

Bowling Green Municipal Utilities

Copyright Infringement Policy

Notice and Procedure for Making Copyright Infringement Claims

Copyright infringement occurs when a copyrighted work is reproduced, distributed, performed, publicly displayed, or made into a derivative work without the permission of the copyright owner. If you believe that any material on the Bowling Green Municipal Utilities (“BGMU” or “Company”) website(s) has infringed your copyrighted material or that we are the hosting service provider and should be notified of a potential copyright infringement, please follow the procedure set forth below to make your claim.

Rejection/Removal

The Company reserves the right to reject or remove any material residing on or transmitted to or through the Services that the Company, in its sole discretion, believes to be unacceptable or in violation of the law, the Company AUP, and/or the Terms and Conditions of the service provided. The Company may immediately remove content if we believe such content is unlawful, violates the AUP and/or Terms and Conditions, or such removal is done pursuant to the Digital Millennium Copyright Act (or “DMCA”). Upon the Company’s request, Users shall terminate service to any third-party user or agent who, in our sole discretion, has violated the AUP, Terms and Conditions, or applicable law or regulations.

Notification of Copyright Claim

If you believe that a web page is hosted by the Company and is violating your rights under U.S. copyright law, you may file a complaint of such claimed infringement with the Company-designated agent as described below and listed in our posted Company AUP:

Contact Name: DMCA Agent

By Mail: Bowling Green Municipal Utilities
801 Center St., Bowling Green, KY 42102

By Email: dmca.agent@bgmu.com

In compliance with Section 512(c)(3) of the U.S. Copyright Act, DMCA Complaints must be in writing and contain the following information:

1. A physical or electronic signature of a person authorized to act on behalf of the copyright owner of an exclusive right that is allegedly infringed.
2. Identification of the copyrighted work claimed to have been infringed.
3. Identification of the material that is claimed to be infringing or to be the subject of infringing activity and that is to be removed or access to which is to be disabled, and information reasonably sufficient to permit Company to locate the material.

4. Information reasonably sufficient to permit the Company to contact the complaining party, such as an address, telephone number, and, if available, an electronic mail address at which the complaining party may be contacted.
5. A statement that the complaining party 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.
6. A statement that the information in the notification is accurate, and under penalty of perjury, that the complaining party is authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

The Company Response to Infringement Claims

Upon receipt of a compliant infringement notification, we will respond within ten (10) business days confirming the receipt of the notification. Within an additional ten (10) business days, we shall notify the alleged infringing party of receipt of the notification and will render a cease-and-desist letter inclusive of the counter-notification options described below.

Counter-Notification in Response to Claim of Copyright Infringement

In compliance with Section 512(g)(3) of the U.S. Copyright Act if a notice of copyright infringement has been wrongly filed against you and you would like to submit a counter-notice, please forward your counter-notice to the designated agent at the address noted above. This process will invoke a dispute between you and the complaining party. Your counter-notification must be in writing and contain the following information:

1. A physical or electronic signature of an authorized person.
2. Identification of the material that was removed or access to which was disabled and the location at which material appeared before it was removed or access to it was disabled.
3. A statement under penalty of perjury that the alleged infringer has a good faith belief that the material was removed or disabled because of mistake or misidentification.
4. Your name, address, and telephone number, and a statement that you consent to the jurisdiction of the federal district court for the federal district in which you are located and that you will accept service of process from the complainant

Please Note: Before you file your DMCA counter notice, please carefully consider whether or not your use of the material at issue is infringing. If you file a DMCA counter notice when your use is infringing, you could be liable for costs and attorneys' fees. Substantial penalties under U.S. law apply for a false counter-notice filed in response to a notice of copyright infringement. When we receive a counter notification that satisfies the requirements of the DMCA, we will provide a copy of it to the person who sent the original infringement notification and will follow the DMCA's procedures with respect to

received counter notifications. In all events, all users expressly agree that BGMU will be a party to any disputes or lawsuits regarding alleged copyright infringement.

Service Monitoring

The Company has no obligation to monitor the 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 to satisfy laws, regulations, or other governmental or legal requirements or requests; to operate the services properly, or to protect itself and its subscribers.

No Waiver/Severability

Any failure of the Company to enforce this Policy shall not be construed as a waiver of any right to do so at any time. If any portion of this Policy is held invalid or unenforceable, that portion will be construed consistent with applicable law, and any remaining portions will remain in full force and effect.

BGMU reserves the right to modify this *DMCA Copyright Infringement Policy* at any time. We will notify you of any material changes via written, electronic, or other means permitted by law, including by posting it on our website. If you find the changes unacceptable, you have the right to cancel your Services. If you continue to use the Services after receiving notice of such changes, we will consider that as your acceptance of the changes.

Effective January 1, 2026

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