



## **Procedures for Requesting Removal of Infringing Material**

Effective May 2018

The owner of a copyrighted work (or the agent for the owner) who believes that material posted on the AUTM website infringes on the copyrighted work may request that the allegedly infringing material be removed from the site by notifying the AUTM website's designated agent for such purposes. The notice of alleged copyright infringement must:

- a) identify in sufficient detail the copyrighted work claimed to have been infringed;
- b) provide the electronic or physical signature of the copyright owner or a person authorized to act on the owner's behalf;
- c) include a statement by the copyright owner or authorized agent that he or she has a good faith belief that the disputed use is unauthorized;
- d) include a statement that the information contained in the request is accurate and an attestation, under penalty of perjury, that the requesting party is the copyright owner or authorized agent; and
- e) include the copyright owner or authorized agent's name, mailing address, telephone number and email address.

A notice of alleged copyright infringement may be submitted to the AUTM website's designated copyright agent by mail or email as set forth below:

### **[Specific individual's name, address and email contact information]**

Please note that anyone who submits a false notice and materially misrepresents that content on the site is infringing may be liable for damages, including court costs and attorneys' fees. Upon receiving a proper notice, AUTM will remove or disable access to the allegedly infringing material and promptly notify the alleged infringer of the owner's claim. AUTM also will advise the alleged infringer of the statutory counter-notification procedure described below by which the alleged infringer may respond to the claim and request that his or her material be restored.

Anyone who believes his or her own copyrighted material has been removed by AUTM from the site as a result of mistake or misidentification may submit a written counter-notice to the AUTM website's designated copyright agent. To be effective, a counter-notice must:

- a) identify the material that has been removed or disabled and the location at which the material appeared before it was removed or disabled;

- b) include a statement consenting to the jurisdiction of the Federal District Court in which the submitting party's address is located, or if the address is outside the United States, for any judicial district in which the service provider may be found;
- c) include a statement that the submitting party will accept service of process from the party that filed the notice of alleged copyright infringement or the party's agent;
- d) provide the submitting party's name, address and telephone number;
- e) include a statement under penalty of perjury that the submitting party has a good faith belief that the material in question was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled; and
- f) include the submitting party's physical or electronic signature.

A counter-notice may be submitted to the AUTM website's designated copyright agent by mail or email as set forth below:

**[Specific individual's name, address and email contact information]**

Please note that the above is not a substitute for legal advice and one should obtain legal advice to better understand his/her rights and obligations under applicable laws.