

COPYRIGHT AND INTELLECTUAL PROPERTY NOTICE

This Copyright and Intellectual Property Notice is incorporated into the Terms of Use. All terms defined in the Terms of Use shall have the same meaning when used herein unless otherwise noted.

It is the goal of PACE AT HUDSON HEADWATERS to respect the copyright and intellectual property rights of others by complying with U. S. intellectual property laws. This Copyright and Intellectual Property Notice shall be governed by and interpreted under the intellectual property law of the United States of America, including, where applicable, the Digital Millennium Copyright Act. (“DMCA”).

You may wish to consult with legal counsel regarding any right or interest that you may have concerning copyright or other intellectual property rights that You may have or may have violated. Nothing here is intended to substitute for qualified legal advice.

Notice of Claimed Infringement:

If you believe that any content on the Website and related Services or Products infringes on Your or someone else’s copyright, You, (as the owner or rights holder) should send a notification to Our Designated Agent by mail or email at the address set forth below.

To file a notice regarding claimed infringing material, please provide the following information:

1. Reasonably sufficient details about the nature of the copyrighted work in question, or, in the case of multiple alleged infringements, a representative list of such works. This should include, title(s), author(s), any U.S. Copyright Registration number(s) or URL(s);
2. Reasonably sufficient details to enable us to identify and locate the material that is allegedly infringing your works (e.g., file name or URL of the pages that contain the material);
3. Your or Your representative’s contact information, so that we can contact You or them (e.g., name, address, telephone number and email address);
4. A statement that You have a good-faith belief that the use of the material identified above in subparagraph 2 is not authorized by the copyright owner, its agent or the law;
5. A statement, under penalty of perjury, that the information in the notification is accurate and that You or Your representative is authorized to act on behalf of the copyright owner; and
6. Your or Your representative’s electronic signature.

Notice may be sent:

By US Mail

PACE AT HUDSON HEADWATERS
38 Larose Street

Glens Falls, NY 12801
Attn: Copyright Compliance

By Email: ipagent@pacehh.org

If We receive a valid notice, We will remove the allegedly infringing material or disable access to it on the Website. We will also make a good-faith effort to notify the person who posted the content that a claim of infringement has been made and that the person may file a counter-notification if that person chooses to do so.

You may be required to meet additional legal requirements or may have certain additional rights or obligations under applicable United States law. Your failure to fulfil all such requirements may relieve Us from taking any action in response to Your Notice.

Counter-Notification:

If material that You have posted to the Website has been taken down, You may file a counter-notification that contains the following details:

1. 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 access to it was disabled;
2. 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 of the material in question;
3. Your or Your representative's name, address, telephone number, and email address;
4. A statement that You consent to the jurisdiction of the United States District Court for the Northern District of New York and that you will accept service of process from the person who provided notification in compliance with section 512 (c)(1)(C) of the DMCA, or an agent of such person; and
5. Your or Your representative's physical or electronic signature.

Counter-Notice may be sent to:

By US Mail
PACE AT HUDSON HEADWATERS
38 Larose Street
Glens Falls, NY 12801
Attn: Copyright Compliance

By Email: ipagent@pacehh.org

If PACE AT HUDSON HEADWATERS receives a valid Counter-Notice, We will make a good-faith effort to promptly provide a copy of the Counter-Notice to the person who filed the Notice at the address the person provided and thereafter follow the procedures provided in the DCMA.

You agree that PACE AT HUDSON HEADWATERS will not be a party to any further dispute or lawsuit regarding the alleged infringement and that PACE AT HUDSON HEADWATERS will not be liable to You or any other party for its acts in removing or replacing any Website content in response to a Notice or Counter Notice.

PACE AT HUDSON HEADWATERS will not adjudicate or decide any claim of infringement or defense thereto.

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