



## DMCA Policy

Cologix, Inc. and its subsidiaries respects the intellectual property of others.

Please note that, in some instances, Cologix may, solely, be providing the alleged infringer or another party hosting the alleged infringer with bandwidth (i.e. Cologix may not be “hosting” the allegedly infringing material). In these instances, Cologix will forward the complaining party’s complaint to the alleged infringer, if such alleged infringer is Cologix’ customer, or to Cologix’ customer hosting such alleged infringer. Cologix will not be able to suspend or deny access to the allegedly infringing material in these instances.

If you believe that your copyrighted work has been copied in a way that constitutes copyright infringement and is being hosted by Cologix, you may notify our copyright agent, as set forth in the Digital Millennium Copyright Act of 1998 (DMCA). For your complaint to be valid under the DMCA, you must provide the following information when providing notice of the claimed copyright infringement:

- A physical or electronic signature of the copyright owner or a person authorized to act of behalf of the copyright owner of an exclusive copyright that has allegedly been infringed.
- Identification of the copyrighted work claimed to have been infringed that is to be removed, or access is to be disabled, and information reasonably sufficient to permit Cologix to locate the copyrighted work.
- Information reasonably sufficient to permit Cologix 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.
- A statement that the complaining party “in good faith believes that the use of the material in the manner complained of is not authorized by the copyright owner, its agent or law.”
- A statement that the “information in the notification is accurate” and “under penalty of perjury, the complaining party is the owner or is authorized to act of behalf of the owner of an exclusive right that is allegedly infringed.”

The above information must be submitted as a written, faxed or emailed notification to the following Designated Agent:

Attn: DMCA Office  
Cologix, Inc.  
2300 15<sup>th</sup> Street, Suite 300  
Denver, CO 80202

Fax: 973-590-5080  
Email: [DMCA@cologix.com](mailto:DMCA@cologix.com)  
Phone: 855-449-4357



Upon receipt of appropriate notification from the complaining party, pursuant to above, Cologix will initiate an investigation and forward the complaining party's written notification to the alleged infringer. While Cologix is investigating the claim, Cologix at its sole discretion and without any legal obligation to do so, may notify the alleged infringer it will lock down the domain name(s), redirect the DNS, and/or if it is solely stored on Cologix' server, temporarily remove or deny access to the allegedly infringing material. If Cologix concludes that the complaining party has raised a legitimate copyright claim, it will continue to deny access to the allegedly infringing material. If Cologix determines that the complaining party has not raised a legitimate claim, Cologix will restore access to the allegedly infringing material.

#### Repeat Infringers

It is Cologix' policy to provide for the termination, in appropriate circumstances, of Cologix customers who are repeat infringers of copyrighted works.