

## **Westelcom Internet's Policy and Procedures for Compliance with the Digital Millennium Copyright Act (Public Law 105-304)**

Westelcom Internet, in accordance with the Digital Millennium Copyright Act (<http://lcweb.loc.gov/copyright/legislation/hr2281.pdf>) has adopted the following policy toward copyright infringements:

"Westelcom Internet will block access to and/or remove any material that it believes in good faith to be copyrighted material that has been illegally copied and distributed by any of our users. And furthermore will permanently remove and discontinue service to any repeat offender."

This policy shall cover all aspects of network services provided by Westelcom Internet, including but not limited to Internet Access, Web Pages and News Groups.

### Procedure for Reporting Copyright Infringements:

A formal notice of Copyright Infringement containing the following information:

- A) Identification of what is being infringed
- B) Where the infringements are located
- C) Who is complaining?
- D) How he or she may be contacted
- E) A statement of good faith belief that the material is infringing
- F) A statement made under threat of perjury that the information provided is accurate and the complaint is authorized by the copyright holder.

The notice must be sent to the following Designated Copyright Infringement Agent for Westelcom Internet:

*Seth Crimmins – Vice President of Operations*  
*Westelcom Internet*  
*130 Park Place*  
*Watertown, NY 13601*  
*315-785-3924*  
Or via E-mail to: [copyright@westelcom.net](mailto:copyright@westelcom.net)

Once this information is received:

- The infringing user will be notified of the situation as soon as possible.
- The infringing material or site will be blocked if the user takes no action.
- First time offenders will have the infringing material removed.
  - If we continue to receive copyright infringement notifications against the customer, we will take appropriate action, which could include, but not limited to, reducing the customer's bandwidth, or suspending or terminating their internet service.
- The infringing user is responsible for all monthly recurring charges to Westelcom Internet even though their service (s) may be blocked until the time that they disconnect service.

The user may supply a counter-notice that must include the following:

- A statement that the user has a good faith belief that the removal was a result of a misidentification on our part
- A complete listing of the user's contact information
- A consent to jurisdiction in Federal Court

If this counter-notice is received by the Westelcom Internet Copyright Agent:

- A copy of the counter-notice will be sent to the original complaining party.
- The user's material and access will be restored in 10 to 14 days unless the Westelcom Internet Copyright Agent is informed that a lawsuit has been filed over the infringing material.

Notice: Westelcom Internet will look into any complaints it receives pertaining to material that may be in violation of any of the following Federal Acts:

- The Sexual Predators Act
- The Digital Millennium Copyright Act

- The Child Online Protection Act
- The Children's Online Privacy Protection Act

If any material is believed in good faith by Westelcom Internet to be in violation of any these acts, it will be blocked or removed, and the proper authorities will be notified of this action. Westelcom Internet reserves the right to revise this policy at any time it deems appropriate.

Revised 11/14/2016