



## **FIREFLY FIBER BROADBAND**

### **Digital Millennium Copyright Act**

It is our policy to respond to notices of alleged infringement that comply with the Digital Millennium Copyright Act (the text of which can be found at the U.S. Copyright Office Web Site, <http://lcWeb.loc.gov/copyright/>) and other applicable intellectual property laws, which may include removing or disabling access to material claimed to be the subject of infringing activity. If we remove or disable access to comply with the Digital Millennium Copyright Act, we will make a good-faith attempt to contact the owner or administrator of each affected site so that they may make a counter notification pursuant to sections 512(g)(2) and (3) of that Act. It is our policy to document all notices of alleged infringement on which we act. A copy of the notice will be sent to a third party who will make it available to the public.

#### **Infringement Notification:**

To file a notice of infringement with us, you must provide a written communication (by fax or regular mail — not by email, except by prior agreement) that sets forth the items specified below. Please note that you will be liable for damages (including costs and attorneys' fees) if you materially misrepresent that a product or activity is infringing your copyrights. Indeed, in a recent case (please see [http://www.onlinepolicy.org/action/legpolicy/opg\\_v\\_diebold/](http://www.onlinepolicy.org/action/legpolicy/opg_v_diebold/) for more information), a company that sent an infringement notification seeking removal of online materials that were protected by the fair use doctrine was ordered to pay such costs and attorneys fees. The company agreed to pay over \$100,000. Accordingly, if you are not sure whether material available online infringes your copyright, we suggest that you first contact an attorney.

To expedite our ability to process your request, please use the following format (including section numbers):

1. Identify in sufficient detail the copyrighted work that you believe has been infringed.

For example, "The copyrighted work at issue is the text that appears on [www.fireflyva.com](http://www.fireflyva.com)"

2. Identify the material that you claim is infringing the copyrighted work listed in item #1 above. This requires you to provide the URL for each allegedly infringing work.
3. Provide information reasonably sufficient to permit Firefly to contact you (email address is preferred).
4. Provide information, if possible, sufficient to permit Firefly to notify the owner/administrator of the web page that allegedly contains infringing material (email address is preferred).
5. Include the following statement: "I have a good faith belief that use of the copyrighted materials described above on the allegedly infringing web pages is not authorized by the copyright owner, its agent, or the law."
6. 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.”

7. Sign the paper.
8. Send the written communication to the following address:

Firefly  
Attn: User Support, DMCA Complaints  
PO Box 359  
Lovingsston, VA 22949

**Counter Notification:**

The administrator of an affected site may make a counter notification pursuant to sections 512(g)(2) and (3) of the Digital Millennium Copyright Act. When we receive a counter notification, we will reinstate the material in question.

To file a counter notification with us, you must provide a written communication (by fax or regular mail — not by email, except by prior agreement) that sets forth the items specified below. Please note that you will be liable for damages (including costs and attorneys’ fees) if you materially misrepresent that a product or activity is not infringing the copyrights of others. Accordingly, if you are not sure whether certain material infringes the copyrights of others, we suggest that you first contact an attorney. A sample counter notification may be found at [www.chillingeffects.org/dmca/counter512.pdf](http://www.chillingeffects.org/dmca/counter512.pdf).

To expedite our ability to process your counter notification, please use the following format (including section numbers):

1. Identify the specific URLs of material that Firefly has removed or to which Firefly has disabled access.
2. Provide your name, address, telephone number, email address, and a statement that you consent to the jurisdiction of Federal District Court for the judicial district in which your address is located (or Roanoke, Virginia if your address is outside of the United States), and that you will accept service of process from the person who provided notification under subsection (c)(1)(C) or an agent of such person.
3. Include the following statement: “I swear, under penalty of perjury, that I have a good faith belief that each search result or message identified above was removed or disabled as a result of a mistake or misidentification of the material to be removed or disabled.”
4. Sign the paper.
5. Send the written communication to the following address:

Firefly  
Attn: User Support, DMCA Complaints  
PO Box 359  
Lovingsston, VA 22949