

**The Digital Millennium Copyright Act  
Notice, Takedown and Putback procedures  
Effective March 1, 2001. Updated June 9, 2003.**

The Digital Millennium Copyright Act (DMCA) specifies procedures by which an Online Service Provider (OSP) may limit its liability with respect to information residing on network servers or published on its Web pages. This applies to all Bowdoin College-owned domain names, such as bowdoin.edu.

Bowdoin's Copyright Policy regarding posting on-line materials is available at [http://academic.bowdoin.edu/copyright/copy\\_right/index.shtml/](http://academic.bowdoin.edu/copyright/copy_right/index.shtml/). Please note that adherence to federal copyright law is also a requirement of the College's College Computer Use Policy.

**NOTICE**

Bowdoin College, in accordance with the statutory provisions of the DMCA, has designated an agent to receive notification of alleged digital copyright infringement. The College's designated agent is the Vice President for Finance and Administration and Treasurer.

The agent maintains an e-mail account to receive copyright infringement inquiries and claims. The agent's contact information is listed below.

The DMCA has specific information requirements in order to submit a proper infringement claim. These "Elements of Notification" are:

1. The claim must be a written communication provided to the designated agent.
2. A physical or electronic signature of the copyright owner or his/her authorized agent.
3. Identification of the copyrighted work for which the claim is made (e.g., title of the work).
4. Identification of the material (e.g., copies of the text or images) for which the claim is made and reasonably sufficient information for the OSP locate the material, (e.g., URL).
5. Reasonably sufficient contact information so that the OSP can contact the complaining party. This information should consist of an address, telephone number, and e-mail address.
6. Verification of the accuracy of the following two statements. Note that false statements or claims are subject to penalties associated with perjury.
  - A statement from the complaining party indicating that he/she has a good faith belief that the use of the material, in the manner in which it is used, is not authorized by the copyright owner, its agent, or the law.
  - A statement that the complaining party is authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

To facilitate claims, the College has designed a form for this purpose; it is available at [http://academic.bowdoin.edu/copyright/copy\\_right/index.shtml](http://academic.bowdoin.edu/copyright/copy_right/index.shtml). When complete, the form should be faxed to 207-725-3024 or mailed to the following address:

S. Catherine Longley  
Senior V.P. for Finance and Administration and Treasurer  
Bowdoin College  
5600 College Station  
Brunswick, ME 04022  
  
Attn. DMCA Infringement Claim

Questions regarding filing a claim or other information concerning Bowdoin's OSP designation should be directed to [copyrt@bowdoin.edu](mailto:copyrt@bowdoin.edu) or by telephone at 207-725-3242.

### **TAKEDOWN**

Web sites that are the subject of infringement charges by copyright owners may be disabled by authorized CIS or ETC staff. The statute requires the agent to ensure that the “offending material be expeditiously removed or disabled.” In the event of a claim, the person responsible for the site will be contacted as soon as possible by the agent. The agent and the responsible person will discuss appropriate actions based on the provisions in the DMCA.

If an OSP independently becomes aware of infringing materials posted on its Website or on College servers, the OSP must expeditiously remove the material or disable public access to the site, or face loss of its liability limitation. The DMCA further specifies that the OSP is not required to monitor its services for potential infringements.

### **PUTBACK**

If the infringement claim can be proved to be inaccurate, the agent can allow the material to be putback. Putback procedures outlined in the DMCA allow the agent to promptly notify the copyright owner of dispute and replace material to its previous location within two weeks. Materials referred to court by the copyright owner are not allowed to be putback until the matter is resolved.