



Link Web Services, Inc.

(US): 888.234.5689 (International): 949.201.6902
Sales: sales@linkwebservices.com Support: support@linkwebservices.com



I. USING US PATENT LAW TO HANDLE COPYRIGHT, TRADEMARK OR OTHER INTELLECTUAL PROPERTY DISPUTES:

Link Web Services, Inc. is required to fully comply with a Federal Copyright Law called the Digital Millennium Copyright Act or **DMCA** for short, as well as a special provision within that law called the Online Copyright Infringement Liability Limitation Act or **OCILLA** for short. This web page outlines how Link Web Services, Inc. will fully comply with these United States Public Laws and what the requirements and rights are for both the individual challenging web-based material (called the Complainant) and the owner of the website where the material appears (called the Respondent).

If content rightfully belonging to you, or a group you are fully authorized to represent, appears on a website that is hosted by Link Web Services, Inc., and attempts to resolve the issue by contacting the website owner directly were not successful, you may invoke the protections provided by DMCA by following the process outlined in OCILLA.

II. HERE IS A STEP-BY-STEP GUIDE FOR COMPLAINANTS:

A Complainant is required to deliver the following information to Link Web Services, Inc.:

1. Complete contact information (for you, the Complainant). Must include full legal name or name of the business entity claiming to own the material in question, address, contact telephone, e-mail.
2. Clear identification of the material that was copied, and where that material appears improperly (website address, etc.).
3. A statement that Complainant has a good faith belief that the use of the material is not legal.
4. A statement that, under penalty of perjury, Complainant is himself, or is authorized to act for, the copyright holder.
5. Complainant's signature.

We understand a complaint may be time sensitive. We will process the material on the business day it is received. You may mail this material via post or deliver by express courier to:

Vice President Business Affairs
Link Web Services, Inc.
111 Avenida Del Reposo #1
San Clemente, CA 92672

After we receive this material, Link Web Services, Inc. is required to inform the Respondent (our customer or via our customer) of your complaint, and in the instance Respondent does not voluntarily remove the material within a reasonable time, we must disable access to the website.

If the material is (a) not removed, and (b) we disable access to the site, and (c) our customer (Respondent) submits a counter-notification that the material was taken down mistakenly, Complainant is provided 10 days to file a lawsuit against our customer (Respondent) and provide proof of your filing. If you do not file the lawsuit, the website can be re-enabled.

Thereafter, Link Web Services, Inc. must comply with the directives of the court.

III. HERE IS A STEP-BY-STEP GUIDE FOR RESPONDENTS:

When a representative of Link Web Services, Inc. informs you that we are in receipt of a notification regarding material appearing on your website, hosted at Link Web Services, Inc. or on a dedicated server within any of Link Web Services, Inc.'s datacenters, you may do either of the following:

- A. You may voluntarily remove the material; the removal may be permanent or may be removed for the period of time necessary to resolve the dispute without risking a disruption in your service.
- B. You may submit a counter-notification indicating that you intend to dispute the complaint in an appropriate court of law. The counter-notification must include all of the following:
 1. Identification of the material that has been removed or to which access has been disabled and the location before removal.
 2. 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 of the material to be removed or disabled.



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3. Your full legal name, and/or that of the entity claiming to have legitimate access to the content, address, and telephone number, and a statement that they consent to the jurisdiction of Federal District Court for the judicial district in which the address is located, or if the Respondent's address is outside of the United States, for any judicial district in which the service provider may be found, and that they will accept service of process from the person who provided notification under subsection (c)(1)(C) of the public law, or an agent of such person.
4. A physical signature of the alleged infringer.

This counter-notification may be delivered electronically if the alleged infringer is the Link Web Services, Inc. account holder, or must be delivered physically by post or courier if the alleged infringer is not the Link Web Services, Inc. account holder (could be the case when a web design firm holds and maintains a website for another party).

If the Respondent elects option **B** and completes the four steps, the Complainant has 10 days to file a lawsuit and/or obtain a restraining order preventing the alleged infringer from using the material.

Link Web Services, Inc. must then comply fully with the directives of the court. If the legal process is not engaged, or a restraining order is not granted, access to the website will be reinstated.

IV. LINK WEB SERVICES, INC.'S LEGAL OBLIGATIONS AND CORPORATE POLICY:

Intellectual property is personal and often involves emotion, a sense of urgency, claims of lost revenue, business harm, and damage. Link Web Services, Inc. appreciates the nature of these concerns and in support of the rights of both parties **MUST** follow the processes outlined in DMCA and OCILLA.

Link Web Services, Inc. takes each notification we receive seriously. We expect the parties involved to do so as well. We encourage both Complainants and Respondents to consult legal counsel and become fully aware of your respective rights, obligations, penalties for filing false notifications, penalties for unauthorized use of copyrighted material, and any ramifications of non-response.

Though the dispute in question may involve a wide range of interpretation and opinion, the law and the procedures under which Link Web Services, Inc. must operate, and the rights, obligations and procedures the Complainant and the Respondent must follow are crystal clear. Under no circumstance will Link Web Services, Inc. sales or support personnel be permitted to deviate from the process, assess alternate courses of action, render opinions regarding the allegation, or take any sides in the matter. Our employees and our company are protected under the provisions of OCILLA only in the circumstance that we follow those procedures, which we will do in full.

Further information regarding DMCA and OCILLA can be found at <http://www.copyright.gov/legislation/dmca.pdf>.