



OPERATING PROCEDURES COPYRIGHT INFRINGEMENT

I. Objective:

WAVE RURAL CONNECT, LLC 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 WAVE RURAL CONNECT, LLC 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 WAVE RURAL CONNECT, LLC of alleged copyright infringement carried out on the provider’s network.

When WAVE RURAL CONNECT, LLC 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 WAVE RURAL CONNECT, LLC’s Acceptable Use Policy (AUP) and the Broadband Service Order and Agreement Terms & Conditions (T&C). This letter will also inform them that WAVE RURAL CONNECT, LLC 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 WAVE RURAL CONNECT, LLC’s AUP and T&C. The letter will also inform the member that WAVE RURAL CONNECT, LLC has temporarily suspended service and may terminate service if violation continues. (Attachment B)
3. Final warning – If there is a third offense in a 12-month period, WAVE RURAL CONNECT, LLC 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 WAVE RURAL CONNECT, LLC’s AUP and T&C. The letter will also inform the member that WAVE RURAL CONNECT, LLC 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, WAVE RURAL CONNECT, LLC 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 WAVE RURAL CONNECT, LLC. (Attachment D)

WAVE RURAL CONNECT, LLC 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 WAVE RURAL CONNECT, LLC determines that the conduct may:

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

III. Record Retention:

All Copyright Infringement Notifications and supporting documentation shall be kept in a vault at WAVE RURAL CONNECT, LLC headquarters for five years.

All correspondence with the member shall be retained in WAVE RURAL CONNECT, LLC's imaging system for a minimum of five years.

A database that includes, account number, date of notification, etc. will also be kept of all Copyright Infringement Notifications.

IV. Responsibility:

The Network Administrator 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, is responsible for carrying out the steps 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 WAVE RURAL CONNECT, LLC 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 WAVE RURAL CONNECT, LLC of alleged copyright infringement carried out on the provider's network.

Unauthorized posting, copying/or distribution of copyrighted material is a violation of WAVE RURAL CONNECT, LLC Acceptable Use Policy (AUP) and the Broadband Service Order and Agreement (Agreement) which prohibit use of the WAVE RURAL CONNECT, LLC Network and Services in any manner that would infringe or otherwise violate the intellectual property rights of others. The WAVE RURAL CONNECT, LLC AUP and Agreement state that WAVE RURAL CONNECT, LLC 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, WAVE RURAL CONNECT, LLC 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,

WAVE RURAL CONNECT, LLC

(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 WAVE RURAL CONNECT, LLC 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 WAVE RURAL CONNECT, LLC of alleged copyright infringement carried out on the provider's network.

Unauthorized posting, copying/or distribution of copyrighted material is a violation of WAVE RURAL CONNECT, LLC.'s Acceptable Use Policy (AUP) and f the Broadband Service Order and Agreement (Agreement) which prohibit use of the WAVE RURAL CONNECT, LLC Network and Services in any manner that would infringe or otherwise violate the intellectual property rights of others. The WAVE RURAL CONNECT, LLC AUP and Agreement both state that WAVE RURAL CONNECT, LLC. 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, WAVE RURAL CONNECT, LLC could take further action, including the suspension or termination of your Service.

Please contact our office with any questions.

Sincerely,

WAVE RURAL CONNECT, LLC

(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 WAVE RURAL CONNECT, LLC 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 WAVE RURAL CONNECT, LLC of alleged copyright infringement carried out on the provider's network.

Unauthorized posting, copying/or distribution of copyrighted materials is a violation of WAVE RURAL CONNECT, LLC's Acceptable Use Policy (AUP) and the Broadband Service Order and Agreement (Agreement) which prohibit use of the WAVE RURAL CONNECT, LLC Network and Services in any manner which would infringe or otherwise violate the intellectual property rights of others. WAVE RURAL CONNECT, LLC's AUP and Agreement both state that WAVE RURAL CONNECT, LLC 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, WAVE RURAL CONNECT, LLC may take further action, including the suspension or termination of your Service. Please contact our office with any questions.

Sincerely,

WAVE RURAL CONNECT, LLC

(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 WAVE RURAL CONNECT, LLC will be suspending/disconnecting your account as of **INSERT DATE**. WAVE RURAL CONNECT, LLC 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 WAVE RURAL CONNECT, LLC of alleged copyright infringement carried out on the provider's network.

Unauthorized posting, copying/or distribution of copyrighted materials is a violation of WAVE RURAL CONNECT, LLC's Acceptable Use Policy (AUP) and Broadband Service Order and Agreement (Agreement) which prohibit use of the WAVE RURAL CONNECT, LLC Network and Services in any manner which would infringe or otherwise violate the intellectual property rights of others. WAVE RURAL CONNECT, LLC's AUP and Agreement both state that WAVE RURAL CONNECT, LLC 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,

WAVE RURAL CONNECT, LLC

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