

How do I submit a Digital Millennium Copyright Act (DMCA) notice to SISW?

A copyright protected work I own (the “Work”), or a person or entity for which I have been authorized to act, is being distributed using SISW resources without my permission. How do I submit a Digital Millennium Copyright Act (DMCA) notice to SISW?

The Digital Millennium Copyright Act (DMCA) is the United States law governing claims regarding Work protected by copyright which is being distributed online.

If you believe that SISW resources are being used to host or distribute Work for which you believe you own the copyright without your permission, first consider whether there is an exception to copyright that apply, such as fair use. If, after considering possible exceptions, you would still like to make a copyright complaint, please follow the steps outlined below. **Please remember, only the copyright owner or its authorized representative may file a report of copyright infringement.**

To submit a DMCA notice to SISW, gather and submit the documentation described below.

NOTICE AND PROCEDURE FOR MAKING A CLAIM OF COPYRIGHT INFRINGEMENT

If you believe that your Work or, multiple Works covered by a single notification, has been copied in a way that constitutes copyright infringement, please provide the SISW copyright agent the information specified below. All DMCA submissions must be submitted in writing. The described procedure is exclusively for notifying SISW that you believe your Work is being infringed upon.

SISW will only take action in response to DMCA Notices that contain all of the following:

- An electronic or physical signature of the person authorized to act on behalf of the owner of the Work;
- A detailed description of the Work you believe is infringed upon;
- The exact location of the Work on the SISW hosted site, such as the url;
- The name, physical address, telephone number, and e-mail address of the Work claimant, along with the same information for you if you are acting as an authorized representative;
- A statement that the Work is not authorized by the copyright owner, its agent, or United States law; and
- A statement under penalty of perjury that the information provided by you to SISW in your DMCA submission to SISW is accurate and that you are the owner of the Work or are authorized to act on behalf of the Work owner.

The SISW Copyright Agent for notice of claims of copyright infringement can be reached as follows:

Copyright Agent
Siemens Industry Software Inc.
e-mail: abuse.sisw@siemens.com

or by mailing the notice to:

Copyright Agent
Siemens Industry Software Inc.

5800 Granite Parkway, Suite 600
Plano, Texas 75024

The SISW Abuse team will not open electronic attachments under any circumstances. You must provide any necessary information in plain text. An electronic signature is acceptable.

WHAT HAPPENS NEXT?

Once SISW receives your DMCA notice, you will receive an automated email acknowledging receipt of your notice. If SISW has questions about your notice, we will email you requesting more information. Once SISW receives the additional information from you, it will investigate your claim.

If your DMCA notice is complete, valid, and the reported Work is hosted on an SISW website, SISW will take expeditious action to remove or disable access to the Work. Whenever SISW removes a Work in response to a DMCA notice, it will provide a copy of your original notice as well as your contact information to party responsible for uploading the Work. If such third party does not believe that the Work is being infringed and/or the Work should not be removed from the SISW website, that party may reach out to you directly to resolve the issue or such party may submit a counter-notice to us under the DMCA.

Counter Notices

If Work you uploaded has been removed by SISW in response to its receipt of a DMCA Notice as outlined above, and you believe the removal was inappropriate, you may submit a DMCA Counter Notice to SISW using the email address or physical address shown above.

SISW will only take action in response to DMCA Counter Notices that contain all of the following:

- Identification of the material that has been removed or to which access has been disabled and the exact location of the Work before it was removed or disabled, for instance the url;
- A statement under penalty of perjury that you have a good faith belief that the Work was removed or disabled as a result of mistake or misidentification of the Work to be removed or disabled;
- Your contact information, including name, physical address, telephone number and email address, along with the same information for you if you are acting as an authorized representative; and
- A statement that you consent to the jurisdiction of the Federal District Court for the judicial district in which your address is located (or the Eastern District of Texas if you reside outside of the United

States) and that you will accept service of process from the person who submitted the DMCA Notice or an agent of such person.

Repeat infringer policy

SISW reserves the right to terminate the account(s) of repeat infringers at its sole discretion. Users whose content is restored as a result of a DMCA Counter Notice will not have the original DMCA Notice counted as a “strike” against them for repeat infringer purposes.

The information above is provided for general informational purposes only and is not intended as legal advice. If you have any questions about this information or your specific situation or rights, please seek legal advice from a legal professional.