

SKYLINE MEMBERSHIP CORPORATION / SKYBEST COMMUNICATIONS, INC. COPYRIGHT POLICY

SkyLine/SkyBest is committed to complying with U.S. copyright and related laws, and requires all customers and users of the Broadband Service to comply with these laws. Accordingly, you may not store any material or content on, or disseminate any material or content over, the Broadband Service (or any part of the Broadband Service) in any manner that constitutes an infringement of third party intellectual property rights, including rights granted by U.S. copyright law. Owners of copyrighted works who believe that their rights under U.S. copyright law have been infringed may take advantage of certain provisions of the Digital Millennium Copyright Act of 1998 (the “DMCA”) to report alleged infringements. It is SkyLine/SkyBest's policy in accordance with the DMCA and other applicable laws to reserve the right to terminate the Broadband Service provided to any customer or user who is either found to infringe third party copyright or other intellectual property rights, including repeat infringers, or who SkyLine/SkyBest, in its sole discretion, believes is infringing these rights. SkyLine/SkyBest may terminate the Broadband Service at any time with or without notice for any affected customer or user.

The Digital Millennium Copyright Act (“DMCA”), signed into law on October 28, 1998, amended the United States Copyright Act, Title 17 of the U.S. Code, to provide in part certain limitations on the liability of online service providers (OSPs) for copyright infringement. Subsection 512(c) of the Copyright Act provides limitations on service provider liability for storage, at the direction of a user, of copyrighted material residing on a system or network controlled or operated by or for the service provider, if, among other things, the service provider has designated an agent to receive notifications of claimed infringement by providing contact information to the Copyright Office and by posting such information on the service provider’s website in a location accessible to the public. In accordance with the DMCA, SkyLine/SkyBest has filed with the United States Copyright Office the necessary agent of notification information. The DMCA permits copyright owners to notify SkyLine/SkyBest if they believe a SkyLine/SkyBest customer has infringed their work(s). When SkyLine/SkyBest receives a notice from a copyright owner, SkyLine/SkyBest will notify the identified customer of the alleged infringement claim by providing them a copy of the notice. SkyLine/SkyBest responds expeditiously to notices of claimed copyright infringement and will take the necessary steps to terminate users or account holders who are “repeat infringers” as required by law.

A. Procedure for Submitting a Copyright Infringement Claim

SkyLine/SkyBest has registered a designated agent to receive notices of claimed copyright infringement with the U.S. Copyright Office. Under the DMCA, copyright owners have the right to notify SkyLine/SkyBest if they believe a SkyLine/SkyBest customer has infringed the copyright

owner's work(s). If you believe a SkyLine/SkyBest customer has utilized your work in a way that constitutes copyright infringement, you may file a Notification of Claimed Infringement with SkyLine/SkyBest's designated copyright agent. The DMCA provides the following procedure for parties to follow who wish to file a Notification of Claimed Infringement with SkyLine/SkyBest.

To serve a Notification of Claimed Infringement on SkyLine/SkyBest send your Notification to:

SkyLine Telephone Membership Corporation

Attn: DMCA Agent

PO Box 759

West Jefferson, NC 28694

Telephone Number: 336-877-1350

Facsimile Number: 336-877-2020

Email address: aup.abuse@skyline.org

To be effective under the DMCA, the Notification of Claimed Infringement must be a written communication provided to SkyLine/SkyBest's designated copyright agent and must include the following information:

1. A physical or electronic signature of a person authorized to act on behalf of the owner of the infringed copyright.
2. Identification of the copyrighted work or works claimed to have been infringed.
3. Identification of the material that is claimed to be infringing or to be the subject of infringing activity and that is to be removed or access to which is to be disabled, and the infringing IP address, time, date, and the time zone to permit SkyLine/SkyBest to locate the appropriate account.
4. Information reasonably sufficient to permit SkyLine/SkyBest to contact the complaining party (e.g., the address, telephone number, or email address).
5. A statement that the complaining party has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.
6. A statement that the information in the Notification is accurate, and under penalty of perjury, that the complaining party is authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

Upon receipt of a Notification of Copyright Infringement from a copyright owner that contains the required information described in 1 through 6 above, SkyLine/SkyBest will notify the customer of the alleged infringement and remove or disable access to the material that is alleged to be infringing if hosted on a SkyLine/SkyBest domain. No personally identifiable information or customer information is shared with the copyright owner unless required by law.

If SkyLine/SkyBest receives more than one Notice of Copyright Infringement on the customer's part, the customer may be deemed a 'repeat copyright infringer.' SkyLine/SkyBest reserves the right to terminate the accounts of 'repeat copyright infringers.'

B. Procedure to File a DMCA Counter-Claim

If you have received a notice of copyright infringement and you believe that a copyright holder has accused you in error, you may file a DMCA Counter-Claim with SkyLine/SkyBest's designated copyright agent.

To be effective, a Counter-Claim must be a written communication provided to SkyLine/SkyBest's designated copyright agent and must include the following information:

1. A physical or electronic signature of the subscriber.
2. The subscriber's name, address, and telephone number.
3. Identification of the material that has been removed or to which access has been disabled and the location at which the material appeared before it was removed or access to it was disabled.
4. A statement under penalty of perjury that the subscriber has a good faith belief that the material was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled.
5. A statement that the subscriber consents to the jurisdiction of Federal District Court for the judicial district in which the address is located, or if the subscriber's address is outside of the United States, for any judicial district in which the service provider may be found, and that the subscriber will accept service of process from the party who submitted the takedown notice or an agent of such party.

Upon receipt of a DMCA Counter-Claim, SkyLine/SkyBest will provide the complaining party with a copy of the DMCA Counter-Claim. When SkyLine/SkyBest receives a Counter-Claim that meets the requirements of the DMCA, SkyLine/SkyBest will process the Counter-Claim in accordance with the requirements of the DMCA.

Notification Process

1 st Warning	Acknowledgement	Email or letter sent to customer explaining the issue and how to prevent it in the future. Call to customer to confirm acknowledgement of infringement claim.
2 nd Warning	Mitigation	Port deactivation. Call to customer to acknowledge understanding of infringement claims and DMCA policy. Port reactivated upon acknowledgement.
3 rd Warning	Mitigation	Port suspension. Any additional infringement claims result in account termination.

- Each Warning will "roll up" all infringement notices received in a 1 week period.
- Warning process starts over after 12 months without an infringement notice.
- If appeal is successful the warning process starts over or reverts to previous Warning in the process.

C. Note to Claimants and Agents:

- Complaints that are received and cannot be determined to be an actual subscriber of SkyLine/SkyBest will be discarded.
- Complaints sent to any addresses other than the specified addresses in our filing with the US Copyright Office or our DMCA Policy will be discarded.

NOTE: The information under this section is provided to you for informational purpose only, and is not intended as legal advice. If you believe your rights under United States copyright law have been infringed, you should consult with your attorney.