

## **COPYRIGHT POLICY**

### **1. OVERVIEW**

ProfitBricks 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 notification is received, the 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 after ten days have passed, unless we receive notice from the notification provider that a legal action has been filed seeking a court order to restrain the alleged infringer from engaging in the infringing activity or as is otherwise necessary to protect ProfitBricks, its network, and its customers.

*Please note that these notifications and counter-notifications are legal notices. ProfitBricks may provide copies of such notices to the participants in the dispute or third parties, at our discretion and as required by law — the privacy policy for ProfitBricks does not protect information provided in these notices.*

### **2. INSTRUCTIONS FOR FILING NOTIFICATION**

A written notification must be made. This can be done either by fax or written letter (regular mail or courier). E-mailed notices must be followed by a faxed or written letter (regular mail or courier). The notification must:

- a. Identify in sufficient detail the copyrighted work that you believe has been infringed upon (i.e., describe the work that you own);
- b. Identify the item that you claim is infringing on your copyright, and provide information reasonably sufficient to locate the item within the social network. For example, “The allegedly infringing work I am referring to is located on the page: *[insert Web address]*.”;
- c. Provide a reasonably sufficient method of contacting you; phone number and e-mail address would be preferred;
- d. Provide information, if possible, sufficient to permit us to notify the user(s) who posted the content that allegedly contains infringing material. You may also provide screenshots or other materials that are helpful to identify the works in question. (This is for identification only, not to “prove” substantive claims);
- e. 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.”;

- f. 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.”; and
- g. Sign the paper

*Please note: The DMCA provides that you may be liable for damages (including costs and attorney’s fees) if you falsely claim that an item is infringing your copyrights. We recommend contacting an attorney if you are unsure whether an in-world object is protected by copyright laws.*

Send the written document to the designated Copyright Agent at ProfitBricks:

ProfitBricks, Inc.  
Attn: LEGAL/DMCA NOTIFICATION  
15900 La Cantera Parkway  
Suite 19210  
San Antonio, TX 78256

Alternatively, e-mail [legal@ProfitBricks.com](mailto:legal@ProfitBricks.com) followed by a written letter. On the cover sheet, please write ATTN: DMCA NOTIFICATION

### **3. INSTRUCTIONS FOR FILING COUNTER-NOTIFICATION:**

- a. List the items that were removed by you or the ProfitBricks administrators, and the location at which the material appeared before it was removed. Please identify the object in sufficient detail;
- b. Provide your name, address, telephone number, e-mail address (if available);
- c. State that you consent to the jurisdiction of federal district court for the judicial district in which you reside (or San Antonio, Texas if your address is outside the United States);
- d. State that you will accept service of process from the person who provided notification to us of the alleged infringement or an agent of such person;
- e. State the following: “I swear, under penalty of perjury, that I have a good faith belief that the material identified above was removed or disabled as a result of a mistake or misidentification of the material to be removed or disabled.”; and
- f. Sign the paper.

Send the written document to the designated Copyright Agent at ProfitBricks, Inc.:

ProfitBricks Inc.  
Attn: LEGAL/DMCA  
15900 La Cantera Parkway  
Suite 19210  
San Antonio, TX 78256

Alternatively, e-mail *legal@ProfitBricks.com* followed by a written letter. On the cover sheet, please write ATTN: DMCA COUNTER-NOTIFICATION

#### **4. REPEAT INFRINGERS**

It is ProfitBricks's policy to terminate the services of customers who are infringers in appropriate circumstances.

© 2014 ProfitBricks, Inc. All rights reserved

Last updated: October 1, 2014