

How to Notify Branch of Copyright Infringement

Branch Metrics, Inc. ("Branch") is committed to respecting and protecting the intellectual property rights of others and asks that you do the same. We will respond to notices of alleged copyright infringement that comply with applicable law as detailed below.

Summary

The notification process outlined here is consistent with the process suggested by the Digital Millennium Copyright Act (the text of which can be found at the United States Copyright Office's website, located online at www.copyright.gov). Here is a summary of the process:

1. If any person or entity believes that material on a Branch-hosted (for example, branch.io.com) website infringes their copyright, that person or entity may send us a written notice, as described below. Branch will review the request and attempt to remove or disable the allegedly infringing material.
2. Branch will attempt to notify the user who posted the allegedly infringing material. That user then has the right to request that the material be re-enabled. If they properly make such a request, Branch will re-enable the material unless and until the two parties jointly ask us to remove it or a court orders us to remove it.
3. Only copyright owners can report a suspected infringement violation to Branch. If you believe that any content on a Branch-hosted website infringes another party's copyright, you should advise the copyright owner directly. Please note that you may be liable for damages, including court costs and attorneys' fees, if you materially misrepresent that content on a website is copyright-infringing. If you have any questions as to whether or not you are the owner of the content, or if such content is protected by copyright laws, we suggest that you consult with an attorney. If you believe your copyright is being infringed, you should contact the allegedly-infringing user directly.

Branch's Submission Process

In order for us to find the alleged infringing content so we can remove it, we need the following details in your notice to us:

1. Your name, mailing address, telephone number and email address;
2. Sufficient detail about the copyrighted work;
3. The URL or other specific location on our website(s) that contains the material that you claim infringes your copyright;
4. A statement by you that you have a good faith belief that the disputed use is not authorized by the copyright owner, its agent, or the law (e.g., "I have a good faith belief that use of the copyrighted materials described above as allegedly infringing is not authorized by the copyright owner, its agent, or the law.");
5. A statement by you that the information contained in your notice is accurate and that you attest under the penalty of perjury that you are the copyright owner or that you are authorized to act on the copyright owner's behalf (e.g., "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. An electronic or physical signature of the owner of the copyright or a person authorized to act on the owner's behalf.

Where to Send Your Notice

Your notice can be sent to our copyright agent at:

Branch Copyright Agent

Branch Metrics, Inc.

1975 W El Camino Real Ste. 102

Mountain View, CA 94040

legal@branch.io

650-209-6461

Branch Response

After we receive a valid written notice of copyright infringement, we will remove or disable the allegedly infringing content and notify the user who posted such content. That user has the right to then request that the content be reinstated or re-enabled. If they properly make such a request, Branch will reinstate or re-enable the content unless and until the two parties jointly ask Branch to remove it, or a court orders Branch to remove it. In appropriate circumstances, we will also exclude infringers from our websites who we suspect to be repeatedly or blatantly infringing copyrights and terminate their Branch services.

Counter-Notification

If a user of our websites believes that their content was removed or disabled by mistake or misidentification, the user may send us a written counter-notification, which must include the following to be valid:

1. The user's name, mailing address, telephone number and email address;
2. Identification of the material that has been removed or disabled and the URL or other specific location on our website(s) at which the material appeared before it was removed or disabled;
3. A statement that the user consents to the jurisdiction of the Federal District Court in which the user's address is located, or San Francisco, California if the user's address is outside the United States;
4. A statement under penalty of perjury that the user has a good faith belief that the material in question was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled (e.g., "I swear, under penalty of perjury, that I have a good faith belief that the affected content was removed or disabled as a result of a mistake or misidentification of the content to be removed or disabled"); and
5. The user's physical or electronic signature.

Restoration of Content

We will restore the removed or disabled content following 10 business days from the date that we received a proper written counter-notification, unless our copyright agent first receives notice that a court action has been filed to restrain the user from engaging in infringing activity related to the removed or disabled content.

