



## **THE CITY OF COLORADO SPRINGS DMCA POLICY**

THIS NOTICE IS SUBJECT TO MODIFICATION OR TERMINATION AT ANY TIME, WHETHER FOR CHANGES IN THE LAW OR AT THE CONVENIENCE OF THE CITY OF COLORADO SPRINGS WITHOUT ADVANCE NOTICE. YOU MUST CHECK BACK FREQUENTLY TO ENSURE THAT YOU SEE A CORRECT, CURRENT VERSION OF THE NOTICE.

In accordance with the Digital Millennium Copyright Act (DMCA), the City of Colorado Springs has designated an agent to receive notification of alleged copyright infringement. It is our policy to promptly respond to notices of alleged infringement that comply with the DMCA, 17 U.S.C. § 512 (c). Responses may include removing or disabling access to material claimed to be the subject of infringing activity and/or terminating subscribers. If we remove or disable access in response to such a notice, we will make a good-faith attempt to contact the owner or administrator of the affected site or content so that they may make a counter notification pursuant to sections 17 U.S.C. § 512(g)(2) and (3) of that Act. It is our policy to document all notices of alleged infringement on which we act.

Please refer to the following detailed instructions which must be followed to protect your rights under the DMCA.

### **DESIGNATED DMCA AGENT**

Carl Nehls, Chief Information Officer  
City of Colorado Springs 30  
S. Nevada, Suite 701  
P.O. Box 1575, Mail Code 710  
Colorado Springs, CO 80901-1575  
(719) 385-2489; (fax) (719) 385-5735  
Email: [DMCA@springsgov.com](mailto:DMCA@springsgov.com)

## **INFRINGEMENT NOTIFICATION**

To file a notice of infringement with us, you must provide a written communication that sets forth the items specified below. Please note that you may be liable for damages (including costs and attorneys' fees) if you materially misrepresent infringement of your copyrights.

Your communication must include substantially all of the following:

1. Provide a physical or electronic signature of a person authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.
2. Identify in sufficient detail the location of copyrighted work that you believe has been infringed upon or other information sufficient to specify the copyrighted work being infringed. If multiple copyrighted works at a single online site are covered by a single notification, include a representative list of such works at that site. **Providing URLs in the body of your written communication is the best way to help us locate the content quickly.**
3. Provide 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 us to locate the material.
4. Provide information reasonably sufficient to permit us 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. Include the following statement: "I have 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. Include the following statement: "I swear, under penalty of perjury, that the information in the notification is accurate, and that I am the copyright owner or am authorized to act on behalf of the owner of an exclusive right that is allegedly infringed."
7. Sign the paper.

Send the written communication to:

Carl Nehls, Chief Information Officer  
City of Colorado Springs  
30 S. Nevada, Suite 701  
P.O. Box 1575, Mail Code 710  
Colorado Springs, CO 80901-1575  
(719) 385-2489; (fax) (719) 385-5735 Email:  
[DMCA@springsgov.com](mailto:DMCA@springsgov.com)

## **COUNTER NOTIFICATION**

The administrator of an affected site or the provider of affected content may make a counter notification pursuant to sections 17 U.S.C. § 512 (g) (2) and (3) of the Digital Millennium Copyright Act. When we receive a counter notification, we may reinstate the material in question.

To file a counter notification with us, you must provide a written communication that sets forth the items specified below. Please note that you will be liable for damages (including costs and attorneys' fees) if you materially misrepresent that a product or activity is not infringing the copyrights of others. Accordingly, if you are not sure whether certain material infringes the copyrights of others, we suggest that you first contact an attorney. To expedite our ability to process your counter notification, please use the following format (including section numbers):

Your communication must include substantially the following:

1. Include a physical or electronic signature of the individual claiming no infringement exists.
2. Provide identification of the material that has been removed or to which access has been disabled and the location at which the material appeared before it was removed or access to it was disabled.
3. Include a statement under penalty of perjury that you have a good faith belief that the material was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled.
4. Provide your name, address, and telephone number.
5. Include the following statement: "I consent to the jurisdiction of Federal District Court for the judicial district in which you reside or, if I reside outside the United States, I hereby consent to the jurisdiction of Federal District Court for the judicial district in which I reside (or, if my address is outside the United States, the United States District Court for the District of Colorado).

6. If you reside outside the United States include a statement that you will accept service of process from the person who provided notification to us of the alleged infringement or an agent of such person.
7. Include the following statement: "I swear, under penalty of perjury, that I have a good faith belief that the affected material was removed or disabled as a result of a mistake or misidentification of the material to be removed or disabled."
8. Sign the paper.

Send the written communication to:

Carl Nehls, Chief Information Officer  
City of Colorado Springs 30  
S. Nevada, Suite 701  
P.O. Box 1575, Mail Code 710  
Colorado Springs, CO 80901-1575  
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### **ACCOUNT TERMINATION**

THIS DIGITAL MILLENNIUM COPYRIGHT ACT POLICY IS INCORPORATED INTO THE CITY'S TERMS OF USE. The City of Colorado Springs and its Enterprises will take appropriate actions against repeat infringers. If you believe that an individual is a repeat infringer, please follow the instructions above to contact The City of Colorado Springs DMCA agent and provide information sufficient for us to verify that the individual is a repeat infringer.

### **ACCOMMODATION OF STANDARD TECHNICAL MEASURES**

It is the City of Colorado Springs' policy to accommodate and not interfere with standard technical measures it determines are reasonable under the circumstances, (i.e., technical measures that are used by copyright owners to identify or protect copyrighted works).

THE INFORMATION PRESENTED ON THIS PAGE IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT LEGAL ADVICE.