

DMCA Notice & Takedown Policy

Abilities Workshop Inc., (“Site”, “We”, “Us”, “Our”, “Ours”, etc.) is the owner and operator of www.searchablenow.com, all affiliated websites or mobile versions. We qualify as a “Service Provider” within the meaning of 17 U.S.C. § 512(k)(1) of the Digital Millennium Copyright Act (“DMCA”). Accordingly, we are entitled to certain protections from claims of copyright infringement under the DMCA, commonly referred to as the “safe harbor” provisions. We respect the intellectual property of others, and we ask our users to do the same. Thus, we have adopted the following Notice and Takedown Policy relating to claims of copyright infringement by our users.

How to Submit a Notice of Claimed Infringement

If you believe that your work has been copied and published on our Site in a way that constitutes copyright infringement, please provide our Designated Agent (identified below) with the following information:

- (a) An electronic or physical signature of the person authorized to act on behalf of the owner of the copyright or other intellectual property interest;
- (b) A description of the copyrighted work or other intellectual property that you claim has been infringed;
- (c) A description of where the material that you claim is infringing is located on the Site (preferably including specific URLs associated with the material);
- (d) Your address, telephone number, and email address;
- (e) 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; and
- (f) A statement by you, made under penalty of perjury, that the above information in your notification is accurate and that you are the copyright or intellectual property owner or are authorized to act on the copyright or intellectual property owner’s behalf.

You may send your Notice of Claimed Infringement (“Notice”) to:

Lawrence G. Walters, Esq.
Walters Law Group
195 W. Pine Ave.
Longwood, FL 32750-4104
Fax: (407)-774-6151
Email: Notice[at]DMCANotice[dot]com

Please do not send other inquiries or information to our Designated Agent. Absent prior express permission, our Designated Agent is not authorized to accept or waive service of formal legal process, and any agency relationship beyond that required to accept valid

DMCA Notices is expressly disclaimed.

Further information regarding notification and takedown requirements can be found in the DMCA, here: <https://www.law.cornell.edu/uscode/text/17/512>

Abuse Notification: Abusing the DMCA Notice procedures set forth above, or misrepresenting facts in a DMCA Notice or counter-notification, can result in legal liability for damages, court costs, and attorneys' fees under federal law. See 17 U.S.C. § 512(f). These Notice and Takedown Procedures only apply to claims of copyright infringement by copyright holders and their agents – not to any other kind of abuse, infringement, or legal claim. We will investigate and take action against anyone abusing the DMCA notification or counter-notification procedure. Please ensure that you meet all legal qualifications before submitting a DMCA Notice to our Designated Agent.

How We Respond to Take Down Notices

The following “notification and takedown” procedures apply upon receipt of any notification of claimed copyright infringement. The Site reserves the right at any time to disable access to or remove any material or activity accessible on the Site that is claimed to be infringing or from which infringing activity is apparent based on facts or circumstances. It is the firm policy of the Site to terminate the account of repeat copyright infringers, when appropriate, and the Site will act expeditiously to remove access to all material that infringes on another's copyright, according to the procedure set forth in 17 U.S. C. § 512 of the DMCA. The Site's DMCA Notice Procedures are set forth in the preceding paragraphs. If the Notice does not comply with § 512 of the DMCA but does comply with three requirements for identifying sites that are infringing according to § 512 of the DMCA, the Site shall attempt to contact or take other reasonable steps to contact the complaining party to help that party comply with the notification requirements. When the Designated Agent receives a valid Notice, the Site will expeditiously remove and/or disable access to the infringing material and shall notify the affected user. Then, the affected user may submit a counter-notification to the Designated Agent containing a statement made under penalty of perjury that the user has a good faith belief that the material was removed because of misidentification of the material. After the Designated Agent receives the counter-notification, it will replace the material at issue within ten to fourteen (10-14) days after receipt of the counter-notification unless the Designated Agent receives notice that a court action has been filed by the complaining party seeking an injunction against the infringing activity.

How to Submit a Counter-Notification

If a user is affected by a DMCA removal and believes that the allegedly infringing material has been removed as a result of mistake or misidentification, the user is permitted to submit a counter-notification pursuant to § 512(g)(2)-(3) of the DMCA. A counter-notification is the proper method for a user to dispute the removal or disabling of material pursuant to a Notice. The information that a user provides in a counter-notification must be accurate and truthful, and the user will be liable for any misrepresentations which may cause any claims to be brought against the Site relating to the actions taken in response to the counter-notification.

To submit a counter-notification, please provide our Designated Agent the following information:

- (a) A specific description of the material that was removed or disabled pursuant to the Notice;
- (b) A description of where the material was located on the Site before such material was removed and/or disabled (preferably including specific URLs associated with the material);
- (c) A statement reflecting the user's belief that the removal or disabling of the material was done erroneously. For convenience, the following language may be used:

"I swear, under penalty of perjury, that I have a good faith belief that the referenced material was removed or disabled by the service provider as a result of mistake or misidentification of the material to be removed or disabled."

- (d) The user's physical address, telephone number, and email address; and,
- (e) A statement that the user consents to the jurisdiction of the federal district court in and for the judicial district where the user is located, or if the user is outside of the United States, for any judicial district in which the service provider may be found, and that the user will accept service of process from the person who provided the Notice, or that person's agent.

Written counter-notification containing the above information must be signed and sent to:

Lawrence G. Walters, Esq.
Walters Law Group
195 W. Pine Ave.
Longwood, FL 32750-4104
Fax: (407)-774-6151
Email: Notice[at]DMCANotice[dot]com

Please do not send other inquiries or information to our Designated Agent. Absent prior express permission, our Designated Agent is not authorized to accept or waive service of formal legal process, and any agency relationship beyond that required to accept valid DMCA Notices is expressly disclaimed.

After receiving a DMCA counter-notification, our Designated Agent will forward it to the Site, and the Site will then provide any counter-notification to the claimant who first sent the original Notice identifying the allegedly infringing content.

Thereafter, within ten to fourteen (10-14) days of the Site's receipt of a counter-notification, the Site will replace or cease disabling access to the disputed material provided that the Site or our Designated Agent have not received notice that the original claimant has filed an action seeking a court order to restrain the user from engaging in infringing activity relating to the material on the Site's system or network.

English Language

All DMCA notices and counter-notifications must be written in the English language. Any attempted notifications written in foreign languages or using foreign characters will be deemed non-compliant and disregarded.

Modifications

The Site reserves the right to modify, alter, or add to this policy, and all affected persons should regularly check back to stay current on any such changes.

Customer Service Requests

Please note that the Designated Agent is not associated with the Site in any other capacity but is an attorney with a private law firm. Customer service inquiries, payment questions, and cancellation requests will not receive a response. All such communications must be directed to the Site's customer service department.