

FOUR STATES FIBER

OPERATING PROCEDURES

COPYRIGHT INFRINGEMENT

I. Objective:

SOUTHWEST ARKANSAS TELECOMMUNICATIONS AND TECHNOLOGY, INC., d/b/a FOUR STATES FIBER complies with the Online Copyright Infringement Liability Act of 1998 (17 U.S.C. § 512). As required by that Act, this policy reserves the right for Four States Fiber to terminate the internet service of members who repeatedly infringe copyrights.

II. Policy:

Pursuant the Digital Millennium Copyright Act ("DMCA"), copyright owners may notify a service provider such as FOUR STATES FIBER of alleged copyright infringement carried out on the provider's network.

When FOUR STATES FIBER receives a notification of copyright infringement, it will take the following steps:

1. First warning – Letter is sent to member notifying them of their copyright infringement and violation of FOUR STATES FIBER's Acceptable Use Policy (AUP) and the Broadband Service Order and Agreement Terms & Conditions (T&C). This letter will also inform them that FOUR STATES FIBER may suspend or terminate service if violation continues. (Attachment A)
2. Second warning – If there is a second offense in 12-month period, a second warning will be sent. This letter will notify the member of their copyright infringement and violation of FOUR STATES FIBER AUP and T&C. The letter will also inform the member that FOUR STATES FIBER may suspend or terminate service if violation continues. (Attachment B)
3. Final warning – If there is a third offense in a 12-month period, FOUR STATES FIBER will issue a final warning letter to the member. This letter will be sent via certified mail. This letter will notify the member of their copyright infringement and violation of FOUR STATES FIBER's AUP and T&C. The letter will also inform the member that FOUR STATES FIBER may suspend or terminate service if violation continues. (Attachment C)
4. Notice of termination – If there is a fourth offense in a 12-month period, FOUR STATES FIBER will terminate the service and send a letter to the member via certified mail. This letter will notify the member that their account has been terminated effective immediately and that equipment should be returned to FOUR STATES FIBER. (Attachment D)

FOUR STATES FIBER reserves the right act immediately and without notice to suspend or terminate services in response to a court order or other legal requirement that certain conduct be stopped, or when FOUR STATES FIBER determines that the conduct may:

- Expose FOUR STATES FIBER to sanctions, prosecution or civil action;
- Cause harm to or interfere with the integrity or normal operations of FOUR STATES FIBER's network or facilities;
- Interfere with another person's use of FOUR STATES FIBER Services or the Internet;
- Damage or disparage the reputation of FOUR STATES FIBER or its services; or
- Otherwise present a risk of harm to FOUR STATES FIBER or FOUR STATES FIBER's customers or their employees, officers, directors, agents, or other representatives.

III. Record Retention:

All Copyright Infringement Notifications and supporting documentation shall be kept for five years.

All correspondence with the member shall be retained in FOUR STATES FIBER's imaging system for a minimum of five years.

A database that includes account number and date of notification will be kept of Copyright Infringement Notifications.

IV. Responsibility:

The **General Manager** is listed as the FCC and ISP Designated Agent and will be the primary point of contact for all Copyright Infringement Notifications. This position, with the help of IT and customer support, are responsible for administration and enforcement of this policy.

Attachment A (DMCA 1st Warning)

(Date)

(Account Holder Name)

(Street Address) (City

State, Zip)

Dear (Name),

Re: (Account Number Here)

The purpose of this warning is to inform you that FOUR STATES FIBER has received a notice of copyright infringement sent pursuant to the Digital Millennium Copyright Act ("DMCA") in connection with your account. The DMCA, passed by Congress in 1998, allows copyright owners to notify a service provider such as FOUR STATES FIBER of alleged copyright infringement carried out on the provider's network.

Unauthorized posting, copying/or distribution of copyrighted material is a violation of FOUR STATES FIBER Acceptable Use Policy (AUP) and the Broadband Service Order and Agreement (Agreement) which prohibit use of the FOUR STATES FIBER Network and Services in any manner that would infringe or otherwise violate the intellectual property rights of others. The FOUR STATES FIBER AUP and Agreement state that FOUR STATES FIBER may suspend or terminate your service for violation of the AUP and/or Agreement.

We encourage enabling secured passwords on your home Wi-Fi network if you have one to avoid unauthorized use of your Internet connection.

Please be advised that if this violation continues, or if additional violations occur, FOUR STATES FIBER may take further action, including the suspension or termination of your Service. Please contact our office with any questions.

