

DMCA NOTICE & TAKEDOWN POLICY AND PROCEDURES

NUDEAFRICA.COM

We respect the intellectual property of others, and we anticipate that the sites we index do the same. As part of Our effort to assist in the protection of intellectual property rights, this website (“SITE”) therefore complies with the Notice and Takedown requirements of 17 U.S.C. § 512 of the Digital Millennium Copyright Act (“DMCA”). Under that statute, We qualify as a “Service Provider.” Specifically, the SITE functions as an information location tool under 17 U.S.C. § 512(d) in that it merely refers or links users to content found on third-party websites not under Our control. Under the DMCA, We are entitled to assert certain protections from claims of copyright infringement, commonly referred to as the “safe harbor” provisions. We therefore adopt the following Notice and Takedown Policy relating to claims of copyright infringement concerning content linked to by the SITE.

Notice of Claimed Infringement

If you believe that your work has been copied in a way that constitutes copyright infringement, please provide Our Designated Copyright Agent (identified below) with the following information:

- (a) an electronic or physical signature of the person authorized to act on behalf of the owner of the copyright or other intellectual property interest;
- (b) description of the copyrighted work or other intellectual property that you claim has been infringed;
- (c) description of where the material that you claim is infringing is located on the SITE (preferably including specific url’s associated with the material);
- (d) your address, telephone number, and email address;
- (e) a statement by you that you have a good faith belief that the disputed use is not authorized by the copyright owner, its agent, or the law; and
- (f) a statement by you, made under penalty of perjury, that the above information in your Notice is accurate and that you are the copyright or intellectual property owner or authorized to act on the copyright or intellectual property owner’s behalf.

You may send your Notice of Claimed Infringement to:

Lawrence G. Walters, Esq.
Walters Law Group
195 W. Pine Ave.
Longwood, FL 32750
Fax: (407) 774-6151
Email: notice[at]dmcanotice[dot]com

Please do not send other inquiries or information to our Designated Agent. Our Designated Agent is only authorized to receive DMCA Notices, and does not serve as a general agent or representative for any other purpose, absent express authorization from Us.

Further information regarding notification and takedown requirements can be found in the DMCA, here: <http://www.law.cornell.edu/uscode/text/17/512>.

Take Down Procedure

The SITE implements the following “notification and takedown” procedure upon receipt of any notification of claimed copyright infringement. The SITE reserves the right at any time to disable access to any Materials claimed to be infringing or based on facts or circumstances from which infringing activity is apparent. As an information location tool service provider, “disabling of access” to material identified in a DMCA Notice shall typically mean that We remove the link to the allegedly infringing content found on a third party’s website, along with any affiliated linking or referential materials. It is the firm policy of the SITE to terminate the account of repeat copyright infringers, when appropriate, and the SITE will act expeditiously to disable access to all material that infringes on another’s copyright, according to the procedure set forth in 17 U.S.C. §512. The SITE’s DMCA Notice Procedures are set forth in the preceding paragraph.

If the notice does not comply with §512 of the DMCA, but does comply with three requirements for identifying sites that are infringing according to §512 of the DMCA, the SITE shall attempt to contact or take other reasonable steps to contact the complaining party to help that party comply with the notice requirements. When the Designated Agent receives a valid notice, the SITE will expeditiously disable access to the infringing material and shall attempt to notify the user responsible for providing the content. Then, the affected user may submit a counter-notification to the Designated Agent containing a statement made under penalty of perjury that the user has a good faith belief that the material was removed because of misidentification of the material. After the Designated Agent receives the counter-notification, it will re-enable access to the material at issue within ten to fourteen (10-14) days after receipt of the counter-notification unless the Designated Agent receives notice that a court action has been filed by the complaining party seeking an injunction against the infringing activity.

