

DIGITAL MILLENNIUM COPYRIGHT ACT POLICY

It is the policy of TMS Health Partners, LLC doing business as TMS Health Education (the “Company”) to respond to clear notices of alleged copyright infringement. This page describes the information that should be present in these notices. It is designed to make submitting notices of alleged infringement to the Company as straightforward as possible while reducing the number of notices that are received that are fraudulent or difficult to understand or verify. The form of notice specified below is consistent with the form suggested by the United States Digital Millennium Copyright Act (the text of which can be found at the U.S. Copyright Office Web Site <http://www.copyright.gov>).

Regardless of whether we may be liable for such infringement under local country law or United States law, our response to these notices may include removing or disabling access to material claimed to be the subject of infringing activity and/or terminating subscribers. We may also document notices of alleged infringement on which we act. Please note that in addition to being forwarded to the person who provided the allegedly infringing content, a copy of this legal notice may be sent to a third-party which may publish and/or annotate it.

Infringement Notification

To file a notice of infringement with the Company, you must provide a written communication (by regular mail -- not by email, except by prior agreement) that sets forth the items specified below. Please note that you will be liable for damages (including costs and attorneys' fees) if you materially misrepresent that a product or activity is infringing your copyrights. Accordingly, if you are not sure whether material available online infringes your copyright, we suggest that you first contact an attorney.

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

1. Identify in sufficient detail the copyrighted work that you believe has been infringed upon, by URL if possible. For example, “The copyrighted work at issue is the text that appears on http://www.legal.com/legal_page.html” or other information sufficient to specify the copyrighted work being infringed.
2. Identify the material that you claim is infringing the copyrighted work listed in item #1 above, also by identifying the URL if possible.
3. Provide information reasonably sufficient to permit the Company to contact you (email address is preferred).
4. Include the following statement: “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. Include 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.”
6. Sign the paper.
7. Send the written communication to the following address:
TMS Health Partners LLC
44 Montgomery Street, Suite 1280
San Francisco, California 94104
Attn: DMCA Notices

Counter Notification

The administrator of an affected site or the provider of affected content may make a counter notification pursuant to sections 512(g)(2) and (3) of the Digital Millennium Copyright Act. When we receive a counter notification, we may reinstate the material in question.

To file a counter notification with us, you must provide a written communication (by fax or regular mail -- not by email, except by prior agreement) that sets forth the items specified below. Please note that you will be liable for damages (including costs and attorneys' fees) if you materially misrepresent that a product or activity is not infringing the copyrights of others. Accordingly, if you are not sure whether certain material infringes the copyrights of others, we suggest that you first contact an attorney.

To expedite our ability to process your counter notification, please use the following format (including section numbers):

1. Identify the specific URLs or other unique identifying information of material that the Company has removed or to which the Company has disabled access.
2. Provide your name, address, telephone number, email address, and a statement that you consent to the jurisdiction of Federal District Court for the judicial district in which your address is located (San Francisco, California if your address is outside of the United States), and that you will accept service of process from the person who provided notification under subsection (c)(1)(C) or an agent of such person.
3. Include the following statement: "I swear, under penalty of perjury, that I have a good faith belief that each search result, message, or other item of content identified above was removed or disabled as a result of a mistake or misidentification of the material to be removed or disabled, or that the material identified by the complainant has been removed or disabled at the URL identified and will no longer be shown."
4. Sign the paper.
5. Send the written communication to the following address:
TMS Health Partners LLC
44 Montgomery Street, Suite 1280
San Francisco, California 94104
Attn: DMCA Notices

For any additional questions regarding the DMCA process for the Company's website please contact the Company by calling (415) 671-6819.