

CLAIMED COPYRIGHT INFRINGEMENT

Procedure for Submitting a Copyright Infringement Claim with Carolina Mountain Cablevision , Inc. ("CBVNOL")

The Digital Millennium Copyright Act of 1998 ("DMCA") (See 17 U.S.C. §512). Under the DMCA, copyright owners have the right to notify CBVNOL if they believe that a CBVNOL customer has infringed the copyright owner's work(s). If you believe that a CBVNOL customer has copied your work in a way that constitutes copyright infringement, you may file a Notification of Claimed Infringement with CBVNOL's designated DMCA agent. The DMCA provides the following procedure for parties to follow who wish to file a Notification of Claimed Infringement with CBVNOL:

To serve a Notification of Claimed Infringement on CBVNOL or any affiliated entities,

- 1) Go to: [Carolina Mountain Cablevision Inc. In Waynesville NC | Contact Us \(cbvnol.com\)](#) and complete a "Contact Us" e-mail or
- 2) Designated Agent: **Sherry Fender**

Physical Address to which Notification should be sent:

Carolina Mountain Cablevision, Inc.
ATTN: DMCA Agent
PO Box 457
Burnsville, NC 28714

Fax Number: (828) 536-4510

Telephone Number: 1-800-722-4074

To be effective under the DMCA, the Notification of Claimed Infringement must be a written communication provided to CBVNOL's designated agent and must include the following information:

1. A physical or electronic signature of a person authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.
2. Identification of the copyrighted work claimed to have been infringed, or, if multiple copyrighted works at a single online site are covered by a single Notification, a representative list of such works at that site.
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 the infringing IP address, time, date, and the time zone to permit CBVNOL to locate the material.
4. Information reasonably sufficient to permit CBVNOL 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.

Upon receipt of a Notification of Copyright Infringement from a copyright owner that contains the required information described in 1 through 6 above, CBVNOL will notify the customer of the alleged infringement and remove or disable access to the material that is alleged to be infringing if hosted on a CBVNOL domain. No personal, customer information is shared with the copyright owner unless required by law.

If CBVNOL receives more than one Notice of Copyright Infringement on the customers part, the customer may be deemed a 'repeat copyright infringer'. CBVNOL reserves the right to terminate the accounts of 'repeat copyright infringer's'.

Procedure to File a DMCA Counter-Claim

If you have received a notice of copyright infringement and you believe that a copyright holder has accused you in error, you may file a DMCA Counter-Claim with CBVNOL.

To be effective, a Counter-Claim must be a written communication provided to CBVNOL's designated agent and must include the following information:

- A physical or electronic signature of the subscriber.
- 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.
- A statement under penalty of perjury that the subscriber 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.
- The subscriber's name, address, and telephone number, and a statement that the subscriber consents to the jurisdiction of Federal District Court for the judicial district in which the address is located, or if the subscriber's address is outside of the United States, for any judicial district in which the service provider may be found, and that the subscriber will accept service of process from the person who provided notification or an agent of such person.

Upon receipt of a DMCA Counter-Claim, CBVNOL will provide the complaining party with a copy of the DMCA Counter-Claim. When CBVNOL receives a Counter-Claim that meets the requirements of the DMCA, CBVNOL will process the Counter-Claim in accordance with the requirements of the DMCA.

NOTE: The information on this page is provided to you for informational purpose only and is not intended as legal advice. If you believe your rights under United States Copyright Law have been infringed, you should consult with your attorney.