

DMCA Compliance Policy
Updated: 06/28/2016

Purpose:

The purpose of this document is to propose an outline for internal OMU policies in regard to handling DMCA Violation notices, policies for customer notification, and outlining the requirements for disconnection and reconnect charges.

What is the DMCA:

(From: http://en.wikipedia.org/wiki/Digital_Millennium_Copyright_Act)

The Digital Millennium Copyright Act (DMCA) is a United States copyright law that implements two 1996 treaties of the World Intellectual Property Organization (WIPO). It criminalizes production and dissemination of technology, devices, or services intended to circumvent measures (commonly known as digital rights management or DRM) that control access to copyrighted works. It also criminalizes the act of circumventing an access control, whether or not there is actual infringement of copyright itself. In addition, the DMCA heightens the penalties for copyright infringement on the Internet. Passed on October 12, 1998 by a unanimous vote in the United States Senate and signed into law by President Bill Clinton on October 28, 1998, the DMCA amended Title 17 of the United States Code to extend the reach of copyright, while limiting the liability of the providers of on-line services for copyright infringement by their users.

1: Internal OMU policies

All DMCA notices and the information gathered from investigating them will be kept completely confidential within OMU unless information is subpoenaed by law enforcement. Upon receiving a DMCA notice the IP address will be looked up and traced back to the customer using it. The logs used to associate the IP with the customer will be stored. A ticket will be created with the trouble code being set to "DMCA Violation" and the print out of the logs will be attached. The customer's file will be checked for previous DMCA Violations. If previous violations exist, it will be noted on the current ticket and appropriate action will be taken. After the customer has been notified, the ticket will remain in the customer's folder permanently.

2: Customer Notification

For the first two notices the customer on account will be mailed an OMU notification explaining copyright infringement along with a copy of the infringement notice. The customer has 10 days to return the OMU signed acknowledging receipt or their Internet service will be disabled. For the third, and any further notifications, a disconnect will be performed immediately and the burden of making contact will be on the customer.

3: Disconnect, Reconnect, and Charges.

Each customer (account) would be allowed two notices before disconnect action is taken, unless the customer does not return the signed OMU notification. On the third and any subsequent notices the customer would be disconnected immediately. Reconnection can only happen after the customer has made contact with OMU, had the situation properly explained to them, and a \$35 reconnect charge has been paid.

<http://www.copyright.gov/title17/92chap5.html> Section 512