

3DMedia Corporation Copyright and IP Policy

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3DMedia Copyright:

Copyright © 2011 3DMedia Corporation. All rights reserved. All content, materials, software, text, graphics, videos, logos, designs and other materials provided by 3DMedia (excluding all user-generated content) ("3DMedia Content") and included on or associated with the 3DMedia website or service and all intellectual property rights therein are owned by 3DMedia or its third party licensors. Use of such materials is subject to and governed by the 3DMedia Terms of Use. Use, distribution or reproduction of the 3DMedia Content other than as authorized by 3DMedia and as set forth in the Terms of Use is strictly prohibited.

3DMedia Trademarks:

3DMedia, 3DComposer, the 3DMedia logos, 3DMediaViewer are the trademarks of 3DMedia Corporation. All other trademarks used on the website or service are the property of their respective owners.

Intellectual Property Claims:

Copyright Claims:

Notice of Claim:

1. If you are a copyright owner or an agent thereof and believe that any user-generated content ("User Content") posted on or through 3DMedia.com website or 3DMediatube.com website infringes upon your copyrights, you may submit a notification pursuant to the Digital Millennium Copyright Act ("DMCA") the text of which may be found on the U.S. Copyright Office website at <http://www.copyright.gov/legislation/dmca.pdf>, by providing our Copyright Agent with the following information in writing (see 17 U.S.C 512(c)(3) for further detail):
 - A physical or electronic signature of a person authorized to act on behalf of the owner of an exclusive right that is allegedly infringed;
 - Identification of the copyrighted work claimed to have been infringed, or, if multiple copyrighted works at a single online site are covered by a single notification, a representative list of such works at that site;
 - 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 the service provider to locate the material (for example a link to the web page containing the allegedly infringing content and clear identification of the content);
 - Information reasonably sufficient to permit 3DMedia to contact you, such as an address, telephone number, and, if available, an electronic mail;
 - A statement that you 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; and
 - A statement that the information in the notification is accurate, and under penalty of perjury, that you are authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

3DMedia's designated Copyright Agent to receive notifications of claimed infringement is Jason Hurst, 1005 Slater Rd, Suite 300, Durham, NC 27703, email info@3dmedia.com, or fax 919-433-9001. For clarity, only DMCA or other intellectual property claim notices (as set forth below) should go to the Copyright Agent; any other feedback, comments, requests for technical support, and other communications should be directed to info@3dmedia.com. You acknowledge that if you fail to comply with all of the requirements of this Section your

DMCA notice may not be valid. 3DMedia suggests you consult legal counsel before filing a notice or counter-notice (see below) so that you can conform your notice or counter-notice to the requirements of the DMCA.

3DMedia does not permit copyright infringing activities through its services and will, if properly notified that User Content infringes, remove or disable access to such User Content as required and permitted under applicable law. We will follow the procedures set forth in the DMCA to resolve this issue and may notify the user responsible for posting the allegedly infringing content who may make a counter notice as set forth below. 3DMedia reserves the right to remove or disable access to User Content without prior notice. In appropriate circumstances, 3DMedia will also terminate users whom it determines to be repeat infringers.

Counter-Notice:

1. A poster of allegedly infringing User Content may make a counter notice pursuant to Sections 512(g)(2) and 512(g)(3) of the DMCA. When 3Dmedia receives a counter notice, it may reinstate the material in question. Please send a counter-notice containing the following information to the Copyright Agent:
 - Your physical or electronic signature;
 - Identification of the User Content that has been removed or to which access has been disabled and the location at which the User Content appeared before it was removed or disabled;
 - A statement that you have a good faith belief that the User Content was removed or disabled as a result of mistake or a misidentification of the User Content; and
 - Your name, address, telephone number, and e-mail address, a statement that you consent to the jurisdiction of the federal court in Raleigh, North Carolina, and a statement that you will accept service of process from the person who provided notification of the alleged infringement.

If a counter-notice is received by the Copyright Agent, 3DMedia will send a copy of the counter-notice to the original complaining party informing that person that 3DMedia may replace the removed User Content or cease disabling it in 10 business days. Unless the copyright owner files an action seeking a court order against the original User Content provider, member or user, the removed User Content may be replaced, or access to it restored, in 10 to 14 business days or more after receipt of the counter-notice, at 3DMedia's sole discretion.

Notification of Trademark Infringement

3DMedia respects the trademark rights of others and takes allegations of trademark infringement by its user seriously. As set forth below, 3DMedia will use its reasonable efforts to review and, if appropriate, investigate matters raised by trademark owners.

1. If you believe that your trademark (the "***Infringed Mark***") is being used by a user in a way that constitutes trademark infringement, please provide 3DMedia's Copyright Agent (specified above) with the following information:
 - Your physical or electronic signature, or a physical or electronic signature of a person authorized to act on your behalf;
 - Information reasonably sufficient to permit 3DMedia to contact you or your authorized agent, including a name, address, telephone number and, if available, an email address;
 - Identification of the Infringed Mark(s) claimed to have been infringed, including (i) for registered Infringed Marks, a copy of each relevant federal trademark registration certificate or (ii) for common law Infringed Marks, evidence sufficient to establish the time period and geographic area in which the Infringed Mark has been used by you
 - Information reasonably sufficient to permit 3DMedia to identify the use being challenged such as a link to the webpage on which the allegedly infringing Mark is used;
 - A statement that you have not authorized the challenged use, and that you have a good-faith belief that the challenged use is not permitted by law; and

- A statement that the information in the notification is accurate and that you are the Infringed Mark owner, or are authorized to act on behalf of the Infringed Mark owner

Upon receipt of notice as described above and as deemed reasonably appropriate, 3DMedia will investigate the claim of infringing and confirm the existence of the Infringed Mark on the Site. If deemed appropriate by 3DMedia, 3DMedia may notify the Registered User who posted the allegedly infringing Mark, and take whatever further action, in its sole discretion, it deems appropriate, including removal of the allegedly infringing Mark from the Site.

Notwithstanding the foregoing, 3DMedia will comply as appropriate with the terms of any court order relating to alleged trademark infringement on the Site.

Rights of Publicity and Use of Name or Likeness

3DMedia respects the rights of individuals to exploit their own name, voice, signature, photograph or likeness and prohibits its users from posting User Content that would otherwise misappropriate a third party's right of publicity. If you think that your right of publicity is being misappropriated as a result of the content on the Site, please provide 3DMedia's Copyright Agent (specified above) with the following information:

- Information reasonably sufficient to permit 3DMedia to identify the User Content containing your likeness, such as a link to the web page including such User Content;
- Your name, address, telephone number and, if available, your email address;
- A statement that you, or in the case of a minor, your parent or legal guardian, (the "**Authorizing Party**") has not authorized the challenged use, and that the use is not otherwise authorized by law; and
- A statement that the information in the notification is accurate and that you are the Authorizing Party or that you are authorized to act on behalf of the Authorizing Party.

Upon receipt of notice as described above, 3DMedia will take whatever action, in its sole discretion, it deems appropriate, including removal of the challenged use from the Site, and 3DMedia may notify to the Registered User in question, unless, prior to such removal, the Registered User in question sufficiently demonstrates that he or she has appropriate authorization or consent to use your likeness.

Notwithstanding the foregoing, 3DMedia will comply as appropriate with the terms of any court order relating to the behavior of the challenged party identified in such court order.