

## **DIGITAL MILLENNIUM COPYRIGHT ACT (DMCA) POLICY**

- A) Section 512 of the Copyright Law of the United States, 17 U.S.C. § 512; available online at <http://www.copyright.gov>, limits liability for copyright infringement by service providers if the service provider has designated an agent for notification of claimed infringement by providing contact information to the Copyright Office and through the service provider's website. Our designated agent is: Shane Michael - BBWE P.O. Box 261 East Haddam, CT 06423 – Ph 877.422.9383 Fx 860.873.1902 - [info@bbwentertainment.com](mailto:info@bbwentertainment.com).
- B) You understand that BBW Entertainment is an Internet Service Provider ("ISP") under the Digital Millennium Copyright Act (DMCA) and understand that BBW Entertainment is required under the DMCA to remove and/or have you remove any material(s) that another party claims you are infringing upon once BBW Entertainment has received, in its sole judgment, a proper notification.
- C) BBW Entertainment, as a service provider, has no other role to play either in prosecuting or defending claims of infringement, and cannot be held accountable in any case for damages, regardless of whether a claim of infringement is found to be true or false. If you knowingly misrepresent that material infringes your copyright interests, you may be liable for damages (including court costs and attorneys fees) and could be subject to criminal prosecution for perjury. BBW Entertainment will actively refer complainants who use the DMCA for improper purposes to relevant law enforcement agencies.
- D) If you feel that the material(s) you have placed online that have been removed following an infringement complaint is in fact not an infringement, you may file a counter notification. Section 512 (g)(3) requires that to be valid, the counter notification must be written and addressed to our agent (identified above) and must provide the following information;
- A physical or electronic signature of the client.
  - Identification of the material(s) that has been removed or to which access has been disabled and the location at which the material(s) appeared before it was removed or access to it was disabled.
  - A statement under penalty of perjury that client has a good faith belief that the material(s) were removed or disabled as a result of mistake or misidentification of the material(s) to be removed or disabled.
  - The subscriber's name, address, and telephone number, and a statement that the subscriber consents to the jurisdiction of Federal District Court for the judicial district in which the address is located, or if the subscriber's address is outside of the United States, for any judicial district in which the service provider may be found, and that the subscriber will accept service of process from the person who provided notification under subsection (c)(1)(C) or an agent of such person.
- E) BBW Entertainment is not required to respond to counter notifications that do not meet the requirements of Section 512 (g)(3). Our designated agent will present your counter notification to the person(s) who filed the infringement complaint. Once your counter notification has been delivered, BBW Entertainment is allowed under the provisions of Section 512 to restore the removed material(s) in not less than ten, nor more than fourteen days, unless the complaining party serves notice of intent to obtain a court order restraining the restoration. BBW Entertainment accommodates and does not interfere with "standard technical measures," as that term is defined in Section 512(i)(2).