

COPYRIGHT INFRINGEMENT POLICY

THREE STRIKES COPYRIGHT “REPEAT INFRINGER” TERMINATION POLICY

Introduction

The Steelville Telephone Exchange, Inc. dba STE Communications (“STE”) Acceptable Use Policy prohibits subscribers from using STE’s Internet access and other related services to infringe upon copyrights, patents, trademarks, and any other intellectual property rights.

Under the Digital Millennium Copyright Act (“DMCA”), 17 U.S.C. § 512, Internet Service Providers (ISPs) such as STE have a “safe harbor” from copyright infringement claims if they: (1) designate an agent to receive copyright takedown and infringement notices; and (2) have a policy with procedures to address infringement notices; and (3) take action against repeat infringers, including limitation, suspension, and/or termination of service. This Implementation Guide and DMCA Policy is designed to preserve STE’s safe harbor under the DMCA.

STE’s DMCA policy is to suspend and, if necessary, terminate Internet access service to “repeat copyright infringers” in “appropriate circumstances.”

STE’s “Three-Strike” Policy for “Repeat Infringers”

STE has established a clear “three-strike” policy to identify and take appropriate action when subscribers receive notices alleging repeated copyright infringement. Under this policy, any subscriber receiving three (3) strikes is considered a “repeat infringer,” and Internet access is terminated unless the subscriber responds reasonably, disputing the veracity of the notices or otherwise provides an appropriate explanation (e.g., fair use).

A “strike” is defined as any one or more proper notices from a copyright claimant in any one-week period, with, in the case of a subsequent strike, the notice of claim following at least ten (10) business days after the date of STE’s prior notification to the subscriber. STE will attempt to educate the subscriber, as appropriate (e.g. offering information on how to secure a wireless internet router).

The “three-strikes” policy will identify and address “repeat” offenders. The ten (10) business-day grace period is to follow the counter-notice period specified in the DMCA (with regard to hosted content) and give subscribers a fair chance to provide counter-notice.

Implementation and Procedures

1. First Strike. STE will send written notice to each subscriber for whom STE has received one or more notices of claimed copyright infringement by electronic or U.S. Mail. STE’s customer notice will include information about the alleged infringement.
2. Second Strike. Upon receiving one or more notices from a copyright claimant that would constitute a second “strike” as defined above (i.e., a copyright infringement notice more than ten (10) business days following the first notice to the subscriber), STE will make a second

contact by electronic or U.S. Mail and the service may be temporarily suspended for up to 7 days.

3. Third Strike. Upon receiving one or more notices from a copyright claimant that would constitute a third “strike” as defined above (i.e., a copyright complaint more than ten (10) business days following the second notice to the subscriber), STE will attempt to contact the subscriber by electronic or U.S. mail with a final disconnection notice to the subscriber’s billing address.