

SCALEFLEX DMCA Copyrights Policy

Cloudimage | Filerobot

Latest Update: 14.10.2020

Scaleflex SAS ("Scaleflex") respects the intellectual property rights of others and requests the users of its services to do the same. If you believe that certain content, which appears on Scaleflex cloud-based image management solution (the "Service"), infringes upon copyrights that you own or represent, you may send Scaleflex's designated copyright agent ("Copyright Agent") a written notification, stating the location of the copyrighted work claimed to be infringed, in accordance with the provisions of the Digital Millennium Copyright Act ("DMCA").

Upon your notification, Scaleflex may remove or disable access to any such content.

To be effective, your notification of claimed infringement must be a written communication provided to the Copyright Agent that includes substantially the following:

1. A physical or electronic signature of a person authorized to act on behalf of the owner of an exclusive right that is allegedly infringed;
2. Identification of the copyrighted work claimed to be infringed via using the Service, or if multiple copyrighted works are covered by a single notification, a representative list of such works;
3. Identification of the material that is claimed to infringe or to be the subject of infringing activity and that access to which is to be disabled, and information reasonably sufficient to permit Scaleflex to locate the material;
4. Information reasonably sufficient to permit Scaleflex to contact you, such as an address, telephone number, and, if available, an electronic mail address at which you may be contacted;
5. A statement that you 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;
6. 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.

Following receipt of your communication, Scaleflex may ask you to provide further or supplemental information, prior to removing any content which was displayed on the Service, as Scaleflex deems necessary to comply with the provisions of the DMCA. Scaleflex may also provide the registered user who uploaded the allegedly infringing content with your contact

details, in order for that person to be able to contact you directly and communicate with you regarding your notification.

Submission of the Notice

Copyright Agent Details

Please submit your notice to our Copyright Agent at: copyright@scaleflex.com or mail it to the following address:

Scaleflex SAS
Att: Copyright Agent
53 Chemin de Beauregard
38330 Saint-Nazaire-Les-Eymes
France

Please note that the Copyright Agent receives DMCA notifications only. Any other matters, such as comments, requests and other messages should be referred to: <https://www.scaleflex.com/en/contact#contacts> .

Counter notification

As the registered user who uploaded the allegedly infringing content, you may submit a counter notification to the Copyright Agent. To be effective, your counter notification must be a written communication provided to the Copyright Agent that includes substantially the following:

1. Your physical or electronic signature;
2. Identification of the material to which access has been disabled and the location at which the material appeared before access to it was disabled.
3. A statement under penalty of perjury that you have a good faith belief that the material was disabled as a result of mistake or misidentification of the material to be disabled;
4. Your name, address, and telephone number, and a statement that you consent to the jurisdiction of the Court of Paris, France.

After receipt of a counter notification, Scaleflex will promptly provide the person who submitted the claimed copyright infringement notification with a copy of the counter notification, and will inform that person that Scaleflex will replace the removed material, or cease disabling access to that material 10 business days.

Scaleflex will then replace the removed the material and cease disabling access to it between 10 to 14 business days following receipt of the counter notification, unless the Copyright Agent first receives notice from the person who notified Scaleflex of the claimed copyright infringement that such person has filed an action seeking a court order to restrain the registered user from engaging in infringing activity relating to the material on Scaleflex's system or network.

Repeat infringements

Scaleflex may deny or cancel any individual use of the Service, or terminate your user account, if Scaleflex determines in its sole discretion that you are a repeat infringer. A repeat infringer is a user who has been notified of infringing activity more than once or a user that his or her uploaded material was removed from the Service more than once. Scaleflex may decide, at its sole discretion, that a sufficient reason exists for the immediate termination of your account for any reason, at any time. In these cases Scaleflex may terminate your account immediately. Scaleflex may notify you that it canceled your account by sending a message to the e-mail address that you provided during the registration process. Such notification will come into effect immediately.

Misrepresentations

Under the provisions of the DMCA, any person who knowingly materially misrepresents: (1) that material is infringing, or (2) that material was removed or disabled by mistake or misidentification, will be liable for any damages, including costs and attorneys' fees, that Scaleflex may incur, if it is injured by such misrepresentation, as the result of its reliance upon such misrepresentation in removing or disabling access to the material claimed to be infringing.