

# Craw-Kan DMCA Policy

## THREE STRIKES COPYRIGHT "REPEAT INFRINGER" TERMINATION POLICY

### General Information

The Craw-Kan Telephone Cooperative ("Craw-Kan") Acceptable Use Policy prohibits subscribers from using Craw-Kan's Internet access and other related services to infringe upon copyrights, patents, trademarks, and any other intellectual property rights.

***Craw-Kan's DMCA policy is to suspend and, if necessary, terminate Internet access service to "repeat copyright infringers" in "appropriate circumstances."***

### Craw-Kan's "Three-Strike" Policy for "Repeat Infringers"

Craw-Kan 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 Craw-Kan's prior notification to the subscriber. Craw-Kan 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.

### Procedure

1. **First Strike.** Craw-Kan will send written notice to each subscriber for whom Craw-Kan has received any one or more notices of claimed copyright infringement. Craw-Kan will send written notice by electronic mail or U.S. Mail. Craw-Kan'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), Craw-Kan will make a second contact by telephone or, if necessary, electronic or U.S Mail.
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), Craw-Kan will immediately terminate internet service, attempt to contact the subscriber by telephone, and also mail a final disconnection notice to the subscriber's billing address.

### Reconnection

In the event of termination in accordance with the above escalation policy, the subscriber would not be eligible for reconnection for six-months unless approved by the General Manager. Reconnection charges may also apply.