

# DMCA Complaint Policy

## I. Purpose

The purpose of this policy is to describe the process for filing copyright complaints in accordance with the Digital Millennium Copyright Act (DMCA).

### DMCA Safe Harbor

The DMCA, 17 U.S.C. Section 512 provides a [copyright liability safe harbor](#) for internet service providers that host user-generated content. Nested Knowledge, a software service provider, will not be liable for copyright infringement for materials generated and distributed by users on Nested Knowledge platforms.

### Notice of Infringement

Nested Knowledge users may submit complaints of copyright infringement if they believe the Nested Knowledge software is being used to host or distribute infringed copyrighted material.

## II. Scope

This policy applies to anyone who directly, or through an agent, accesses Nested Knowledge software services, which includes "AutoLit", "Synthesis," [Wiki Documentation](#), as well as any subsequent software developed by Nested Knowledge that may be used to host user-generated materials.

## III. DCMA Policy

Nested Knowledge Users are required to respect the rights of copyright owners and their agents. Use of copyrighted materials must abide by fair use.

Copyright owners, or agents thereof, must send a notice of alledged infringement to the designated agent, a representative at Nested Knowledge. Upon receipt of notification, Nested Knowledge will act quickly to remove or disable access to the infringing materials. After removal, the user alledged to be infringing, may send a counter-notice describing their fair use of the original work or refuting the claim of infringement.

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### 1.Contact Information: Where to Send Copyright Notices

## Designated Agent

Please send notification of alleged copyright infringement, as well as counter-notice, to our designated agent via email:

Kevin Kallmes  
CEO, Nested Knowledge  
[kevinkallmes@supedit.com](mailto:kevinkallmes@supedit.com)  
507-271-7051  
PO Box 65431 Salt Lake City, UT 84165

## 2. Submit a Takedown Notice

To air grievances of alleged copyright infringement, user must submit a DCMA Takedown Notice.

### Takedown Notice Requirements

A note of alleged copyright infringement must contain:

1. **Signature:** A signature of the copyright owner or a person authorized to act on behalf the copyright owner.
  1. Signatures may be electronic or physical
2. **Copyrighted Work(s):** The copyrighted work claimed to be infringed.
3. **Infringing Material(s):** The material hosted on Nested Knowledge software that is claimed to infringe on copyrighted material(s) of the copyright owner.
4. **Contact:** Contact information, such as email address and phone number.
5. **Good Faith Belief:** A statement that the complaining party has a good faith belief that use of the material in the matter complained of is not authorized by the copyright owner, its agent, or the law. Include the statement,
  1. *"I have a good faith belief that use of the copyrighted materials described above on the infringing web pages is not authorized by the copyright owner, or its agent, or the law. I have taken fair use into consideration."*
6. **Accuracy and Authorization:** A statement that the information in the notice is accurate, and under penalty of perjury, that the complaining party is authorized to act on behalf of the copyright owner. Include the statement,
  1. *"I swear, under penalty of perjury, that the information in this notification is accurate and that I am the copyright owner, or am authorized to act on behalf of the owner, of an exclusive right that is allegedly infringed."*



Be sure to describe the original work(s), as well as the infringing material(s), in text, if possible. Include plain text URLs, rather than attachments. Nested Knowledge will not open attachments, except under special circumstances.

### 3. Submit a Counter-Notice

After removing materials for alleged copyright infringement, the infringing party has the opportunity to refute the complaint. The infringing party may send a counter-notice with proof that the material is not violating copyright, or proof that they have fair use to use the copyrighted work.

Upon receipt of a counter-notification, Nested Knowledge will replace or cease disabling access to the removed materials within 10-14 business days (unless the designated agent learns of a court order against the infringing activity). Nested Knowledge will inform the person who sent the original notification that the removed material will be made available again in 10 business days.

#### Counter-Notice Requirements

A DMCA counter notice must contain:

1. **Signature:** A signature of the copyright owner or a person authorized to act on behalf the copyright owner.
  1. Signatures may be electronic or physical
2. **Disabled/Removed Material(s):** The material hosted on Nested Knowledge software that was claimed to be infringing and was removed or disabled.
3. **Reasons:** Include the reasons why you believe there was a mistake or misidentification.
4. **Contact:** Contact information, including legal name, email address, address, and phone number.
5. **Good Faith Belief:** A statement that the complaining party has a good faith belief that use of the material in the matter complained of is not authorized by the copyright owner, its agent, or the law. Include the statement,
  1. *"I have a good faith belief that use of the copyrighted materials described above on the infringing web pages is not authorized by the copyright owner, or its agent, or the law. I have taken fair use into consideration."*—
6. **Jurisdiction:** 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 person who provided notification under subsection ©(1)(C) or an agent of such person.

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### Resolution

Nested Knowledge does not evaluate the merits of the notice of infringement or counter-notifications. Nested Knowledge will remove materials or re-upload materials based on whether the respective notice meets the minimum criteria.

If, for any reason, we cannot come to a resolution by the rebuttal process, we will put the two parties in contact to enable negotiation. We will keep the materials available until resolved.

## Repeat Infringers

At our discretion, Nested Knowledge may ban or restrict users who are repeat infringers from accessing Nested Knowledge software.

## Revision History

Author	Date of Revision/Review	Comments
K. Cowie	04/29/2022	Drafted
K. Kallmes	04/29/2022	Draft reviewed

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