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EPEAT COPYRIGHT INFRINGEMENT POLICY

Background

Telko's contract terms oblige every customer not to use our facilities for unlawful purposes, including copyright infringement.

Our terms entitle us to terminate a customer's account if the customer breaches them. This is our policy regarding customers who repeatedly commit copyright infringement.

We reserve the right to vary this policy from time to time, and to depart from it in particular cases if we consider it appropriate to do so. In particular, we may terminate an account without notice if we consider that the circumstances justify it.

Meaning of terms

1.1 You are an 'infringer' if:

- You hold an account with us.
- A third party asserts that your account has been used to commit copyright infringement.
- There is good evidence that your account has been used to commit copyright infringement.

1.2 'Good evidence' of infringement includes:

- A court ruling.
- A statutory declaration (or equivalent) by a third party.
- Any other notice, demand, evidence, fact or circumstance that the law entitles us to take as proof of copyright infringement or a reasonable likelihood of copyright infringement.

First infringement

If you infringe for a first time:

- 2.1 We shall keep a record.
- 2.2 We shall notify you about the record and its date.
- 2.3 We may send the notice via your Telko email account

Second infringements

- If you infringe, we shall check to see if there is a record of any prior infringements.
- If there is only one, you are a 'second infringer', and:

- 3.1 We shall keep a record.
- 3.2 We shall notify you about the record and its date.
- 3.3 We may send the notice via your Telko email account
- 3.4 We shall keep a record.

3.5 We shall notify you about the record and its date.

Third and subsequent infringements

- If you infringe, we shall check to see if there is a record of any prior infringements.
- If there is more than one, you are a 'repeat infringer', and:

4.1 We shall keep a record.

4.2 We shall terminate your account.

4.3 We shall notify you.