

VI. Copyright and Digital Millennium Copyright Act Requirements

ETEX COMMUNICATION, LLC. is committed to complying with U.S. copyright and related laws, and requires all customers and users of the Service to comply with these laws. Accordingly, you may not store any material or content on, or disseminate any material or content over, the Service (or any part of the Service) in any manner that constitutes an infringement of third party intellectual property rights, including rights granted by U.S. copyright law. Owners of copyrighted works who believe that their rights under U.S. copyright law have been infringed may take advantage of certain provisions of the Digital Millennium Copyright Act of 1998 (the "DMCA") to report alleged infringements. It is **ETEX COMMUNICATION, LLC.**'s policy in accordance with the DMCA and other applicable laws to reserve the right to terminate the Service provided to any customer or user who is either found to infringe third party copyright or other intellectual property rights, including repeat infringers, or who **ETEX COMMUNICATION, LLC.** believes in its sole discretion is infringing these rights. **ETEX COMMUNICATION, LLC.** may terminate the Service at any time with or without notice for any affected customer or user.

Copyright owners may report alleged infringements of their works that are stored on the Service or the Personal Web Features by sending **ETEX COMMUNICATION, LLC.**'s DMCA Designated Agent a notification of claimed infringement that satisfies the requirements of the DMCA. Upon **ETEX COMMUNICATION, LLC.**'s receipt of a satisfactory notice of claimed infringement for these works, **ETEX COMMUNICATION, LLC.** will respond expeditiously to either directly or indirectly (i) remove the allegedly infringing work(s) stored on the Service or the Personal Web Features or (ii) disable access to the work(s). **ETEX COMMUNICATION, LLC.** will also notify the affected customer or user of the Service of the removal or disabling of access to the work(s). In the event that a customer is notified of alleged infringement three (3) or more times, the customer is deemed to be a repeat infringer and **ETEX COMMUNICATION, LLC.** will suspend or terminate that customer's Service account.

If you believe that your work has been copied and has been posted, stored or transmitted to **ETEX COMMUNICATION, LLC.**'s website in a way that constitutes copyright infringement, please submit a notification pursuant to the DMCA by providing **ETEX COMMUNICATION, LLC.**'s DMCA Designated Agent (contact provided below) the following written 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 **ETEX COMMUNICATION, LLC.** to locate the material;

4. Information reasonably sufficient to permit **ETEX COMMUNICATION, LLC.** 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.

Designation of Agent to Receive Notification of Claimed Infringement

FULL LEGAL NAME OF SERVICE PROVIDER: **Etex Communications, LLC.**

ALTERNATIVE NAME(S) OF SERVICE PROVIDER: **Db a Evision and (website) etex.net**

AGENT NAME AND TITLE, DESIGNEE TO RECEIVE NOTIFICATION OF CLAIMED INFRINGEMENT:
1013 State Highway 155N, Gilmer, TX 75644

FULL ADDRESS OF DESIGNATED AGENT TO WHICH NOTIFICATION SHOULD BE SENT:
Scarlett Blalack

TELEPHONE & FAX NUMBER OF DESIGNATED AGENT: **903-797-1177**

E-MAIL ADDRESS OF DESIGNATED AGENT: dmca@etexfiber.net

You should be aware that complainants who make false claims or misrepresentations concerning copyright infringement may be liable for damages under the DMCA.

Counter-Notification in Response to Claim of Copyright Infringement

If an affected customer or user believes in good faith that the allegedly infringing works have been removed or blocked by mistake or misidentification, then that person may send a counter notification to **ETEX COMMUNICATION, LLC.'s** designated agent at the address noted above. Upon **ETEX COMMUNICATION, LLC.'s** receipt of a counter notification that satisfies the requirements of DMCA, **ETEX COMMUNICATION, LLC.** will provide a copy of the counter notification to the person who sent the original notification of claimed infringement and will follow the DMCA's procedures with respect to a received counter notification. This process will invoke a dispute between you and the complaining party. In all events, you expressly agree that **ETEX COMMUNICATION, LLC.** will not be a party to any disputes or lawsuits regarding alleged copyright infringement.

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.