

EarthOMs DMCA Policy and Copyright Agent

Effective date: [01/01/2026]

1. Scope

- 1.1. EarthOMs ("EarthOMs," "we," "us") respects intellectual property rights and expects users to do the same. This policy explains how copyright owners can report alleged infringement under the U.S. Digital Millennium Copyright Act, 17 U.S.C. §512 ("DMCA"), and how users may submit a counter-notification. This policy applies to all content hosted on or transmitted through EarthOMs websites, apps, APIs, and services (the "Platform").

2. Designated Copyright Agent (17 U.S.C. §512(c)(2))

- 2.1. Name: EarthOMs LLC
Address: 229 Airport Rd STE 7 PMB 234, Arden NC 29704
Email: ContactEarthOMS@gmail.com
Phone: +1-828-844-5244
We accept DMCA notices by email or mail. Email is preferred for fastest handling.

3. How to file a DMCA takedown notice

- 3.1. Only the copyright owner or someone authorized to act on the owner's behalf should submit a notice. Your notice must include all items required by §512(c)(3):
 - 3.1.1. A physical or electronic signature of the copyright owner or authorized agent.
 - 3.1.2. Identification of the copyrighted work claimed to be infringed, or a representative list if multiple works are covered.
 - 3.1.3. Identification of the material that is claimed to be infringing or the subject of infringing activity, and information reasonably sufficient to permit us to locate the material (e.g., specific URLs, listing IDs, screenshot with timestamp).
 - 3.1.4. Contact information for the complaining party (full name, mailing address, telephone, and email).
 - 3.1.5. A statement that the complaining party has 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.
 - 3.1.6. A statement that the information in the notice is accurate and, under penalty of perjury, that the complaining party is authorized to act on behalf of the copyright owner.
- 3.2. Send your complete notice to the Designated Agent above. Incomplete notices may be rejected.

4. What happens after we receive a valid notice

- 4.1. We will acknowledge receipt, review the notice, and, if valid, expeditiously remove or disable access to the identified material.
- 4.2. We will notify the user who posted the material (“Uploader”) and provide the substance of the notice.
- 4.3. We may, where appropriate, terminate accounts of repeat infringers pursuant to Section 8.
- 4.4. We may forward the notice (including contact information) to the Uploader or make it available to them.
- 4.5. We may preserve records and disclose information as required by law.

5. Counter-notification (17 U.S.C. §512(g))

- 5.1. If your content was removed and you believe it was misidentified or removed in error (for example, fair use, license, or mistaken identity), you may file a counter-notification. Your counter-notification must include:
 - 5.1.1. Your physical or electronic signature.
 - 5.1.2. Identification of the material that has been removed or to which access has been disabled, and the location at which the material appeared before it was removed or disabled (e.g., exact URLs or listing IDs).
 - 5.1.3. A statement under penalty of perjury that you have a good-faith belief that the material was removed or disabled as a result of mistake or misidentification.
 - 5.1.4. Your name, address, and telephone number, 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, if outside the United States, for any judicial district in which EarthOMs may be found), and that you will accept service of process from the person who provided the original DMCA notice or their agent.
- 5.2. Send the counter-notification to the Designated Agent above.

6. Restoration of material

- 6.1. Upon receiving a valid counter-notification, we will forward it to the original complainant. Unless the complainant notifies us within 10 business days that they have filed an action seeking a court order to restrain the Uploader from engaging in infringing activity, we may restore the material within a reasonable time.

7. Notices from outside the United States

- 7.1. If you are not located in the U.S., you may still use this process. By submitting a counter-notification, you agree to the jurisdiction statements in Section 5(4). If your report is based on other countries' copyright laws, provide the specific law and rights claimed; we may apply substantially similar procedures.

8. Repeat infringer policy

- 8.1. Consistent with the DMCA and industry practice, EarthOMs will, in appropriate circumstances and at our discretion, terminate accounts of users who are

determined to be repeat infringers. We also maintain a graduated response that may include warnings, temporary suspensions, feature restrictions, or content removal. We track valid notices and counter-notifications for this purpose.

9. Content removal scope and account actions

- 9.1. We may remove or disable access to allegedly infringing material, related thumbnails/previews, and any substantially similar reposts. We may also remove derivative or obviously infringing duplicates. Account-level actions are based on severity, volume, and intent, and may include removal of listings or images, temporary holds on payouts, or termination under our Terms of Service.

10. Misrepresentation warning

- 10.1. Under 17 U.S.C. §512(f), any person who knowingly and materially misrepresents that material or activity is infringing, or that it was removed by mistake or misidentification, may be liable for damages, including costs and attorneys' fees. Submit notices and counter-notifications in good faith only.

11. Accommodation of standard technical measures

- 11.1. We accommodate and do not interfere with standard technical measures used by copyright owners to identify or protect copyrighted works, consistent with §512(i).

12. Subpoenas and requests for account information

- 12.1. We may disclose account identifiers and contact information in response to valid legal process (e.g., subpoenas, court orders) or as otherwise required by law. See our Privacy Notice for details.

13. Agent contact formats

- 13.1. Takedown notice (email text example)
Subject: DMCA Notice – [Work Title] – [URL/Listing ID]
 - 13.1.1. Signature: [Typed full name as electronic signature]
 - 13.1.2. Copyrighted work: [Title/description]
 - 13.1.3. Location of infringing material: [Full URLs/Listing IDs/screenshots with timestamps]
 - 13.1.4. Contact: [Full name, company if any, address, phone, email]
 - 13.1.5. Good-faith statement: "I have a good-faith belief that the use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law."
 - 13.1.6. Authority statement: "The information in this notice is accurate and, under penalty of perjury, I am authorized to act on behalf of the owner of an exclusive right that is allegedly infringed."
- 13.2. Counter-notification (email text example)
Subject: DMCA Counter-Notification – [URL/Listing ID]
- 13.3. Signature: [Typed full name as electronic signature]
- 13.4. Removed material and prior location: [Full URLs/Listing IDs]
- 13.5. Good-faith statement: "I have a good-faith belief that the material was removed or disabled as a result of mistake or misidentification."

- 13.6. Jurisdiction and service: "I consent to the jurisdiction of the Federal District Court for the judicial district in which my address is located, or if my address is outside the United States, for any judicial district in which EarthOMs may be found, and I will accept service of process from the person who provided the DMCA notice or their agent."
- 13.7. Contact: [Full name, address, phone, email]

14. Updates to this policy

- 14.1. We may update this DMCA Policy to reflect changes in law or our practices. Material changes will be posted on this page with a new effective date.

Contact

Designated Agent: see Section 2

EarthOMs Guest Support: ContactEarthOMs@gmail.com

Mail: 229 Airport Rd STE 7 PMB 234, Arden NC 29704