

# Reporting Copyright and Trademark Violations

*Effective starting: April 10, 2015*

This is a supplement to the **Digital Samba Customer Agreement** (the “**Agreement**”) and is thereby included in the Agreement. Any capitalized terms used but not defined below derive their meanings from the Agreement or our **Acceptable Use Policy**, as applicable, except where otherwise noted.

## Copyright

Digital Samba does not allow copyright infringing activities on Digital Samba's Hosted Services or websites (our “**Services**”). We will remove a party's data or content from our Services if properly notified that such data or content infringes on another's copyright rights. Digital Samba has a policy of terminating, in appropriate circumstances, the accounts of parties who repeatedly infringe copyright holders' copyrights. You are a “repeat infringer” if, on more than two occasions, you have been notified of infringing activity or have had Your Data or Content removed from our Services. Digital Samba also reserves the right to terminate your accounts suspected of infringing copyrights upon the first incident without further notice, at our sole discretion.

If you believe that any content in our Services violates your copyright, you should notify Digital Samba's copyright agent in writing pursuant to the Digital Millennium Copyright Act (“**DMCA**”), 17 U.S.C. § 512(c)(3). The contact information for Digital Samba's copyright agent is at the bottom of this section.

In order for Digital Samba to take action, you must do the following in your notice:

1. provide your physical or electronic signature;
2. identify the copyrighted work that you believe is being infringed, or, if multiple copyrighted works are covered by the notice, a representative list of such works;
3. identify the item that you think is infringing and which is to be removed or access to which is to be disabled, and include sufficient information about where the material is located (including which website) so that Digital Samba can find it (such as the item's URL);
4. provide Digital Samba with a way to contact you (such as address, telephone number, or email);
5. provide a statement that you believe in good faith that the item identified as infringing is not authorized by the copyright owner, its agent, or the law to be used by Digital Samba; and
6. provide a statement that the information you provide in your notice is:
  - accurate, and that

- under penalty of perjury, you are the copyright owner or are authorized to act on behalf of the copyright owner whose work is allegedly being infringed.

We will promptly notify the alleged infringer that you have claimed ownership of the rights in this content and that we have complied with your takedown notice for the content.

Please notify the Digital Samba copyright agent by sending all information to:

Digital Samba, SL  
C/ Aribau 15, 5º 4º  
08011, Barcelona  
Spain

Additionally, to expedite the process, please contact and provide the same information to our support helpdesk at [support.digitalsamba.com](mailto:support.digitalsamba.com).

### **Trademark**

If you are a trademark owner and you believe in good faith that any content on our Services or infringes on your trademark rights, please inform our support helpdesk at [support.digitalsamba.com](mailto:support.digitalsamba.com) or at the notice address for Digital Samba indicated above. Your notice must include:

1. Identification of the trademark(s) claimed to have been infringed, and, if registered with the United States Patent and Trademark Office or similar foreign entity, the registration number of the mark(s);
2. Identification of the material claimed to be infringing and information sufficient to permit Digital Samba to locate the material, such as the specific URL where the trademark appears on the Services;
3. A statement that the complaining party has a good faith belief that use of the trademark in the manner complained of is an infringement of the rights granted under United States and/or foreign trademark law;
4. A statement that the information in the letter is:
  - accurate, and
  - under penalty of perjury, that the complaining party is authorized to act on behalf of the owner of the allegedly infringed trademark; and
5. A physical or electronic signature of a person authorized to act on behalf of the owner of the trademark that is allegedly infringed.

Upon receipt of a notice containing the above information, Digital Samba will promptly notify the party who provided the allegedly infringing content and will promptly remove or cause to be removed the allegedly infringing content.

We reserve the right to reclaim usernames on behalf of businesses or individuals that hold legal claim or trademark on those usernames. Accounts using business names and/or logos to mislead others may be permanently suspended.