



## **DMCA POLICY & PROCEDURE FREQUENTLY ASKED QUESTIONS**

**WaveDivision Holdings, LLC** receives many calls from Internet users who have received copyright infringement Notices. The following FAQs are intended to answer the most common questions. If your question is not answered below, please telephone Customer Support at 1-833-418-0046 or email, [dmcanotice@wavebroadband.com](mailto:dmcanotice@wavebroadband.com).

Allegations of copyright infringement can be generated by anyone using your computer or network to download copyrighted materials – even children or friends who have access to your system or network, or a stranger who is able to access your computer or network. Regardless of who committed the alleged copyright infringement, you are responsible for securing your network to avoid copyright violations that might otherwise occur through your WaveDivision Holdings, LLC Internet access account.

Please note that while the following is intended to assist you in resolving your questions and avoiding potential liability, none of the information contained here should be construed as legal advice.

### **QUESTIONS ABOUT COPYRIGHT INFRINGEMENT NOTICES**

1. I received an email from WaveDivision Holdings, LLC regarding potential copyright infringement. What should I do?
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11. I subscribe to a peer-to-peer network in which I pay for permission to download certain materials. Why did I get a Notice?
12. Will my Internet access be disconnected?
13. Where can I find more information?

**1. I received an email from WaveDivision Holdings, LLC regarding potential copyright infringement. What should I do?**

If you received an email from WaveDivision Holdings, LLC about copyright infringement, that means that a copyright infringement notice was sent to WaveDivision Holdings, LLC from a copyright holder or its agent associating your account and identifying activity that potentially infringes on copyright protected material. Notices are sent when a rights holder believes copyrighted material has been illegally downloaded from and/or uploaded to the Internet. The letter WaveDivision Holdings, LLC forwarded to you provides information about the infringement allegation WaveDivision Holdings, LLC received from the copyright holder. Receiving such a Notice does not indicate that you are being personally accused of a crime, but rather that you are being alerted to potentially illegal activity that was detected over your Internet access connection. Upon receiving notice that your account might be used to engage in copyright infringement, you should investigate the issue to ensure that your account is secure and that no one with access to your network is infringing any copyright protected materials.

**2. How do I resolve this?**

Determine whether someone with access to your internet subscription has downloaded a copyrighted work without permission. If so, search for the copyrighted work on computers that have access to your internet account and remove any copies of that work that you may find.

**3. How do I know when the alleged infringement occurred?**

The letter you received from WaveDivision Holdings, LLC reflects the date on which the copyright holder claims to have detected a copyrighted file being publicly accessed through your Internet access account.

**4. I don't recognize the alleged infringed material. How do I know what it is?**

It is most likely that the file identified in the letter you received relates to a song, TV show, or movie—although it could also relate to any other type of copyrighted material. To determine the nature of the material you have been accused of potentially infringing, search for the title of the material listed in the letter that we sent to you using a search engine.

**5. How do I locate the material on my computer?**

If you are using Microsoft Windows, click on the Start button located at the bottom left-hand side of your screen. A window will pop up with a search bar at the bottom to “Search programs and files.” You can search by the exact file name or with key words. You'll want to look on your hard drive for this file. Once your computer locates the file or files associated with your search term, it will list possible matches. You must determine which file corresponds to the one listed in the letter you received.

**6. What is WaveDivision Holdings, LLC's role in this process?**

WaveDivision Holdings, LLC is obligated under federal law to adopt, reasonably implement and inform Internet access subscribers of, a policy that provides for the termination in appropriate circumstances of Internet access subscribers who repeatedly violate the copyright laws. WaveDivision Holdings, LLC receives Notices from copyright holders or their agents who believe copyrighted material has been illegally downloaded from and/or uploaded to the Internet. Upon receipt, WaveDivision Holdings, LLC informs its subscriber of the alleged infringement. At all times, it is the *subscriber's* responsibility to ensure that their account is not being used to conduct infringing activity.

**7. Has WaveDivision Holdings, LLC invaded my privacy?**

No. WaveDivision Holdings, LLC respects the privacy of its subscribers. WaveDivision Holdings, LLC does not scan subscribers' computers or otherwise invade the privacy of its subscribers. Unless required by law, WaveDivision Holdings, LLC will not provide your personal information to any copyright holder or its agents.