Thank you for your attention to this matter,

FOUR STATES FIBER

(Attach copy of email/document from infringement notice and any screen shot of IP assignment you may have)

Attachment B (DMCA 2nd Warning)

(Date)

(Account Holder Name)

(Street Address) (City

State, Zip)

Dear (Name),

Re: (Account Number Here)

The purpose of this letter is to inform you that FOUR STATES FIBER has received an **additional notice of copyright infringement** sent pursuant to the Digital Millennium Copyright Act ("DMCA") in connection with your account. The DMCA, passed by Congress in 1998, allows copyright owners to notify a service provider such as FOUR STATES FIBER of alleged copyright infringement carried out on the provider's network.

Unauthorized posting, copying/or distribution of copyrighted material is a violation of FOUR STATES FIBER's Acceptable Use Policy (AUP) and f the Broadband Service Order and Agreement (Agreement) which prohibit use of the FOUR STATES FIBER Network and Services in any manner that would infringe or otherwise violate the intellectual property rights of others. The FOUR STATES FIBER, LLC AUP and Agreement both state that FOUR STATES FIBER may suspend or terminate your service for violation of the AUP and/or Agreement.

Your service has been temporarily suspended. Please be advised that previous notifications explained that if additional violations occurred, FOUR STATES FIBER could take further action, including the suspension or termination of your Service.

Please contact our office with any questions.

Sincerely,

FOUR STATES FIBER

(Attach copy of email/document from infringement notice)

FINAL WARNING

(Date)

(Account Holder Name)
(Street Address) (City State,
Zip)

Dear (Name),

Re: (Account Number Here)

The purpose of this warning is to inform you that FOUR STATES FIBER has received another notice of copyright infringement sent pursuant to the Digital Millennium Copyright Act ("DCMA") in connection with your account. The DMCA passed by Congress in 1998, allows copyright owners to notify a service provider such as FOUR STATES FIBER of alleged copyright infringement carried out on the provider's network.

Unauthorized posting, copying/or distribution of copyrighted materials is a violation of FOUR STATES FIBER's Acceptable Use Policy (AUP) and the Broadband Service Order and Agreement (Agreement) which prohibit use of the FOUR STATES FIBER Network and Services in any manner which would infringe or otherwise violate the intellectual property rights of others. FOUR STATES FIBER AUP and Agreement both state that FOUR STATES FIBER may suspend or terminate your service for violation of the AUP and/or Agreement.

Please be advised that if this violation continues, or if additional violations occur, FOUR STATES FIBER may take further action, including the suspension or termination of your Service. Please contact our office with any questions.

Sincerely,

FOUR STATES FIBER

(Attach copy of email/document from infringement notice and any screen shot of IP assignment you may have)

(Date)

(Account Holder Name)
(Street Address) (City State,
Zip)

Dear (Name),

Re: (Account Number Here)

This notice is to inform you that SOUTHWEST ARKANSAS TELECOMMUNICATIONS AND TECHNOLOGY, INC. will be suspending/disconnecting your account as of **INSERT DATE**. SOUTHWEST ARKANSAS TELECOMMUNICATIONS AND TECHNOLOGY, INC. has received another notice of copyright infringement sent pursuant to the Digital Millennium Copyright Act ("DCMA") in connection with your account. The DMCA passed by Congress in 1998, allows copyright owners to notify a service provider such as SOUTHWEST ARKANSAS TELECOMMUNICATIONS AND TECHNOLOGY, INC. of alleged copyright infringement carried out on the provider's network.

Unauthorized posting, copying/or distribution of copyrighted materials is a violation of SOUTHWEST ARKANSAS TELECOMMUNICATIONS AND TECHNOLOGY, INC.'s Acceptable Use Policy (AUP) and Broadband Service Order and Agreement (Agreement) which prohibit use of the SOUTHWEST ARKANSAS TELECOMMUNICATIONS AND TECHNOLOGY, INC. Network and Services in any manner which would infringe or otherwise violate the intellectual property rights of others. SOUTHWEST ARKANSAS TELECOMMUNICATIONS AND TECHNOLOGY, INC.'s AUP and Agreement both state that SOUTHWEST ARKANSAS TELECOMMUNICATIONS AND TECHNOLOGY, INC. may suspend or terminate your service for violation of the AUP and/or Agreement.

Please be advised that we have received previous violations and have accordingly sent notification to you of this issue. Based on the additional notification of copyright violation we have no choice but to suspend/terminate your Service. Please contact our office with any questions.

Sincerely,

SOUTHWEST ARKANSAS TELECOMMUNICATIONS AND TECHNOLOGY, INC.

(Attach copy of email/document from infringement notice and any screen shot of IP assignment you may have)