Third Party Notification of Infringement: Given that the SITE merely links to third party websites, it may not be possible for the SITE to successfully locate and notify the specific third party user responsible for the allegedly infringing content. If the SITE is unable to notify the user apparently responsible for generating the content, the SITE may instead notify the responsible user care of the operator of the third party website, as the user’s agent. Alternately, if any such notices pertain to content for which the indexed site itself may be responsible, then the SITE may direct any notification and/or transmit the notice in question to the operator of the indexed site. The SITE reserves the right to modify, alter or add to this Policy, and all users should regularly check this webpage to stay current on any such changes.

DMCA Counter-Notification Procedure

If the Recipient of a Notice of Claimed Infringement ("Notice") believes that the Notice is erroneous or false, and/or that allegedly infringing material has been wrongly removed, or access has been wrongly disabled, in accordance with the procedures outlined above, the Recipient is permitted to submit a counter-notification pursuant to Sections 512(g)(2-3) of the DMCA. A counter-notification is the proper method for the Recipient to dispute the removal or disabling of material pursuant to a Notice. The information that a Recipient provides in a counter-notification must be accurate and truthful, and the Recipient will be liable for any misrepresentations which may cause any claims to be brought against the SITE relating to the actions taken in response to the counter-notification.

To submit a counter-notification, please provide Our Designated Copyright agent the following information:

- (a) a specific description of the material that was removed or disabled pursuant to the Notice;
- (b) a description of where the material was located within the SITE before such material was removed and/or disabled (preferably including specific url's associated with the material);
- (c) a statement reflecting the Recipient's belief that the removal or disabling of access to the material was done so erroneously. For convenience, the following format may be used:

"I swear, under penalty of perjury, that I have a good faith belief that the referenced material was removed or disabled by the service provider as a result of mistake or misidentification of the material to be removed or disabled."
- (d) the Recipient's physical address, telephone number, and email address; and
- (e) a statement that the Recipient consents to the jurisdiction of the Federal District Court in and for the judicial district where the Recipient is located, or if the Recipient is outside of the United States, for any judicial district in which the service provider may be found, and that the Recipient will accept service of process from the person who provided the Notice, or that person's agent.

Written notification containing the above information must be signed and sent to:

Lawrence G. Walters, Esq.
Walters Law Group
195 W. Pine Ave.
Longwood, FL 32750
Fax: (407) 774-6151
Email: notice[at]dmcanotice[dot]com

Please do not send other inquires or information to our Designated Agent.

After receiving a DMCA-compliant counter-notification, Our Designated Copyright Agent will forward it to Us, and We will then provide the counter-notification to the claimant who first sent the original Notice identifying the allegedly infringing content. Thereafter, within ten to fourteen (10-14) days of Our receipt of a counter-notification, We will cease disabling access to the disputed material provided that We or Our Designated Copyright Agent have not received notice that the original claimant has filed an action seeking a court order to restrain the Recipient from engaging in infringing activity relating to the material.

Abuse Notification: Abusing the DMCA Notice procedures set forth above, or misrepresenting facts in a DMCA Notice or Counter-notification, can result in legal liability for damages, court costs and attorneys' fees under U.S. federal law. See: [17 U.S.C. § 512\(f\)](#). These Notice and Takedown Procedures only apply to claims of copyright infringement by copyright holders and their agents – not to any other kind of abuse, infringement or legal claim. We will investigate and take action against anyone abusing the DMCA notification or counter-notification procedure. Please ensure that you meet all of the legal qualifications before submitting a DMCA Notice to our Designated Agent.

MODIFICATIONS TO POLICY

The SITE reserves the right to modify, alter or add to this policy, and all affected persons should regularly check back to stay current on any such changes.

NO WAIVER

Nothing contained in this Notice and Takedown Policy shall be interpreted or deemed as a waiver of any right or legal protection enjoyed by the SITE. Further, nothing contained herein shall constitute waiver of any personal jurisdiction objections, or consent to the application of United States law or legal process, or that of any other foreign country, to the SITE's operation.

CUSTOMER SERVICE REQUESTS

Please note that the DMCA Agent is not associated with the SITE in any other capacity, but is an attorney with a private law firm. Customer service inquiries, payment questions, and cancellation requests will not receive a response. All such communications must be directed to the SITE's customer service department.