing on your copyright, and provide information reasonably sufficient to locate the item ON OUR WEBSITE.
3. Provide a reasonably sufficient method of contacting you - address, phone number and email address is preferred.
4. *(Optional)* Provide information, if possible, sufficient to permit us to notify the user(s) who posted the content that allegedly contains infringing material. (This is for identification only, not to "prove" substantive claims.)
5. Include the following statement: "I have good faith belief that the use of the copyrighted materials described above and contained on the service is not authorized by the copyright owner, its agent, or by protection of law."
6. Include the following statement: "I swear, under penalty of perjury, that the information in the notification is accurate and that I am the copyright owner or am authorized to act on behalf of the owner of an exclusive right that is allegedly infringed."

7. Sign the paper.

The DMCA provides that you may be liable for damages (including costs and attorneys' fees) if you falsely claim that an item(s) is infringing your copyrights.

You can send the DMCA notice by U.S. mail or overnight courier to our Designated Agent, by email to our Designated Agent at connie@mablesonlaw.com or by FAX to our Designated Agent to 602-557-0551. Our Designated Copyright Agent is: Connie J. Mableson, 3033 N. Central Ave., Suite 645, Phoenix, AZ (AZ) 85012 Attn: DMCA Agent/Supermoon.