

OPEN HEALTH TOOLS
Copyright Infringement Notification Procedure

This Notification Procedure has been developed to meet the requirements of Section 512(c) of the US Copyright Act as amended by the Digital Copyright Millennium Act (“Act”). If you believe that material posted on the Open Health Tools website, including in any Open Health Tools repository, infringes on a copyright that you hold, or for which you are the authorized representative of the holder, and you wish to have the material removed, the Act requires that you send the following to the Open Health Tools copyright agent:

- Identification of the copyrighted work claimed to have been infringed or, if multiple copyrighted works are subject covered by this notification, a representative list of such works.
- Identification of the material that is claimed to be infringing or to be the subject of the infringing activity and that is to be removed or access to which is to be disabled, and information reasonably sufficient to permit Open Health Tools to locate the material.
- Information reasonable sufficient to permit Open Health Tools to contact you, such as name, address, phone number and, if available, email address at which you can be contacted.
- The following statements:
 - o “I have a good faith belief that use of the use of the material in the manner complained of is not authorized by the copyright owner, its agent or the law”
 - o “The information in this notification is accurate, and under penalty of Perjury, I am authorized to act on behalf of the owner of an exclusive right that is allegedly infringed”

Either

A: sign a hard copy of this notification statement and send it to:

Skip McGaughey, Executive Director
PO Box 258,
825C Merrimon Ave
Asheville NC, 28804
USA
Fax: +1 828-707-9508

or B: send an electronically signed copy of the notification to copyright@openhealthtools.org.

Upon receipt of the notification, Open Health Tools will disable access to the material claimed to be infringing. Open Health Tools will also notify the Contributor responsible

for the original posting of the material who will then have the option of making a counter notification.

To file a counter notification the Act requires that the Contributor send the following to the Open Health Tools copyright agent:

- 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.
- The Contributor's name, address, and telephone number and a statement that the Contributor consents to the Federal District Court in which the Contributor's address is located or if the Contributor's address is outside of the United States, for any judicial district in which Open Health Tools may be found, and that the Contributor will accept service of process from the person who provided the notification of infringement or an agent of such person.
- The following statement:
 - o "Under penalty of Perjury, I have a good faith belief that the material was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled."

Either

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Between 10 and 14 days after receipt of the counter notification Open Health Tools will replace the material unless the Open Health Tools designated agent first receives notice from the person who submitted the original notification that such person has filed an action seeking a court order to restrain the Contributor from engaging in infringing activity relating to the material on the Open Health Tools site or repository.

Notes

1. A copyright owner may request a subpoena that requires the identification of an alleged infringer.
2. You may be held liable for damages for knowingly misrepresenting the infringing nature of the material in the notification or the counter-notification.