

LiquidSky Copyright Policy

Last Update: March 21, 2017

LiquidSky respects the intellectual property of others and takes the protection of copyrights and all other intellectual property very seriously, and we ask our users to do the same. This Copyright Policy is incorporated into the LiquidSky Terms of Use by reference, and terms used, but not defined, in this Copyright Policy will have the meanings set forth in the LiquidSky [Terms of Use](#).

1. **Policy.** LiquidSky will respond expeditiously to claims of copyright infringement committed using the Services that are reported to LiquidSky pursuant to a DMCA Notice (as defined below). Upon receipt of a DMCA Notice, LiquidSky will take whatever action, in its sole discretion, it deems appropriate, including removal of the challenged material from the Services. In addition, if you are a repeat infringer it is LiquidSky's policy to terminate your Account, delete your SkyComputer, or take any other action that LiquidSky deems appropriate, in LiquidSky's sole discretion.
2. **Notifications of Claimed Infringement.** If you believe that any content made available on or through _____ the Services has been used or exploited in a manner that infringes an intellectual property right you own or control, then please promptly send a "**DMCA Notice**" containing the following information to the Designated Agent identified below. LiquidSky may share your DMCA Notice with the user alleged to have infringed a right you own or control, and you hereby consent to LiquidSky making such disclosure. Your communication must include substantially the following:
 - a. A physical or electronic signature of a person authorized to act on behalf of the owner of the work(s) that has/have been allegedly infringed;
 - b. Identification of works or materials being infringed, or, if multiple works are covered by a single notification, a representative list of such works;
 - c. Identification of the specific 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 LiquidSky to locate the material;
 - d. Information reasonably sufficient to permit LiquidSky to contact you, such as an address, telephone number, and, if available, an electronic mail address at which you may be contacted;
 - e. A statement that you have a good faith belief that the use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law; and
 - f. A statement that the information in the notification is accurate, and under penalty of perjury, that you are authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.
3. **Designated Agent.** LiquidSky's designated agent for receipt of DMCA Notices (the " at: 315 W 36th St., New York, NY, 10018 or by email to: **Designated Agent**") can be contacted copyright@liquidsky.tv.

4. Counter Notification. If you receive a notification from us that Your Content or Feedback is the subject of a DMCA Notice, then you will have the right to provide us with what is called a “Counter Notification.” To be effective, a Counter Notification must be in writing, provided to our Designated Agent through one of the methods identified in Section 3 above, and include substantially the following information:
 - a. A physical or electronic signature of the subscriber;
 - b. 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;
 - c. 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; and
 - d. 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 address is located, or if the subscriber’s address is outside of the United States, for any judicial district in which we may be found, and that the subscriber will accept service of process from the person who provided notification under Section 2 above or an agent of such person.

A party submitting a Counter Notification should consult a lawyer or see 17 U.S.C. § 512 to confirm the party’s obligations to provide a valid counter notification under the Copyright Act.

5. False DMCA Notices or Counter Notifications. The Copyright Act provides that:

[a]ny person who knowingly materially misrepresents under [Section 512 of the Copyright Act (17 U.S.C. § 512)] (1) that material or activity is infringing, or (2) 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 of [LiquidSky] 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.

17 U.S.C. § 512(f).

6. We reserve the right to seek damages from any party that submits a DMCA notice or counter notification in violation of the law.
7. Consult your legal advisor and see 17 U.S.C. § 512 before filing a notice or counter-notice as there are penalties for false claims under the DMCA. The foregoing is not intended to provide you with legal advice.

