Digital Millennium Copyright Act Policy

BBT ("Company," "we," "our," or "us") respects the intellectual property rights of others. Accordingly, our Customers may not use our network, systems, or servers to transmit, upload, download, post, or submit any content, images, or data in any manner that constitutes an infringement of third-party intellectual property rights, including under U.S. copyright law.

We are committed to complying with the Digital Millennium Copyright Act ("DMCA"), 17 U.S.C. § 512, and require all users of our services to do the same.

In providing internet and related services, we may act as a "service provider" under the DMCA. Depending on the service provided, we may function as:

- A mere conduit for the transmission of data over our network;
- A provider of caching services;
- A provider of hosting or storage services; or
- A provider of search or linking services.

Materials not owned or controlled by us may be transmitted, stored, or made available through our services at the direction of users.

Designated DMCA Agent

If you believe your work has been copied and posted, stored, or transmitted to our website in a way that constitutes copyright infringement, please submit a DMCA Takedown Notification and Counter-Notification to our Designated DMCA Agent:

Big Bend-DMCA
Designated Agent
808 North 5th Street
Alpine, Texas 79830
dmca@bigbend.com

Filing a DMCA Takedown Notification

To be effective under the DMCA, a notification of claimed infringement must include all of the following:

- the signature of the copyright owner or an authorized agent;
- identification of the copyrighted work claimed to have been infringed, or, if multiple works are on a single site, a representative list of such works;
- identification of the infringing material or activity (or the reference or link to such material) and information reasonably sufficient to permit the OSP to locate the material (or the reference or link);
- contact information for the copyright owner or authorized agent;
- a statement that the person sending the notice 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; and

- a statement that the information in the notice is accurate, and under penalty of perjury, that the person sending the notice is authorized to act on behalf of the copyright owner.

For example, please see this Sample Notice.

Upon receipt of a valid written notification, we will respond expeditiously as required by applicable law, which may include removing or disabling access to the material, notifying the affected subscriber, and following the procedures set forth in the DMCA.

You should be aware that complainants who make false claims or misrepresentations concerning copyright infringement may be liable for damages under the DMCA.

Filing a Counter-Notification

If you believe that material you posted or made available was removed or disabled as a result of a mistake or misidentification, you may submit a counter-notification to our Designated DMCA Agent.

A valid counter-notification must be a written communication that includes all of the following elements:

- Your physical or electronic signature;
- Identification of 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;
- A statement under penalty of perjury that you have a good faith belief that the material was removed or disabled as a result of a mistake or misidentification; and
- Your name, address, and telephone number, and a statement that you consent to the jurisdiction of the federal district court for the judicial district in which the address is located, or if your address is outside of the U.S., for any judicial district in which the service provider may be found, and that you will accept service of process from the complainant or an agent of such person.

For example, please see this Sample Counter-Notice.

Upon receipt of a valid counter-notification, we will:

- Forward the counter-notification to the original complainant; and
- Restore the removed or disabled material within ten (10) to fourteen (14) business days, unless we receive notice that the complainant has filed a court action seeking to restrain the allegedly infringing activity.

You should be aware that substantial penalties under U.S. law apply for a false counter-notice filed in response to a notice of copyright infringement.

Repeat Infringer Policy

In accordance with 17 U.S.C. § 512(i), we have adopted and reasonably implement a policy for terminating, in appropriate circumstances, subscribers and account holders who are repeat infringers.

A “repeat infringer” may include a subscriber who receives multiple infringement notices over a short or continuous period, or repeated notices over a longer period, as determined by us in our reasonable discretion.

Subscribers who meet these criteria may be subject to warnings, service restrictions, suspension, or termination.

Monitoring and Enforcement

In addition to the DMCA policies described herein, we also have no obligation to monitor our Services but may do so and disclose information regarding the use of the Services for any reason if we, in our sole discretion, believe that it is reasonable to do so, including, without limitation, to (i) satisfy laws, regulations, or governmental or legal requests, (ii) operate the Services properly, or (iii) protect ourselves and our Customers and users. We may immediately remove material or information from our servers, in whole or in part, which we, in our sole and absolute discretion, determine to infringe another’s property rights or to violate our Acceptable Use Policy.

Important Notice

The information on this page is provided to you for informational purposes only and is not intended as legal advice. If you believe your rights under U.S. Copyright law have been infringed, you should consult an attorney.

Updates to this Digital Millennium Copyright Act Policy

We reserve the right to change or modify the terms of this Digital Millennium Copyright Act Policy at any time. Changes shall become effective upon posting on our website.