



## **Copyrights Digital Millennium Copyright Act**

Independence Light & Power, Telecommunications (IL&P,T) acknowledges and respects the intellectual property rights of others and we are committed to complying with U.S. Copyright laws. Our policy is to act and respond to all notices of alleged infringement that comply with the Digital Millennium Copyright Act. The Digital Millennium Copyright Act of 1998 ("DMCA") provides legal protection for owners of copyrighted material who believe that their rights under the U.S. copyright law have been infringed via the Internet.

If you determine that your work has been duplicated and is viewable on this internet site or a site that you believe is being hosted on servers of IL&P,T in a way that may constitute copyright infringement, please give notice to our Designated Agent as prescribed by "DMCA". The notice must include the following information as provided by the Digital Millennium Copyright Act, 17 U.S.C. 512 ( c ) (3):

### **Notification Of Claimed Copyright Infringement**

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. Clear identification of the site where you believe the infringing material is located, 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 information reasonably sufficient to permit the service provider to locate the material;
4. Information reasonably sufficient to permit the service provider to contact the complaining party, name, address, telephone number, and, if available, an email address where the complaining party may be contacted;
5. A written statement that the complaining party has a good faith belief that use of the works and materials in the manner complained is not authorized by the copyright owner, its agent, or the law;
6. A written statement that the information in the infringement notification complaint is accurate and under penalty of perjury, that the complaining party is authorized to act on behalf of the owner of an subject material that is allegedly infringed.
7. The Designated Agent, as registered, for notice of copyright infringement claims may be reached as follows:

Mail:

Independence Light & Power, Telecommunications

Attn: Copyright

700 7<sup>th</sup> Ave NE

Independence, IA 50644

Phone: (319) 334-3880

Email: [support@indytel.com](mailto:support@indytel.com)

### **Counter notification to Claimed Copyright Infringement**

If a copyright infringement notice has been wrongly filed against you as a result of mistake or a misidentification of the material, you may file a counter notification with our Designated Agent. The counter notification must provide the following information:

1. Physical or electronic signature of the subscriber;
2. 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;
3. 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;
4. The subscribers name, address, telephone number and email address, and a statement that the subscriber consents to the jurisdiction of the 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.

5. IL&P,T will terminate all account holders and subscribers who are repeat infringers of intellectual property laws.

**Notice and Takedown Procedure**

It is expected that all users of any part of the ILP&T's communication system will comply with applicable copyright laws. However, if IL&P,T's Designated Agent is notified of claimed copyright infringement, or otherwise becomes aware of facts and circumstances from which infringement is apparent, IL&P,T will comply with the Digital Millennium Copyright Act by expeditiously removing, or disabling access to, the material that is claimed to be infringing or to be the subject of infringing activity. If time permits, IL&P,T may, in its sole discretion, give an alleged infringer a reasonable opportunity to remove the infringing material itself. IL&P,T will also comply with the appropriate provisions of the Digital Millennium Copyright Act in the event its Designated Agent receives a counter notification.