

DeadlyServers Copyright Infringement Procedure  
(Last Modified May 17, 2009)

**Procedure for Making Claims of Copyright Infringement for Purposes of Title 17, Section 512, of The United States Code**

The individual identified below is the "Designated Agent"

Service Provider(s)

DeadlyServers. and all subsidiaries

Name of Agent Designated to Receive Notification of Claimed Infringement – Brandon Spiller

Full Address of Designated Agent to Which Notification Should be Sent -  
PO BOX 708,  
Reeds Spring, MO 65737

Telephone Number of Designated Agent (417) 593-6820

Facsimile Number of Designated Agent - (417) 272-0256

E-Mail Address of Designated Agent [copyright@deadlyservers.com](mailto:copyright@deadlyservers.com)

To be effective, a Notification of Claimed Infringement must meet the following requirements:

It must be a written communication;

It must be sent to the designated agent identified above;

It must include the following:

A physical or electronic signature of a person ("Complaining Party") authorized to act on behalf of the owner of an exclusive right that is claimed to be infringed;

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;

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;

Information reasonably sufficient to permit the service provider 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;

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; and

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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.

When a Complaining Party provides a Notification of Claimed Infringement in compliance with the above rules, the Service Provider will do the following:

Expediently remove or disable access to the material that is claimed to be infringing; and

Take reasonable steps to notify the alleged infringer ("Subscriber") of the infringement claim(s) and that the material claimed to be infringing has been removed or that access to the material has been disabled;

Upon receipt of notice from the Service Provider that a claim of infringement has been made and that the material has been removed or that access to it has been disabled, the Subscriber may provide a Counter Notification.

To be effective, a Counter Notification must meet the following requirements:

It must be a written communication;

It must be sent to the Service Provider's Designated Agent;

It must include the following:

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 Subscriber's 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 Counter Notification from the Subscriber containing the information as outlined above, the Service Provider will:

Promptly provide the Complaining Party with a copy of the Counter Notification;

Inform the Complaining Party that it will replace the removed material or cease disabling access to it within ten (10) business days following receipt of the Counter Notice;

Replace the removed material or cease disabling access to the material in not less than ten (10), nor more than fourteen (14), business days following receipt of the Counter Notice, provided Service Provider's Designated Agent has not received notice from the Complaining Party that an action has been filed seeking a court order to restrain Subscriber from engaging in infringing activity relating to the material on Service Provider's network or system.

**CAUTION: Pursuant to Title 17, Section 512(f) of the United States Code, any person who knowingly materially misrepresents that material or activity is infringing, or that material or activity was removed or disabled by mistake or misidentification, shall be liable for any damages, including costs and attorneys' fees, incurred by the alleged infringer, by any copyright owner or copyright owner's authorized licensee, or by a service provider, who is injured by such misrepresentation, as the result**

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**of the service provider relying upon such misrepresentation in removing or disabling access to the material or activity claimed to be infringing, or in replacing the removed material or ceasing to disable access to it.**

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