

Copyright and Trademark Policy

Richmond Berks respects the copyright and trademark rights of others. Richmond Berks responds to all valid notifications of trademark complaints submitted by trademark owners and of copyright complaints submitted by copyright owners under the Digital Millennium Copyright Act (“DMCA”). Section 512 of the DMCA outlines the requirements for reporting a copyright violation for copyright owners, as well as requirements for submitting a counter-notification by an affected party. It is Richmond Berks policy to suspend or terminate the access privileges of those who repeatedly infringe the copyrights and trademarks of others.

Requirements

To report a notice of trademark or copyright infringement, you will need to provide us with the following information:

1. An electronic or physical signature (typing a full name in the reporting form or an email will be sufficient) of the copyright or trademark owner or a person authorized to act on behalf of the owner;
2. A description of the material that you claim has been infringed;
 1. With respect to trademark rights, include the basis for your claim of such rights, such as a national or community trademark registration and any applicable registration number, the country or jurisdiction in which you claim such rights, and the category of goods and/or services for which you claim such rights;
3. Identification of the claimed infringing material, including the location of such material on Richmond Berks applications, websites or services;
4. Contact information, including the name of the owner of the copyright or trademark and your name, title, address, telephone number, and email address;
5. A statement that you have a good faith belief that the claimed infringing material is not authorized by the copyright or trademark owner, its agent, or the law; and
6. A statement made under penalty of perjury, that the information provided in your notice is accurate and that you are the copyright or trademark owner or are authorized to act on behalf of the owner.

Submitting a Copyright/Trademark Infringement Notice

If you believe that third party material posted on or accessible through Richmond Berks’ applications, websites, and services constitutes infringement of your copyright or trademark rights, please send a notice of infringement to Richmond Berks’ designated agent.

By submitting the infringement notice, you acknowledge and agree that Richmond Berks or its designated agent may forward the information you provide in your notice to the person responsible for the allegedly infringing material. If you are unsure whether the material you are reporting is in fact infringing, you may wish to contact an attorney before filing a notification with us. Please be aware that under 17 U.S.C. (s) 512(f) of the DMCA, you may be liable for any damages, including costs and attorneys’ fees incurred by us or our merchants, if you knowingly and materially misrepresent that an activity or material is infringing.

While the online form is the easiest and quickest way to submit your complaint with us, if you prefer, you may also write to Richmond Berks designated agent at the following address. If you write to us, please be sure to provide all the information listed above under Requirements.

Submitting a Counter-Notice after Removal of an Affected Party's Material

If your material has been removed or disabled as a result of an infringement notice and you believe such material is not infringing, or that you have the authorization or right to post and use that material from the copyright or trademark owner, that owner's agent, or pursuant to law, you may send a counter-notice to Richmond Berks' designated agent at the address above.

The counter-notice must include:

1. Your physical or electronic signature;
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 access to it was disabled;
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 of the material to be removed or disabled;
4. Your name, address, and telephone number; and
5. A statement that you consent to the jurisdiction of Federal District Court for the judicial district in which the address is located, or if your address is outside of the United States, for any judicial district in which Richmond Berks may be found, and that you will accept service of process from the person who provided notification of infringement or an agent of such person.

Richmond Berks or its designated agent will forward your counter-notice to the party who submitted the infringement notice. If the complainant does not file an action seeking a court order to restrain you from engaging in infringing activity related to the removed or disabled material within ten business days of receiving the counter-notice from Richmond Berks, then Richmond Berks may reinstate the removed or disabled material.

Submitting a Complaint to Report Violation of Your Likeness

If you think that content someone else has posted on Richmond Berks's applications, websites or services uses your name, voice, signature, image or likeness, or that of your minor child, without your permission and in violation of a legally recognized right of publicity, we encourage you first to contact the user directly about your concerns.