

## **14. DIGITAL MILLENNIUM COPYRIGHT ACT TAKEDOWN NOTICE POLICY (DRAFT 20250917 – NOT YET ADOPTED)**

### **14.1 Purpose**

The Wasatch County Library respects the intellectual property rights of content creators. In accordance with the Digital Millennium Copyright Act (DMCA), the library will respond expeditiously to claims of copyright infringement on its website, social media platforms, and any other online services under its control.

### **14.2 Procedure**

14.2.1 To file a DMCA takedown notice, please complete the “DMCA Takedown Notice Form” in Section 14.7. The form includes the following:

- A description of the copyrighted work or intellectual property that you claim has been infringed.
- A description of where the material that you claim is infringing is located on the library’s website or other platforms.
- The user’s name, mailing address, telephone number, and email address where the DMCA designated agent can contact you.
- A statement that you have a good faith belief that the use is not authorized by the copyright owner or other intellectual property rights owner, by its agent, or by law.
- A statement under penalty of perjury that the information in your notice is accurate and that you are the copyright or intellectual property owner or are authorized to act on the owner’s behalf.
- Your electronic or physical signature.

14.2.2 The library may request additional information before removing any alleged infringing material.

14.2.3 If the library removes the content in question, the library will notify the submitting user in writing that the content has been removed or access has been disabled. The notification will also include information about the user’s right to file a counter-notice as provided in Section 14.3.

### **14.3 Counter-Notice**

A user whose content has been removed or disabled in response to a DMCA takedown notice may file a counter-notice with the library’s DMCA designated agent. Please complete the “DMCA Counter-Notice Form” in Section 14.8. The form includes the following:

- Identification of the material that has been removed or to which access has been disabled and the location where the material appeared before it was removed or access to it was disabled.
- The user’s name, mailing address, telephone number, and email address where the DMCA designated agent can contact you.
- A statement under penalty of perjury that the user has a good faith belief that the material was removed or disabled as a result of mistake or misidentification.
- A statement that the user consents to the jurisdiction of the Federal District Court for the judicial district in which the library is located, or if outside the United States, that the user consents to jurisdiction of the United States District Court for the District of Utah, and will accept service of process from the person who filed the original DMCA notice or their agent.
- The user’s electronic or physical signature.
- Upon receipt of a valid counter-notice, the library may restore the content in accordance with the DMCA.

### **14.4 Enforcement**

Repeated infringement may result in suspension or termination of a user’s ability to submit content to the library’s platforms. The Library Director or designee will determine enforcement actions, subject to appeal to the Library Board.

**14.5 Definitions**

For the purposes of this policy, “content” includes but is not limited to text, images, photographs, audio, video, digital files, and other media published on library platforms.

**14.6 DMCA Designated Agent**

Pursuant to 17 U.S.C. §512(c)(3), Wasatch County Library's DMCA designated agent is:

Juan Lee, Library Director  
Wasatch County Library  
465 E 1200 S, Heber City UT 84032  
jlee@wasatch.utah.gov  
435-654-1511

## 14.7 DMCA Takedown Notice Form

Use this form to notify the Wasatch County Library of alleged copyright infringement under the Digital Millennium Copyright Act (DMCA). Please complete all sections.

### 1. Copyrighted Work Information

Describe the copyrighted work or intellectual property that you claim has been infringed:

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### 2. Location of Infringing Material

Provide the URL or specific location where the infringing material appears:

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### 3. Contact Information

Name:	
Organization (if applicable):	
Address:	
Phone:	
Email:	

### 4. Statement of Good Faith

☐ I have a good faith belief that the use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.

### 5. Statement of Accuracy

☐ I swear, under penalty of perjury, that the information in this notice is accurate and that I am the copyright or intellectual property owner or authorized to act on behalf of the owner.

### 6. Signature

Signature:	
Date:	

### 7. Submission

The completed "DMCA Takedown Notice Form" should be submitted to the DMCA designated agent listed in Section 14.6

## 14.8 DMCA Counter-Notice Form

Use this form to notify the Wasatch County Library that content removed under a DMCA takedown notice was removed in error or misidentification. Please complete all sections.

### 1. Identification of Material

Identify the material that was removed or disabled and its location before removal:

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### 2. Contact Information

Name:	
Organization (if applicable):	
Address:	
Phone:	
Email:	

### 3. Statement of Good Faith

☐ I swear, under penalty of perjury, that I have a good faith belief that the material was removed or disabled as a result of mistake or misidentification.

### 4. Consent to Jurisdiction

☐ I consent to the jurisdiction of the Federal District Court for the judicial district in which the library is located, or if outside the United States, to the jurisdiction of the United States District Court for the District of Utah, and I will accept service of process from the person who filed the original DMCA notice or their agent.

### 5. Signature

Signature:	
Date:	

### 6. Submission

The completed "DMCA Counter-Notice Form" should be submitted to the DMCA designated agent listed in Section 14.6