

Northeast Florida Multiple Listing Service respects the intellectual property of others, and we ask our users to do the same.

Each user is responsible for ensuring that the materials they upload to the Northeast Florida Multiple Listing Service Site do not infringe any third party copyright.

Northeast Florida Multiple Listing Service will promptly remove materials from the Northeast Florida Multiple Listing Service Site in accordance with the Digital Millennium Copyright Act ("DMCA") if properly notified that the materials infringe a third party's copyright. In addition, Northeast Florida Multiple Listing Service may, in appropriate circumstances, terminate the accounts of repeat copyright infringers.

### **Filing a DMCA Notice to Remove Copyrighted Content for Copyright Holders**

If you believe that your work has been copied in a way that constitutes copyright infringement, please provide us with a written notice containing the following information:

1. Your name, address, telephone number, and email address (if any).
2. A description of the copyrighted work that you claim has been infringed.
3. A description of where on the Northeast Florida Multiple Listing Service Site the material that you claim is infringing may be found, sufficient for Northeast Florida Multiple Listing Service to locate the material (e.g., the URL).
4. A statement that you have a good faith belief that the use of the copyrighted work is not authorized by the copyright owner, its agent, or the law.
5. A statement by you UNDER PENALTY OF PERJURY that the information in your notice is accurate and that you are the Copyright owner or authorized to act on the copyright owner's behalf.
6. Your electronic or physical signature.

You may submit this information via:

- Email: [kimberly@realmls.com](mailto:kimberly@realmls.com)
- Offline: Northeast Florida Multiple Listing Service's Copyright Agent

### **Filing a DMCA Counter-Notification to Restore Removed Content for Northeast Florida Multiple Listing Service Users**

If you believe that your material has been removed by mistake or misidentification, please provide Northeast Florida Multiple

Listing Service with a written counter-notification containing the following information:

1. Your name, address, and telephone number.
2. A description of the material that was removed and the location on the Northeast Florida Multiple Listing Service Site (e.g., the URL) where it previously appeared.
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.
4. 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 your address is outside of the United States, any judicial district in which Northeast Florida Multiple Listing Service may be found (which includes the United States District Court for the Southern District of New York), and that you will accept service of process from the person who filed the original DMCA notice or an agent of that person.
5. Your electronic or physical signature.

You may submit this information via:

- Email: [jeff@ryanandmarks.com](mailto:jeff@ryanandmarks.com)
- Offline: Northeast Florida Multiple Listing Service's Copyright Agent

Please note that we will send any complete counter-notifications we receive to the person who submitted the original DMCA notice. That person may elect to file a lawsuit against you for copyright infringement. If we do not receive notice that a lawsuit has been filed within ten (10) business days after we provide notice of your counter-notification, we will restore the removed materials. Until that time, your materials will remain removed. We will provide a copy of the original DMCA takedown notice upon request.

### **Repeat Infringer Policy**

Northeast Florida Multiple Listing Service will terminate user accounts that have been the subject of three (3) separate DMCA notices.

In the event a user's materials are removed due to a DMCA notice and then subsequently restored due to the filing of a DMCA counter-notification, Northeast Florida Multiple Listing Service will treat the underlying DMCA notice as withdrawn.

Northeast Florida Multiple Listing Service reserves the right to terminate user accounts that are the subject of fewer than three (3) DMCA notices in appropriate circumstances, such as where the user has a history of violating or willfully disregarding Northeast Florida Multiple Listing Service's Terms of Service.

## **Warning**

In filing a DMCA notice or counter-notification, please make sure that you have complied with all of the above requirements. If we request additional information necessary to make your DMCA notice or counter-notification complete, please provide that information promptly. If you fail to comply with all of these requirements, your DMCA notice or counter-notification may not be processed further.

In addition, please make sure that all of the information you provide is accurate. **UNDER SECTION 512(f) OF THE COPYRIGHT ACT, 17 U.S.C. § 512(f), ANY PERSON WHO KNOWINGLY MATERIALLY MISREPRESENTS THAT MATERIAL OR ACTIVITY IS INFRINGING OR WAS REMOVED OR DISABLED BY MISTAKE OR MISIDENTIFICATION MAY BE SUBJECT TO LIABILITY.**

Northeast Florida Multiple Listing Service may disclose any communications concerning DMCA notices or other intellectual property complaints with third parties, including the users who have posted the allegedly infringing material, and may provide DMCA notices to Chilling Effects.

If you have questions about the legal requirements of a DMCA notice, please contact an attorney or see Section 512(c)(3) of the U.S. Copyright Act, 17 U.S.C. § 512(c)(3), for more information. If you have questions about the legal requirements of a DMCA counter-notification, please contact an attorney or see Section 512(g)(3) of the U.S. Copyright Act, 17 U.S.C. § 512(g)(3), for more information.

## **Northeast Florida Multiple Listing Service's Copyright Agent**

In addition to the web forms we provide, you may send a DMCA notice, a DMCA counter-notification, or any inquiries concerning intellectual property to Northeast Florida Multiple Listing Service's Copyright Agent:

Kimberly Wiggins  
7801 Deercreek Club Rd  
Jacksonville, Florida 32256  
Attn: Kimberly Wiggins

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