



NH BROADBAND, LLC

OPERATING PROCEDURES COPYRIGHT INFRINGEMENT

I. Objective:

NH BROADBAND, LLC (“NH BROADBAND”) 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 NH BROADBAND to terminate the internet service of members who repeatedly infringe copyrights.

II. Policy:

Pursuant to the Digital Millennium Copyright Act (“DMCA”), copyright owners may notify a service provider such as NH BROADBAND of alleged copyright infringement carried out on the provider’s network.

When NH BROADBAND receives a notification of copyright infringement, it will take the following steps:

1. First warning – Notice is sent via US Mail or email to member notifying them of their copyright infringement and violation of NH BROADBAND’s Acceptable Use Policy (AUP) and the Broadband Service Order and Agreement Terms & Conditions (T&C). This notice will also inform member that NH BROADBAND may suspend or terminate service if violation continues. (Attachment A)
2. Second warning – If there is a second offense in a 12-month period, a second warning notice will be sent via US Mail or email. This notice will inform member of their copyright infringement and continued violation of NH BROADBAND’s AUP and T&C. The notice will also inform member that NH BROADBAND may suspend or terminate service if violation continues. (Attachment B)
3. Final warning – If there is a third offense in a 12-month period, NH BROADBAND will issue a final warning to the member via US Mail or email. This notice will inform the member of their copyright infringement and continued violation of NH BROADBAND’s AUP and T&C. The notice will also inform the member that NH BROADBAND may suspend or terminate service if violation continues. (Attachment C)
4. Notice of Suspension/Termination – If there is a fourth offense in a 12-month period, NH BROADBAND will suspend or terminate the service and send a notice to the member via US Mail or email. This notice will inform the member that their account has been suspended or terminated effective immediately. (Attachment D)

NH BROADBAND 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 NH BROADBAND determines that the conduct may:

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

III. Record Retention:

All Copyright Infringement Notifications, supporting documentation, and correspondence with the member shall be retained in NH BROADBAND'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 SVP, Telecommunications Services is listed as the FCC and ISP Designated Agent and will be the primary point of contact for all Copyright Infringement Notifications via the following email address: copyright@nhbroadband.com.

DMCA 1st Warning Notice to Customer – For 1st Copyright Infringement Claim

To: [Customer email address of record]

Re: Account # [XXXX]; Copyright Infringement Warning

Dear [Customer Name]:

The purpose of this warning email is to inform you that NH BROADBAND 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 NH BROADBAND of alleged copyright infringement carried out on the provider's network. More specific details regarding the received copyright infringement claim are provided below:

Claimant: [insert]

Infringed Work: [insert]

Infringer's IP Address: [insert]

Infringement Timestamp: [insert]

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

NH BROADBAND
PO Box 681389
Riverside, MO 64168
866-431-1928

Thank you for your attention to this matter.

NH BROADBAND

DMCA 2nd Warning Notice to Customer – For 2nd Claim within 12-month period

To: [Customer email address of record]

Re: Account # [XXXX]; Second Copyright Infringement Warning

Dear [Customer Name]:

The purpose of this email is to inform you that NH BROADBAND 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 NH BROADBAND of alleged copyright infringement carried out on the provider's network. More specific details regarding the additional received copyright infringement claim are provided below:

Claimant: [insert]

Infringed Work: [insert]

Infringer's IP Address: [insert]

Initial Infringement Timestamp: [insert]

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

Please be advised that previous notifications explained that if additional violations occurred, NH BROADBAND could take further action, including the suspension or termination of your Service. **Upon receipt of this email, please contact our office via telephone at 866-431-1928 to avoid possible suspension or termination of your Service.**

Thank you for your attention to this matter.

NH BROADBAND

DMCA Final Warning Notice to Customer - For 3rd Claim within 12-month period

To: [Customer email address of record]

Re: Account # [XXXX]; Final Copyright Infringement Warning

FINAL WARNING

Dear [Customer Name]:

The purpose of this final warning is to inform you that NH BROADBAND 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 NH BROADBAND of alleged copyright infringement carried out on the provider's network. More specific details regarding the additional received copyright infringement claim are provided below:

Claimant: [insert]

Infringed Work: [insert]

Infringer's IP Address: [insert]

Initial Infringement Timestamp: [insert]

Unauthorized posting, copying/or distribution of copyrighted materials is a violation of NH BROADBAND's Acceptable Use Policy (AUP) and the Broadband Service Order and Agreement (Agreement) which prohibit use of the NH BROADBAND Network and Services in any manner which would infringe or otherwise violate the intellectual property rights of others. NH BROADBAND's AUP and Agreement both state that NH BROADBAND 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, NH BROADBAND may suspend or terminate of your Service. Please contact our office with any questions.

NH BROADBAND
PO Box 681389
Riverside, MO 64168
866-431-1928

Thank you for your attention to this matter.

NH BROADBAND

DMCA Suspension/Termination Notice to Customer – For 4th Claim within 12-mo. period

To: [Customer email address of record]

Re: Account # [XXXX]; Notice of Account [Suspension/Termination]

NOTICE OF ACCOUNT [SUSPENSION/TERMINATION]

Dear [Customer Name]:

This notice is to inform you that NH BROADBAND will be [suspending/terminating] your account as of [INSERT DATE]. NH BROADBAND 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 NH BROADBAND of alleged copyright infringement carried out on the provider’s network. More specific details regarding this additional received copyright infringement claim are provided below:

Claimant: [insert]
Infringed Work: [insert]
Infringer’s IP Address: [insert]
Initial Infringement Timestamp: [insert]

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

Please be advised that we have received multiple copyright infringement claims in connection with your account and have accordingly sent multiple previous notifications 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.

NH BROADBAND
PO Box 681389
Riverside, MO 64168
866-431-1928

Sincerely,

NH BROADBAND