

## **Copyright Policy**

The Statue of Liberty-Ellis Island Foundation, Inc. ("SOLEIF", "we", "our" us") respects intellectual property rights of others and desires to offer a Site that contains content that does not violate those rights. The SOLEIF TOU require that information posted by users be accurate, lawful and not in violation of the intellectual property rights of third parties. To promote these objectives, SOLEIF provides a process for submission of complaints concerning Submissions by users. SOLEIF's policy and procedures are set forth in the sections that follow.

SOLEIF's policy is to promptly respond to clear notices of alleged infringement that comply with the United States Digital Millennium Copyright Act (DMCA) (17 U.S.C. § 512) the text of which can be found at the U.S. Copyright Office Website (<http://www.copyright.gov>). This page sets forth the information that should be included in such notices. It is designed to make submission of notices and counter notices more straightforward while reducing the number of fraudulent notices or notices that are difficult to understand or verify.

Prior to serving either a notice of infringing material or counter notification, you may wish to contact a lawyer to better understand your rights and obligations under the DMCA and other applicable laws. The following notice requirements are intended to comply with SOLEIF's rights and obligations under the DMCA, and do not constitute legal advice to you.

We expect our users to comply with applicable laws. If, however, we receive proper notification of claimed infringement, our response to such notices may include removing or disabling access to materials at issue and/or terminating users' accounts, regardless of whether we may or may not be liable for such infringement under United States law or the laws of another jurisdiction.

If we remove or disable access in response to such a notice, we will make a good-faith attempt to contact the person who placed the materials at issue on our site so that they may make a counter notification under the DMCA.

### **INFRINGEMENT NOTIFICATION:**

Upon receipt of proper notification of claimed infringement, SOLEIF will follow the procedures outlined herein and in the DMCA.

To file a notice of infringement with SOLEIF, you must provide a written communication (by fax, regular mail or email) that sets forth the information specified below. Please note that you will be liable for damages (including costs and attorney's fees) if you misrepresent or provide fraudulent statements that the material or any activity is infringing your copyright(s). Accordingly, if you are not sure if you are the proper copyright holder or if copyright laws protect your materials, you may want to consult a lawyer.

To expedite our ability to process your request, please use the following format (including section numbers) and provide the following information. If you fail to provide substantially all of the following information, your notice may not be effective.

Title: Notice of Copyright Infringement

1. Reasonably sufficient detail to enable us to identify the copyrighted work claimed to be infringed. (For example, "The copyrighted work at issue is the "name of the work" by "name of the author");

2. Reasonably sufficient detail to enable us to identify and locate the material that is claimed to be infringing (e.g. a link to the page containing the material or the URL);
3. Information reasonably sufficient to permit SOLEIF to contact the complaining party, such as a name, an address, telephone number and an email address;
4. The following statement: "I have 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";
5. The following statement: "I swear, under penalty of perjury, that the information in the notification is accurate, and that I am the copyright owner or am authorized to act on behalf of the owner of an exclusive right that is allegedly infringed"; and
6. Sign the document.
7. Send the written communication to:

The Statue of Liberty-Ellis Island Foundation, Inc.  
Attn: Copyright Agent/Thomas Tolentino  
17 Battery Place, Suite 324,  
New York, NY 10004

OR email to [Contact Us Form \(link\)](#)

## **COUNTER NOTIFICATION**

The provider of an allegedly infringing content, whose material has been taken down or has been notified that an infringement claim has been made against such material, may make a counter notification pursuant to the DMCA. To file a counter notification with SOLEIF, you must provide a written communication (by fax, regular mail or email) that sets forth the information specified below. Please note that you will be liable for damages (including costs and attorneys' fees) if you misrepresent or provide fraudulent statements that the material or any activity is not infringing the rights of others. Accordingly, if you are not sure that you are the proper copyright holder or if copyright laws protect your materials, you may want to consult a lawyer.

The DMCA allows us to restore the removed content if the party filing the original DMCA notice does not file a court action against you within ten business days of receiving the copy of your counter notification.

To expedite our ability to process your request, please use the following format (including section numbers) and provide:

Title: Counter-Notice regarding Claim of Copyright Infringement

1. Reasonably sufficient detail to enable us to identify 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;
2. Information reasonably sufficient to contact you including your name, an address, telephone number and an email address;

3. The following statement: "I consent to the jurisdiction of Federal District Court for the [insert the federal judicial district in which your address is located]" (or The Southern District of New York if your address is outside of the United States);
4. The following statement: "I will accept service of process from [insert the name of the person who submitted the infringement notification] or his/her agent";
5. The following statement: "I swear, under penalty of perjury, that I have a good faith belief that the affected material was removed or disabled as a result of a mistake or misidentification of the material to be removed or disabled"; and
6. Sign the document.
7. Send the written communication to:

The Statue of Liberty-Ellis Island Foundation, Inc.  
Attn: Copyright Agent/Thomas Tolentino  
17 Battery Place, Suite324,  
New York, NY 10004

OR email to [Contact Us Form \(link\)](#)

### **CLAIMS REGARDING CONTENT AND INTELLECTUAL PROPERTY VIOLATIONS (OTHER THAN COPYRIGHT INFRINGEMENT)**

To notify SOLEIF that you in good faith believe that content posted by a user on the Site infringes your intellectual property rights (other than copyright) or is inaccurate or unlawful please follow the process set forth above for copyright infringement and modify the title of your notice to SOLEIF to read: "Notice of Content/Intellectual Property Violations."

If you believe the Notice Of Content/Intellectual Property Violations was submitted in error, or if you contest the removal of the allegedly infringing, inaccurate or unlawful content, you may follow the process set forth above for copyright infringement counter claims and modify the title of you notice to SOLEIF to read: "Counter-Notice Regarding Claim of Content/Intellectual Property Violations."

### **REPEAT INFRINGERS**

SOLEIF may, in appropriate circumstances, disable and/or terminate the accounts of users who are repeat infringers.

### **Effective Date**

This version of the Copyright Policy is effective as of October 12, 2023.