

Greeneville Energy Authority Broadband Service Copyright Infringement Policy

Subject: Broadband Service Copyright Infringement Policy

Policy #: BB-103

Board Adoption: 11-7-2024

Effective Date: 11-7-2024

Approved By: GEA Board of Directors

Notice and Procedure for Making Copyright Infringement Claims

Copyright infringement occurs when a copyrighted work is reproduced, distributed, performed, publicly displayed, or made into a derivative work without the permission of the copyright owner. If you believe that any material on the GEA (“GEA”) website(s) has infringed your copyrighted material or that we are the hosting service provider and should be notified of a potential copyright infringement, please follow the procedure set forth below to make your claim. This procedure should only be used for making claims of copyright infringement. This information does not take the place of advice from your legal counsel. We provide this information to you and your Users for informational purposes only.

Rejection/Removal

GEA reserves the right to reject or remove any material residing on or transmitted to or through the Services that the GEA, in its sole discretion, believes to be unacceptable or in violation of the law, the GEA AUP, and/or the Terms and Conditions of the service provided. The GEA may immediately remove content if we believe such content is unlawful, violates the AUP and/or Terms and Conditions, or such removal is done pursuant to the Digital Millennium Copyright Act (or “DMCA”). Upon GEA’s request, Users shall terminate service to any third-party user or agent who, in our sole discretion, has violated the AUP, Terms and Conditions, or applicable law or regulations.

Notification of Copyright Claim

A copyright owner may notify GEA Connect of alleged infringements of their works as defined by U.S. copyright law and according to the DMCA. This notice must be submitted to GEA’s DMCA Agent, as described below, and the notification must satisfy the requirements of the DMCA.

Contact DMCA Agent

Mail Greeneville Energy Authority
Attn: Copyright Claims
P.O. Box 1690
Greeneville, TN 37744

E-mail copyright@mygea.net

In compliance with Section 512(c)(3) of the U.S. Copyright Act DMCA Complaints must be in writing and contain the following information

1. A physical or electronic signature of a person authorized to act on behalf of the copyright owner of an exclusive right that is allegedly infringed;
2. Identification of the copyrighted work claimed to have been infringed;
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 GEA to locate the material;
4. Information reasonably sufficient to permit GEA 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;
5. 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;
6. 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.

Be aware that anyone who makes false claims or misrepresentations concerning copyright infringement may be liable for damages under the DMCA.

Counter-Notification in Response to Claim of Copyright Infringement

In compliance with Section 512(g)(3) of the U.S. Copyright Act if a notice of copyright infringement has been wrongly filed against you and you would like to submit a counter-notice, please forward your counter-notice to GEA's DMCA agent at the address noted above. This process will invoke a dispute between you and the complaining party. Your counter-notification must be in writing and contain the following information:

1. A physical or electronic signature of an authorized person;
2. Identification of the material that was removed or access to which was disabled and the location at which material appeared before it was removed or access to it was disabled;
3. 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;

4. Your name, address, and telephone number, and a statement that you consent to the jurisdiction of the federal district court for the federal district in which you are located and that you will accept service of process from the complainant

You should be aware that substantial penalties under U.S. law apply for a false counter-notice filed in response to a notice of copyright infringement.

Rejection/Removal

GEA reserves the right to reject or remove any material residing on or transmitted to or through the Services that GEA, in its sole discretion, believes to be unacceptable or in violation of the law, GEA's Acceptable Use Policy ("AUP"), and/or the Terms and Conditions. GEA may immediately remove content if we believe such content is unlawful, violates the AUP and/or Terms and Conditions, or if such removal is done pursuant to the Digital Millennium Copyright Act (or "DMCA"). Upon GEA request, Users shall terminate service to any third-party user or agent who, in our sole discretion, has violated the AUP, Terms and Conditions, or applicable law or regulations.

System and Network Security

Users are prohibited from violating or attempting to violate the security of GEA, including, without limitation, (a) accessing data not intended for such User or logging into a server or account which such User is not authorized to access, (b) attempting to probe, scan or test the vulnerability of a system or network or to breach security or authentication measures without proper authorization, (c) attempting to interfere with, disrupt or disable service to any user, host or network, including, without limitation, via means of overloading, flooding, mail bombing or crashing, (d) forging any packet header or any part of the header information in any email or newsgroup posting, or (e) taking any action in order to obtain services to which such User is not entitled. Violations of system or network security may result in civil or criminal liability. We may investigate occurrences that may involve such violations, and we may involve and cooperate with law enforcement authorities in prosecuting Users who are alleged to be involved in such violations.

No Waiver/Severability

Any failure of GEA to enforce this Policy shall not be construed as a waiver of any right to do so at any time. If any portion of this Policy is held invalid or unenforceable, that portion will be construed consistent with applicable law, and any remaining portions will remain in full force and effect.

GEA reserves the right to modify this *DMCA Copyright Infringement Policy* at any time. We will notify you of any material changes via written, electronic, or other means permitted by law, including by posting it on our website. If you find the changes unacceptable, you have the right to cancel the Services. If you continue to use the Services after receiving notice of such changes, we will consider that as your acceptance of the changes.

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