

## **COPYRIGHT INFRINGEMENT**

All West respects the intellectual property rights of others. This policy identifies and describes the way All West handles copyright infringement claims.

### **1. Notice and Procedure for Making Claims of Copyright Infringement.**

a. Pursuant to Federal Copyright law, if you believe copyrighted work is available at the Sites in a manner that may constitute copyright infringement, please submit a notification pursuant to the Digital Millennium Copyright Act (“DCMA”) to All West’s Copyright Agent:

Jenny Prescott

50 W 100 North, Kamas UT 84036

866.255.9378

[jenny.prescott@allwest.com](mailto:jenny.prescott@allwest.com)

### **2. Notice Requirements. To be effective, a notification of a claimed copyright infringement must be provided in writing to All West’s above-listed Copyright Agent and must include the following information:**

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

b. A description of the copyrighted work that you claim has been infringed upon;

c. A specific description of where the material that you claim is infringing is located on the Sites;

d. Your address, telephone number, and e-mail address;

e. A statement by you that you have a good faith belief that the disputed use is not authorized by the copyright owner, its agent, or the law;

f. A statement by you, made under penalty of perjury, that the above information contained in your notice is accurate, and that you are the copyright owner or authorized to act on the copyright owner’s behalf.

### **3. Receipt of Written Notification. Upon receipt of appropriate written notification from the Complaining Party, pursuant to the requirements set forth above (the “Infringement Notification”), All West will remove or disable access to the material that is claimed to be infringing, and will forward the Complaining Party’s Infringement Notification to such alleged infringer (hereinafter “Impacted Party”) and shall take reasonable steps promptly to notify the Impacted Party that All West has removed or disabled access to the material.**

4. Counter Notification. In response to receipt of the Infringement Notification, an Impacted Party may provide Counter Notification by providing a written communication to All West's Copyright Agent, as identified above, that includes substantially the following:

- a. A physical or electronic signature of the Impacted Party.
- 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 Impacted Party has a good faith belief that the material was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled.
- d. The Impacted Party's name, address, and telephone number, and a statement that the Impacted Party consents to the jurisdiction of the Federal District Court for the judicial district in which the address is located, or if the Impacted Party's address is outside of the United States, for any judicial district in which All West may be found, and that the Impacted Party will accept service of process from the Complaining Party or an agent of such Party.

5. Receipt of Counter Notification. Upon receipt of a Counter Notification described above, All West shall:

- a. Promptly provide the Complaining Party with a copy of the Counter Notification;
  - b. Inform such Party that it will replace the removed material or cease disabling access to it in 10 business days; and
  - c. Replace the removed material and cease disabling access to it not less than 10, nor more than 14, business days following receipt of the Counter Notification, unless All West's Copyright Agent first receives notice from the Complaining Party that such Complaining Party has filed an action seeking a court order to restrain the Impacted Party from engaging in infringing activity relating to the material on All West's system or network.
6. Termination for Copyright Infringement. All West's policy is to terminate the online privileges of individual who repeatedly violate the copyrights of others. A repeat offender is defined as an account with more than 6 infringements within a 3 month period.