

## Digital Millennium Copyright Act (DMCA) and Copyright Takedown Policy

**There are multiple ways to have your content removed from a ProQuest website or database.**

**For takedown notices based on alleged copyright infringement of your content on a ProQuest website (and for counter-notices), please send a valid DMCA notice (or counter-notice) according to the procedures described in this Policy by e-mail to: [dmca@proquest.com](mailto:dmca@proquest.com).**

**If you are a dissertation author and want your dissertation removed from a ProQuest database, please send a request with your name, title of your work, location of your work (i.e. URL address or database), and specific removal instructions to: [disspub@proquest.com](mailto:disspub@proquest.com) for directing.**

**If you are an author of an article or other content published in a ProQuest database (other than a dissertation) and you want your work removed, please send a request with your name, title of your work, location of your work (i.e. URL address or database) and specific removal instructions to: [customer\\_service@proquest.com](mailto:customer_service@proquest.com) for directing.**

Our policy is to respond to notices of alleged infringement that comply with the Digital Millennium Copyright Act (“DMCA”). Copyright-infringing materials found on any website controlled or operated by ProQuest (the “ProQuest Site” or “Site”) can be identified and removed via ProQuest’s DMCA compliance process listed below and you agree to comply with such process in the event you are involved in any claim of copyright infringement to which the DMCA may be applicable.

If you believe in good faith that a Member of a ProQuest Site has infringed your copyright(s), you can request that we take down the infringing material(s) by following the steps in this DMCA compliance process. Please note that we do not make any legal decisions about the validity of your claim.

When a clear and valid Notice is received pursuant to the guidelines set forth below, we will respond by either taking down the allegedly infringing content (“Allegedly Infringing Content”) or blocking access to it. We may contact the Notice provider to request additional information.

Under the DMCA, we are required to take reasonable steps to notify the entity who posted the Allegedly Infringing Content (“Alleged Infringer”). The Alleged Infringer is allowed under the law to send us a counter-notification as instructed below (“Counter-Notice”). On receiving a Counter-Notice, we may restore the Allegedly Infringing Content unless we receive notice from the original Notice provider that a legal action has been filed seeking a court order to restrain the Alleged Infringer from engaging in the allegedly infringing activity.

Notices and Counter-Notices are legal notices distinct from regular Site activities or communications. As such, they are not subject to ProQuest's Privacy Policy. This means we may publish or share them with third parties at our discretion, and we may produce them pursuant to a legal discovery request.

Anyone making a false or fraudulent Notice or Counter-Notice may be liable for damages under the DMCA, including costs and attorney's fees. If you are unsure of whether certain material infringes your copyright, contact an attorney.

#### **a. Filing a DMCA Notice**

To file a DMCA Notice with ProQuest, you must send us a written letter by fax, regular mail or email. We reserve the right to ignore a Notice that is not in compliance with the DMCA.

Your Notice must:

1. Identify specifically the copyrighted work(s) you believe has/have been infringed (for example, "My copyrighted work is an image that appears at [list URL where material is located].");
2. Identify the Content that you claim is infringing on your copyrighted work. You must provide information reasonably sufficient to enable us to locate the item on the Site. You should provide clear screenshots of the Allegedly Infringing Materials (this is for identification purposes only, not to "prove" your claims). The information provided should be as detailed as possible;
3. Provide information sufficient to permit us to contact you directly: your name, street address, telephone number, and email (if available);
4. If possible, provide information sufficient to permit us to notify the Alleged Infringer (email address preferred);
5. Include the following statement: "I have a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law.";
6. 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.";
7. The Notice must be signed;
8. The Notice must be sent to our DMCA designated agent at the following address:

DMCA Agent  
ProQuest, LLC  
789 E. Eisenhower Parkway  
Ann Arbor, MI 48106-1346  
USA  
Tel: 734-997-4107

Or fax to: 734-661-1600 (on the cover sheet, please write: Attention: DMCA NOTICE).

Or email to: dmca@proquest.com

#### **b. Filing a Counter-Notice**

If your material has been removed or blocked by us as a result of a DMCA Notice, you may send us a Counter-Notice pursuant to Sections 512(g)(2) and (3) of the DMCA asking for the Allegedly Infringing Material to be restored. To file a DMCA Counter-Notice with us, you must send us a written letter by fax, regular mail or email.

When we receive the Counter-Notice, we will send a copy of the Counter-Notice to the party who originally requested the removal of the Allegedly Infringing Material and we will reinstate the Allegedly Infringing Material, unless that party obtains a court order supporting removal of the Allegedly Infringing Material. We reserve the right to ignore a Counter-Notice that is not in compliance with the DMCA.

Your Counter-Notice must:

1. Describe and list all material(s) that were removed by ProQuest and the location at which the material(s) appeared before it/they was/were removed. Please provide the specific profile or other unique identifying information so that we may have reasonably sufficient information to identify the item(s). The information provided should be as detailed as possible;
2. Provide your name, address, telephone number and email address (if available);
3. State that you consent to the jurisdiction of the U.S. Federal District Court for the judicial district in which your address is located (or San Francisco County, California if your address is outside of the United States);
4. State that you will accept service of process from the person (or an agent of such person) who provided the DMCA Notice to us.
5. Include the following statement: "I swear under penalty of perjury, that I have a good faith belief that the material identified above was removed or disabled as a result of a mistake or misidentification of the material to be removed or disabled."
6. The Counter-Notice must be signed.
7. The Counter-Notice must be sent to our DMCA designated agent at the following address:

DMCA Agent  
ProQuest, LLC  
789 E. Eisenhower Parkway  
Ann Arbor, MI 48106-1346  
USA  
Tel: 734-997-4107

Or fax to: 734-661-1600 (on the cover sheet, please write: Attention:  
DMCA COUNTER-NOTICE).  
Or email to: [dmca@proquest.com](mailto:dmca@proquest.com)