

## **COPYRIGHT NOTICE FOR WEBSITE**

### **Policy relating to the Digital Millennium Copyright Act of 1998**

VPM has adopted this policy under federal law for responding to complaints that material placed on our website by third parties infringes a copyright.

The governing law is the Digital Millennium Copyright Act of 1998 (known as the DMCA), and you may find a summary of the DMCA at

<http://www.copyright.gov/legislation/dmca.pdf>. This policy explains:

- How to give notification to VPM of a claimed copyright infringement
- What VPM does when we receive your notification
- How a party receiving a takedown notice from VPM may respond

### **How to Give Us Notification of a Claim of Copyright Infringement**

To provide VPM with notification of a claimed copyright infringement, you must send a written communication to VPM's **DMCA Agent** at the address provided below. The written notification must include the following information:

1. The signature (either physical or electronic) of a person authorized to act on behalf of the owner of the copyrighted work claimed to have been infringed.
2. 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 on that site.
3. Identification of the material that you claim is infringing or is the subject of infringing activity and that you wish to have removed or to have access disabled, and information reasonably sufficient to permit the service provider to locate the material (such as the URL where the material is located).
4. Information reasonably sufficient to permit us to contact you, such as an address, telephone number, and, if available, an electronic mail address.
5. A statement that you have 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. Please be aware that any person who knowingly materially misrepresents that material or activity is infringing may be subject to liability pursuant to Section 512(f) of the DMCA and for resulting damages, costs, and attorneys' fees. Accordingly, if you are

not sure whether material on our website infringes your copyrights, we suggest that you first contact an attorney.

6. A statement, under penalty of perjury, that the information in the written notification is accurate, and that the party submitting the notification is authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

Your written notification should be sent to VPM's **DMCA Agent** at:

DMCA Complaints

Attn: Elliott Robinson

VPM Media Corporation

23 Sesame Street

Richmond, Virginia, 23235

Telephone: (804) 320-1301

Email: [erobinson@vpm.org](mailto:erobinson@vpm.org)

### **What We Do When We Receive Notification**

Upon receipt of your copyright infringement notification, VPM will remove the identified material from the site or disable access to it.

VPM will also promptly advise the party that placed the allegedly infringing material on our site that your notice has been received.

## How a Party Accused of Infringement May Respond

A party who has placed material on our website about which a copyright infringement notification has been filed has the right to file a counter-notification with us in accordance with Section 512(g) of the DMCA. A counter-notification must be communicated to VPM's **DMCA Agent** in writing at the address provided above, and must include the following information:

1. The signature (either physical or electronic) of a person authorized to act on behalf of the party that placed the material.
2. Your full name, address, telephone number, and email address, and the username of your account on our website (when applicable).
3. The identity of the specific URLs of the material that our website has removed or to which our website has disabled access.
4. A statement consenting to the jurisdiction of Federal District Court for the judicial district in which your address is located (or Richmond, Virginia, USA, if your address is outside of the United States), and

that you will accept service of process from the person who provided us with the copyright infringement notification or their agent.

5. The following statement made under penalty of perjury: "I swear, under penalty of perjury, that I have a good faith belief that the material was removed or disabled as a result of a mistake or misidentification of the material to be removed or disabled."

Please note that under Section 512(f) of the DMCA, any person who knowingly materially misrepresents that material or activity was removed or disabled by mistake or misidentification will be liable for any resulting damages, costs, and attorneys' fees.

VPM enforces a policy that provides for the termination in appropriate circumstances of subscribers who are repeat infringers. Accordingly, if you are not sure whether certain material infringes the copyrights of others, we suggest that you first contact an attorney.

### **How VPM Addresses Contested Infringement Claims**

Upon receipt of a counter-notification from the party accused of infringement or infringing activity, VPA will forward a copy of the counter-notification to the party who submitted the original notification alleging copyright infringement. Please note that by submitting a counter-notification, you consent to having your personal information revealed to

the party who filed the original notification. If the party who filed the original copyright infringement notification notifies us within ten (10) days of our receipt of your counter-notification that he, she, or it has filed an action seeking a court order against you with respect to the subject matter of the copyright infringement notification, we are not permitted to restore the material to our website. If VPM does not receive such notice, we may reinstate the material.

### **Questions**

If you have any questions about VPM's policies concerning copyrights, please contact: Steve Humble, [shumble@vpm.org](mailto:shumble@vpm.org)