

FTC DIGITAL MILLENNIUM COPYRIGHT ACT POLICY

“FTC” means Farmers Telecommunications Cooperative, Inc., and its wholly owned operating subsidiary, Farmers Telecommunications Corporation.

The Digital Millennium Copyright Act (“DMCA”) prohibits the circumvention of copyright protection systems by copying or downloading protected materials, such as movies, music, video games, publications or computer programs, etc. FTC is required to notify the subscriber of alleged instances of copyright infringement involving the subscriber’s Internet Access Account and to take steps to disable or reduce access to such materials by repeat infringers.

FTC has adopted the following policy to notify its subscribers of DMCA complaint notifications of copyright infringement and to minimize opportunities for repeated infringement:

1. FTC’s operational support system will inspect every infringement notice received in FTC’s official DMCA complaint inbox (abuse@farmerstel.com).
2. FTC’s operational support system will identify the user associated with the Internet Protocol (“IP”) address referenced in the complaint and capture the link provided by the complainant.
3. The next time the user associated with the identified IP address logs on to a web browser, the user will be directed to FTC’s Captive Portal. The user will receive a message notifying the account holder of receipt of the complaint identified with the account and advising the account holder of any actions taken by FTC to reduce the user’s ability for peer-to-peer file sharing or to suspend or terminate the Internet Access Account.
4. The user must click on the acknowledgement tab included on the message before being released to further browse the Internet.
5. The user may also click on the claim details tab to be taken to the link provided by the complainant in order to view the complaint and/or to file a counter-notification pursuant to the DMCA, if the user disputes that any copyright infringement has occurred.
6. Users will receive a series of six notifications under this system – a different notification will issue for each instance of alleged infringement for which the same user is identified. The first notification simply advises the user that an instance of alleged copyright infringement has been received by FTC. The user will be advised that the account holder’s peer-to-peer file sharing speed will be reduced following the second and third instances of alleged infringement; in the fourth notification, the user will be advised that his/her ability to engage in peer-to-peer file sharing has been blocked; and the account holder’s Internet Access service will be suspended on the fifth notification and terminated on the sixth.
7. The account holder will be required to visit FTC’s business office in order to restore Internet access service that has been restricted, suspended or terminated pursuant to this policy. At that time, the subscriber will receive another copy of FTC’s Acceptable Use Policy, Standard Terms and Conditions and DMCA Policy. Service may then be restored to the subscriber within 72 hours.

8. FTC reserves the right to decline a subscriber's request to restore Internet Access service for any additional instances of alleged copyright infringement identifying the IP address associated with the subscriber's Internet Access Account.
9. FTC reserves the sole and exclusive right to determine if any user account, commercial, residential, or otherwise, possesses any network attributes that make automated processing inefficient or potentially inaccurate. In such cases FTC will otherwise proceed with notification and/or additional actions as required by the DMCA.

If FTC receives a "counter-notification" that substantially complies with the DMCA and other applicable laws and/or regulations, FTC will provide the copyright owner/complainant with a copy of the counter-notification. Unless FTC receives notification from the copyright owner that he has filed a court action seeking to restrain the alleged infringement, FTC will, as applicable, reactivate the subscriber's Internet Access service, allow access to the allegedly infringing material or otherwise remove restrictions placed on the account as a result of the notice, within ten (10) to fourteen (14) days of its receipt of the counter-notification. If FTC receives notification from the copyright owner that he has filed a court action seeking to restrain the alleged infringement, FTC will, as applicable, continue to disable access to the alleged infringing material or remove other restrictions and will use its best efforts to forward said notice to the account holder of the identified IP address associated with the Internet Access Account.

DMCA COMPLIANT ELECTRONIC NOTICES OF ALLEGED ABUSE SHOULD BE SUBMITTED TO:

abuse@farmerstel.com

FTC has designated Mr. Goodrich A. Rogers as its agent for notification of any alleged copyright infringement. He can be reached by mail, telephone or e-mail at the following address:

Goodrich A. Rogers
Manager Business Development and Customer Service
P.O. Box 217
144 McCurdy Avenue North
Rainsville, AL 35986-0217
Tel: 256-638-2144 or 866-638-2144
Email: dmcaviolations@farmerstel.com

What do I do if I believe my copyrighted material is being infringed?

If you believe that your material has been reproduced and posted on the web in a way that constitutes infringement, you must provide FTC's designated agent with all of the following information in writing:

- Identification of the copyrighted work(s) that you believe has been infringed.

- Identification of the material that you believe is infringing on your copyrighted work or that is the subject of infringing activity.
- Identification of where the alleged offending material is located sufficient to allow FTC to find it.
- Information sufficient to allow FTC to contact you (your mailing address and telephone number, along with your e-mail address, if available).
- The following statement by you: “I have a good faith belief that the use of the copyrighted materials described above in the manner complained of is not authorized by the copyright owner, its agent or the law.”
- The following statement by you: “I swear, under penalty of perjury, that the information in this notification is accurate and that I am the copyright owner or authorized to act on the copyright owner’s behalf.”
- Your physical or electronic signature.

How do I file a “counter-notification”?

If you believe that you have not infringed on protected material, you must provide FTC’s designated agent with a written “counter-notification,” including all of the following information:

- Identification of the material to which access has been disabled and the location at which the material appeared before access to it was disabled.
- At least one of the following statements by you: “I swear, under penalty of perjury, that I have a good faith belief that the materials described above were mistakenly disabled” or “I swear, under penalty of perjury, that I have a good faith belief that the materials described above were disabled because of misidentification.”
- Information sufficient to allow FTC to contact you (your mailing address and telephone number, along with your e-mail address, if available).
- The following statement by you: “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 the United States, for any judicial district in which FTC may be found and I will accept service of process from the person who provided the original notice of infringement or that person’s agent.”
- Your physical or electronic signature.

WARNING: A person making a copyright infringement notification or a counter-notification shall be liable to FTC for any damages incurred by FTC or any other party resulting from some material misrepresentation.