

Copyright Infringement Enforcement Policy

ETC Communications, LLC, including one or more of its affiliates ("ETC"), is committed to complying with U.S. copyright and related laws, and requires all customers and users of the Service to comply with these laws. Accordingly, you may not store any material or content on, or disseminate any material or content over, the Service (or any part of the Service) in any manner that constitutes an infringement of third party intellectual property rights, including rights granted by U.S. copyright law. 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.

Copyright infringement is illegal and violates the ETC's Service Terms and Conditions and Acceptable Use Policy. Subscribers should not engage in copyright infringement and should ensure that others using their Internet account do the same. Importantly, if the subscriber's home network is not protected or secured by a password or firewall, and unauthorized users are accessing the subscriber's network, they may be the source of the problem. You should contact any other individuals who have access to your Internet service and discuss the alert with them. Be sure to educate those that use your Internet service regarding copyright infringement. Explain that downloading copyrighted material without permission from the copyright holder is against the law.

Notice of Infringement

Copyright owners may report alleged infringements of their works that are stored on the Service or the Personal Web Features by sending ETC's DMCA Designated Agent a notification of claimed infringement that satisfies the requirements of the DMCA. Upon ETC's receipt of a satisfactory notice of claimed infringement for these works, ETC will notify the affected customer or user of the claimed infringement.

- The first Notice of Infringement will make customer aware of the copyright infringement and give guidance on what can be done to prevent further infringements.
- A second Notice of Infringement associated with the customer's account will result in a \$25.00 fee to cover our administrative costs.
- A third Notice of Infringement associated with the customer's account will result in a \$50.00 fee to cover our administrative costs and suspension of internet service. We also require an explanation of the steps that the customer is taking in order to have service reinstated.
- A fourth Notice of Infringement will result in termination of the customer's internet service for a period of twelve (12) months. We will evaluate each situation on a case-by-case basis.

Reporting of Copyright Infringement

If you believe that your work has been copied and has been posted, stored or transmitted by ETC service users in a way that constitutes copyright infringement, please submit a notification pursuant to the DMCA by providing ETC's DMCA Designated Agent (contact provided below) the following written information:

1. A physical or electronic signature of a person authorized to act on behalf of the copyright owner of an exclusive right that is allegedly infringed;
2. Identification of the copyrighted work claimed to have been infringed;
3. Identification of the material that is claimed to be infringing or to be the subject of infringing activity and that is to be removed or access to which is to be disabled, and information reasonably sufficient to permit ETC to locate the material;
4. Information reasonably sufficient to permit ETC to contact the complaining party, such as an address, telephone number, and, if available, an electronic mail address at which the complaining party may be contacted;
5. 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 the law;
6. 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.

ETC has filed with the United States Copyright Office the necessary designated agent information to facilitate notice of alleged online copyright infringement on our network. Our designated agent for notification of alleged copyright infringement and counter notification is:

Designation of Agent to Receive Notification of Claimed Infringement

Ellijay Telephone Company, P.O. Box O, 224 Dalton Street, Ellijay, GA 30540, DMCAcompliance@etcm.com

You should be aware that complainants who make false claims or misrepresentations concerning copyright infringement may be liable for damages under the DMCA.

Counter-Notification in Response to Claim of Copyright Infringement

If an affected customer or user believes in good faith that the allegedly infringing works have been removed or blocked by mistake or misidentification, then that person may send a counter notification to ETC's designated agent at the address noted above. Upon ETC's receipt of a counter notification that satisfies the requirements of DMCA, ETC will provide a copy of the counter notification to the person who sent the original notification of claimed infringement and will follow the DMCA's procedures with respect to a received counter notification. This process will invoke a dispute between you and the complaining party. In all events, you expressly agree that ETC will not be a party to any disputes or lawsuits regarding alleged copyright infringement.

Your counter-notification must be in writing and contain the following information:

1. A physical or electronic signature of an authorized person;
2. Identification of the material that was removed or access to which was disabled and the location at which material appeared before it was removed or access to it was disabled;
3. A statement under penalty of perjury that the alleged infringer has a good faith belief that the material was removed or disabled as a result of mistake or misidentification;
4. 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

You should be aware that substantial penalties under U.S. law apply for a false counter-notice filed in response to a notice of copyright infringement.

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