**8. How was my information identified?**

Copyright holders or their agents identify potentially infringing activity by monitoring public internet traffic. Most often, copyright holders identify this activity by monitoring popular file-sharing networks or public Internet sites to which your computer may have connected. Peer-to-peer file-sharing programs require that you share files (*allow others to download from you*) even as you are downloading from others using the network. By using a file-sharing program, you are potentially allowing strangers to download files from your computer. File-sharing programs are not illegal by themselves—but can be used to upload or download copyrighted materials. Sharing copyrighted materials without the permission of the copyright owner is illegal.

**9. Does this Notice mean I am being sued?**

The letter you received from WaveDivision Holdings, LLC is not an indication that a lawsuit will be initiated against you. WaveDivision Holdings, LLC received a Notice alleging copyright infringement that was associated with your IP address from a copyright holder or its agent. WaveDivision Holdings, LLC sent you a letter to provide you with notice of that alleged infringement so that you may take steps to investigate and, if necessary, remedy the alleged activity.

**10. I legitimately purchased the material alleged as infringing. Why did I receive a Notice?**

If you received a letter from WaveDivision Holdings, LLC regarding potential infringement for material that you legitimately purchased, it is possible that a file-sharing application on your computer scanned your hard drive and made available music, software or movie files. You should understand that even unintentionally making these files available can constitute a violation of the copyright holders' rights. For this reason, you should take steps to disable any software that might result in infringing activity. Uninstalling the file-sharing application is the best way to stop your files from being made

available to others on the Internet. A few popular file-sharing programs you may find on your system are eDonkey2000, eMule, Limewire, BearShare, FastTrack, Overnet, WinMX, Ares, DC++, Shareaza, Souseek, KaZaA, Morpheus, Gnutella, and BitTorrent clients such as Azureus, BitTornado, BT++, BitComet, Vuze, Torrent, and BitLord.

Because you are ultimately responsible for all activity associated with your WaveDivision Holdings, LLC account, you should take the following steps to ensure your internet account is not being used to commit copyright infringement:

- a. Secure your home or business network with a password so that strangers cannot connect and use your internet subscription. If you need assistance in doing this, contact WaveDivision Holdings, LLC's Technical Support staff at 844-726-1881
- b. Determine whether any computer in your home has file-sharing software installed on it and, if it does, uninstall that software.
- c. Do not download files you know or suspect to be copyrighted material except from reputable sources, authorized for distribution by the copyright holders.

### **11. I subscribe to a peer-to-peer network in which I pay for permission to download certain materials. Why did I get a Notice?**

Despite any subscription you may have and pay for, sharing or downloading copyrighted material without permission is illegal. A subscription to a peer-to-peer network does not authorize you to download copyrighted material, including software programs, games, music, movies, TV shows, etc.

### **12. Will my Internet access be disconnected?**

WaveDivision Holdings, LLC is obligated under federal law to adopt and reasonably implement, and inform Internet access subscribers of, a policy that provides for the termination in appropriate circumstances of Internet access subscribers who are repeat copyright infringers. WaveDivision Holdings, LLC receives Notices from copyright holders or their agents who believe copyrighted material has been illegally downloaded from and/or uploaded to the Internet. If WaveDivision Holdings, LLC continues to receive notices from copyright owners indicating that a particular subscriber is using their internet account to commit copyright infringement, WaveDivision Holdings, LLC will take action—up to and including termination of your service—to ensure that its subscribers do not use WaveDivision Holdings, LLC's services to commit copyright infringement.

WaveDivision Holdings, LLC has procedures in place to track the copyright infringement notices it receives and to terminate subscribers who repeatedly violate the copyright laws.

### **13. Where can I find more information?**

Contact a WaveDivision Holdings, LLC Technical Service Representative at 1-833-418-0046 or [dmcnotice@wavebroadband.com](mailto:dmcnotice@wavebroadband.com). Our Technical Service Representatives are available 24x7x365.

**MORE RESOURCES:**

United States Copyright Office Main Page:

<http://www.copyright.gov>

Help prevent online piracy at home:

<http://www.microsoft.com/athome/security/children/kidspiracy.mspx>

World Legal Resource Center, Internet Law Library:

<http://www.lawmoose.com/internetlawlib/325.htm>

World Intellectual Property Organization (for International violations):

<http://www.copyright.gov/wipo/treaty1.html>

Copyright Infringement information as provided by the Motion Picture Association of America:

<http://respectcopyrights.org>

DMCA Policy and Procedure

<https://business.wavebroadband.com/dmca-policy>