

## **Digital Millennium Copyright Act**

Randolph Communications is committed to complying with U.S. copyright law and expects all end users who access some of our Services, but do not have accounts ("Visitors") as well as those who pay a monthly service fee to subscribe to the Services ("Members"), to do the same. The Digital Millennium Copyright Act of 1998 ("DMCA") provides recourse for owners of copyrighted material who believe that their rights under U.S. copyright law have been infringed on the Internet. Owners of copyrighted works who believe that their rights under U.S. copyright law have been infringed may take advantage of certain provisions of the Digital Millennium Copyright Act of 1998 (the "DMCA") to report alleged infringements. Upon receipt of a properly filed complaint satisfying the requirements of the DMCA, Randolph Communications will remove or block access to the allegedly infringing material. It is Randolph Communications' policy in accordance with the DMCA and other applicable laws to reserve the right to terminate the Service provided to any customer or user who is either found to infringe third party copyright or other intellectual property rights, including repeat infringers, or who Randolph Communications believes in its sole discretion is infringing these rights. Randolph Communications may terminate the Service at any time with or without notice for any affected customer or user.

If a Member or user of the Randolph Communications Service believes in good faith that a notice of copyright infringement has been wrongly filed, such person may submit a counternotice to Randolph Communications. Randolph Communications will not be a party to disputes over alleged copyright infringement.

This information should not be construed as legal advice to our Members or Visitors. If you believe that your copyrights have been infringed, or if a notice of copyright infringement has been filed against you, we advise that you seek legal counsel. We are providing the following information to you for informational purposes only.

### **Notification of Claimed Copyright Infringement**

If you believe that a Web page hosted by Randolph Communications is violating your rights under U.S. copyright law, you may file a complaint of such claimed infringement with Randolph Communications designated agent in the manner described below.

By Mail:

Randolph Communications  
c/o Mr. Peter Theis  
317 E. Dixie Drive  
Asheboro, North Carolina 27203  
By Telephone: (336) 879-5684  
By Email: [abuse@rtmc.coop](mailto:abuse@rtmc.coop)

For your complaint to be valid under the DMCA, you must provide the following information when providing notice of the claimed copyright infringement:

a. A physical or electronic signature of a person authorized to act on behalf of the copyright owner

b. Identification of the copyrighted work claimed to have been infringed or, if multiple copyrighted works at a single on-line site are covered by a single notification, a representative list of such works at that site.

c. Identification of the material that is claimed to be infringing or to be the subject of the infringing activity and that is to be removed or access to which is to be disabled as well as information reasonably sufficient to permit Randolph Communications to locate the material

d. 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

e. 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 law

f. 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

(For more details on the information required for valid notification, see 17 U.S.C. 512(c)(3). Located at <https://www.gpo.gov/fdsys/pkg/USCODE.../USCODE-2011-title17-chap5-sec512.pd>

You should be aware that, under the DCMA, claimants who make misrepresentations concerning copyright infringement may be liable for damages incurred as a result of the removal or blocking of the material, court costs, and attorney's fees. Counter notification to Claimed Copyright Infringement If a notice of copyright infringement has been filed against you, you may file a counter notification with Randolph Communications' designated agent at the address listed above. Such counter notification must contain the following information:

a. Physical or electronic signature

b. Identification of the material that has been removed or to which access has been disabled and the location at which the material appeared before it was removed or access to it was disabled

c. A statement under penalty of perjury that the Member has a good faith belief that the material was removed or disabled as a result of mistake or misidentification]

d. Your name, address, and telephone number, and a statement that you consent to the jurisdiction of the federal district court for the federal district in which you are located, and that you will accept service of process from the complainant

If Randolph Communications receives a valid counter notification, the DMCA provides that the removed material will be restored, or access re-enabled.

Please be advised that U.S. copyright law provides substantial penalties for a false counter notice filed in response to a notice of copyright infringement. Ver. 01/20/2003