



1. General:

- 1.1. Aplus.net must fully comply with all state and federal statutes, regulations, and court rulings, including all copyright, trademark, and other intellectual property laws and regulations.
- 1.2. If your web site, web content, Forum posting, e-mail traffic, or other use of the Aplus.net Services (as defined in the TOS) violates any state or federal statutes or caselaw you alone will be liable for such use or content.
- 1.3. Aplus.net will not approve, verify, or endorse your web site or your content. All views and opinions expressed on web sites hosted by Aplus.net (and on other web sites supported by Aplus.net Services) are solely those of the owner or publisher of the web site or other third parties and do not necessarily reflect the views of Aplus.net.

2. Copyright Disputes:

- 2.1. As required by federal law, Aplus.net has designated an agent to receive notifications of claimed copyright infringements. All copyright infringement notifications must be sent to our agent, whose address is:

Ralph Munyan, Vice President and General Counsel
Abacus America, Inc. d/b/a Aplus.net
7500 W. 110th Street, Suite 400
Overland Park, Kansas 66210
Tel: (913) 890-7766 / Fax: (913) 890-7787
email: legal@aplnet.net

- 2.2. Aplus.net cannot take a position with respect to the validity of copyright infringement claims. All copyright disputes are governed by the [Digital Millennium Copyright Act](#) ("DMCA") (which was signed into law on October 28, 1998, and amended the United States Copyright Act, Title 17 of the *U.S. Code*) and [Subsection 512\(c\)](#) of the Copyright Act, also known as the Online Infringement Liability Limitation Act ("OCILLA").
- 2.3. Under this body of law you must provide written communication to Aplus.net's designated agent that includes substantially the following:
 - 2.3.1. A physical or electronic signature of a person authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.
 - 2.3.2. Identification of the copyrighted work claimed to have been infringed, or, if multiple copyrighted works at a single online site is covered by a single notification, a representative list of such works at that site.
 - 2.3.3. 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 information reasonably sufficient to permit Aplus.net to locate the material.
 - 2.3.4. Information reasonably sufficient to permit Aplus.net to contact the complaining party, such as an address, telephone number, and, if available, an electronic mail address at which the complaining party may be contacted.
 - 2.3.5. 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.

- 2.3.6. 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.
- 2.4. If we receive a properly formatted copyright complaint about your web site or web content we will notify you of our receipt of the complaint.
 - 2.4.1. If you notify us within 24 hours after we contact you that the allegedly infringing material has been removed, if your actions are sufficient (in the eyes of the complaining party) this matter will likely be resolved.
 - 2.4.2. If the allegedly infringing material has not been removed 24 hours after we contact you, we will disable your site. If that occurs, in order to have your site restored you may submit a "counter-notification" to us.
 - 2.4.3. You (the Aplus.net customer) must sign the counter-notification, identify 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, and state your name, address, and telephone number.
 - 2.4.4. Also, you must provide a statement that you consent to the jurisdiction of Federal District Court for the judicial district in which your address is located (or if your address is outside of the United States, for any judicial district in which you may be found), and that you will accept service of process from the person who provided notification under subsection (c)(1)(C) or an agent of such person.
- 2.5. Once we receive this signed document:
 - 2.5.1. We will forward a copy of the signed document to the person alleging infringement and inform them that the allegedly infringing material will be replaced or that access to it will be restored within 10 business days.
 - 2.5.2. Unless the person alleging infringement notifies us that they have commenced legal action to seek a court order to restrain you from engaging in infringing activity related to the allegedly infringing material, after 10 business days we notify you that you are free to put the material back up on your site.

3. Trademark Disputes:

- 3.1. Aplus.net cannot take a position with respect to the validity of trademark infringement claims. All copyright disputes are governed by state and federal statutes and caselaw. All trademark infringement notifications should be sent to Aplus.net's legal department, whose address is:

Abacus America, Inc. d/b/a Aplus.net
Legal Department
7500 W. 110th Street, Suite 400
Overland Park, Kansas 66210
Tel: (913) 890-7700 / Fax: (913) 890-7787
email: legal@applus.net

- 3.2. Trademark infringement claims should include substantially the following:

- 3.2.1. A physical or electronic signature of a person authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.
- 3.2.2. Identification of the trademark claimed to have been infringed, or, if multiple trademarks at a single online site are covered by a single notification, a representative list of such works at that site.

- 3.2.3. 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 information reasonably sufficient to permit Aplus.net to locate the material.
 - 3.2.4. Information reasonably sufficient to permit Aplus.net to contact the complaining party, such as an address, telephone number, and, if available, an electronic mail address at which the complaining party may be contacted.
 - 3.2.5. 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 trademark owner, its agent, or the law.
 - 3.2.6. 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.
- 3.3. If we receive a trademark complaint about your web site or web content we will notify you of our receipt of the complaint.
- 3.3.1. If you notify us within 24 hours after we contact you that the allegedly infringing material has been removed, if your actions are sufficient (in the eyes of the complaining party) this matter will likely be resolved.
 - 3.3.2. If the allegedly infringing material has not been removed 24 hours after we contact you, we will disable your site. If that occurs, we will be unable to restore your access to your site until the allegedly infringing material has been removed.

4. Not Legal Advice:

- 4.1. Nothing contained in this Legal Infringement Policy is legal advice and you may want to retain legal counsel in these types of matters.