

# COPYRIGHT POLICY

**Last Updated August 8, 2014**

EvoLux Transportation, LLC. (“EvoLux” or “our” or “we” or “us”) supports the protection of intellectual property rights. We respond to all notices of alleged copyright infringement (“Takedown Notices”) provided to our designated Copyright Agent (“Designated Agent”) that comply with the Digital Millennium Copyright Act (“DMCA”). Section 512 of the DMCA outlines the requirements for submitting a Takedown Notice and, in appropriate circumstances, a counter notification (“Counter-Notice”). You can contact EvoLux’s Designated Agent as listed below.

In accordance with the DMCA, we reserve the right to remove any and all content posted to the Service(s) that is alleged to infringe a party’s copyright rights, without prior notice and at our sole discretion. In appropriate circumstances, we will also terminate an account if we determine that the user is a repeat infringer as set forth in our Membership Agreement.

## **How to report instances of copyright infringement:**

If you believe that content posted to the Service is infringing your copyright rights, the most efficient way to notify us is through this Takedown Form. You may alternatively submit a Takedown Notice to our Designated Agent by email or snail mail at the addresses listed below.

Please note that by submitting a Takedown Notice, you are initiating a legal process. If you are not sure whether the specific content infringes your copyright rights, you should contact an attorney. Pursuant to federal law, you may be held liable for damages and attorneys’ fees if you make any material misrepresentations in a Takedown Notice.

## **To submit a Takedown Notice, you must provide the following information to the Designated Agent:**

1. Your contact information including name, address, telephone number, and email address.
2. Identification of the copyrighted work claimed to have been infringed.
3. Identification of the alleged infringing content or activity, and information reasonably sufficient for us to locate the specific content on the Service (e.g. by providing a link to the specific content).
4. The following declarations:

“I swear, under penalty of perjury, that I 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.”

“The information in this notification is accurate, and I declare, under penalty of perjury, that I am the owner or an agent authorized to act on behalf of the owner, of an exclusive right that is allegedly infringed.”

5. Your (i.e., the copyright owner or the copyright owner’s agent) physical or electronic signature.

If you are reporting the content of a single post on the Service, or content posted on a user Profile, please provide a direct link to that content by clicking the ellipsis icon located in the bottom right corner of each post, and selecting the “Copy URL” option. This will copy a link to your device that you should include when submitting a Takedown Notice.

Upon receipt of a Takedown Notice through our Takedown Form or otherwise submitted to our Designated Agent, EvoLux will forward a copy to the user that posted the identified content and inform the user that we disabled access to the content on the Service.

## **How to respond if you believe you have rights in content “taken down”:**

If you believe you are the wrongful subject of a Takedown Notice, you can file a Counter-Notice requesting that we restore access to the content on the Service. Your Counter-Notice is a legal request to restore access to content that was taken down for alleged copyright infringement.

Although you are not required to explain why you believe you have rights in the content that was the subject of the Takedown Notice, you should only submit a Counter-Notice when you have such a belief. For instance, the copyright owner may have misidentified the material or overlooked a fair use of the content.

Pursuant to federal law, you may be held liable for damages and attorneys' fees if you make any material misrepresentations in a Counter-Notice. The law requires that we send a copy of your Counter-Notice to the party that submitted the related Takedown Notice. As such, in response to the Counter-Notice, the party responsible for the Takedown Notice may file a lawsuit against you seeking to determine its rights with respect to the identified content.

**To submit a Counter-Notice, please provide the following information to the Designated Agent:**

1. Your contact information including name, address, telephone number, and email address.
2. Links of the content taken down from the Service (if you do not know the specific link you can locate it on the copy of the Takedown Notice that we shared with you).
3. The following declarations:

"I swear, under penalty of perjury, that I have a good faith belief that the material was removed or disabled as the result of mistake or misidentification of the material to be removed or disabled."

"I consent to the jurisdiction of the Federal District Court for the judicial district in which my address is located, or if my address is outside of the United States, the judicial district in which EvoLux is located, and will accept service of process from the person, or an agent of the person, who submitted the Takedown Notice."

4. Your physical or electronic signature.

Upon receipt of a valid Counter-Notice, EvoLux will forward a copy to the party who submitted the Takedown Notice and inform that party that we will restore access to the content unless that party notifies us within ten (10) business days of receipt of the Counter-Notice that they initiated a lawsuit seeking to resolve the dispute.

EvoLux will restore access to the content for you within fourteen (14) business days if we do not receive a timely notification that such a lawsuit was initiated.

**How to contact EvoLux's Designated Agent:**

**Address:**

Copyright Agent  
EvoLux Transportation, LLC  
175 Atlantic Street  
Suite 209  
Stamford, CT 06901  
Email: ray@evo-lux.com

The foregoing process applies to copyright disputes only. In all other cases, if you discover content on the Service that you believe infringes or violates any of your other rights, which you believe is defamatory, pornographic, obscene, racist or otherwise liable to cause widespread offense, or which constitutes impersonation, harassment, spam, or otherwise violates our Membership Agreement or other applicable law, please report this to us at ray@evo-lux.com.