

LifeTomb
Digital Millennium Copyright Act Policy

Last Updated: February 18, 2025

Effective Date: January 31, 2025

Our Compliance With The Digital Millennium Copyright Act (17 U.S.C. § 512)

LifeTomb, Inc. ("LifeTomb," "we," "us," or "our"), oversees the site, **LifeTomb.com** (the "Site"), the LifeTomb mobile application (the "Application"), and includes all related services and documentation (the "Services").

We comply with the takedown procedures and counter-notice mechanisms as specified under the Digital Millennium Copyright Act (the "DMCA"), 17. U.S.C. § 512. Pursuant to the DMCA, notifications of claimed copyright infringement by third parties must be sent to our Designated Agent, Julian L. Bibb IV of Holland & Knight LLP, whose contact information appears below. We have filed notice of our Designated Agent with the U.S. Copyright Office, and our Registration Number is: **DMCA-1061806**.

Takedown Procedures

Copyright owners or agents may submit a notification of alleged infringement to us, pursuant to the DMCA. We will only act on notices of claimed infringement made in accordance with the provisions of the DMCA. For a notice of claimed infringement to be effective under the DMCA, the notification of claim must be a written communication to our Designated Agent. If you, as a copyright owner or agent of an owner, believe that there is material on the Services that infringes your copyright(s), you may submit a proper notification, as described in § 512(c)(3), which shall include:

- A physical or electronic signature of a person authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.
- Identification of the copyrighted work claimed to have been infringed or, if multiple copyrighted works at a single online site are covered by a single notification, a representative list of such works at that site.
- Identification of the material that is claimed to be infringing or to be the subject of infringing activity and that is to be removed or access to which is to be disabled, and information reasonably sufficient to permit the service provider to locate the material.
- Information reasonably sufficient to permit the service provider to contact the complaining party, such as an address, telephone number, and, if available, an electronic mail address at which the complaining party may be contacted.
- 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.
- A statement that the information in the notification is accurate, and **under penalty of perjury**, that the complaining party is authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

NOTE: Under § 512(f), any person who knowingly materially misrepresents that (a) material is infringing or (b) that material or activity was removed or disabled by mistake or misidentification shall be liable for

damages, including attorneys' fees incurred by the alleged infringer, by any copyright owner or licensee, or LifeTomb, if such parties are injured by the misrepresentation.

Upon receipt of a proper notification of alleged copyright infringement, we will remove or disable access to the material identified in the notice, forward the written notification to the alleged infringer, and take reasonable efforts to notify the alleged infringer that we have removed or disabled access to the material in question.

Copyright Infringement Notifications Should Be Directed to Our DMCA Agent:

- ATTENTION: DMCA Notification
Holland & Knight LLP
511 Union Street
Suite 2700
Nashville, TN 37219
c/o Julian L. Bibb IV
Registration Number:
- You may also send an e-mail notifying us of alleged copyright infringement, provided the message within your e-mail meets the standards iterated above, pursuant to 17 U.S.C. § 512(c)(3): DMCAadocket@hklaw.com (ATTENTION: Julian L. Bibb IV, RE: DMCA Notice).

YOU ACKNOWLEDGE THAT IF YOU FAIL TO COMPLY WITH ALL OF THE REQUIREMENTS OF THIS SECTION, YOUR DMCA NOTICE MAY NOT BE VALID.

Counter-Notice Mechanism

Under the DMCA, claimants who make misrepresentations may be liable for any damages, including costs and attorneys' fees, incurred by LifeTomb for relying upon a misrepresentation. We reserve the right to pursue damages against such parties.

If a notice of copyright infringement has been filed with us in accordance with the above terms, and we disable access to the allegedly infringing content, the alleged third-party infringer may file a counter notification with our Designated Agent as listed above.

To be effective, a counter notification must be a written communication provided to our Designated Agent that includes the following:

- A physical or electronic signature;
- 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;
- A statement **under penalty of perjury** that the party have a good faith belief that the material was removed or disabled as a result of mistake or misidentification;
- A name, address, and telephone number; and
- A statement that the third-party consents to the jurisdiction of Federal District Court for the judicial district in which LifeTomb is located and that the third party will accept service of process from the complainant or an agent of such person or entity.

If we receive a valid counter-notice, we will provide the original complainant with a copy of the counter notice, inform the complainant that it will replace the removed material or cease disabling access to it within fourteen (14) days from receipt of the counter notification, provided, however, that we do not receive notice from the complainant that an action has been filed seeking a court order to restrain the alleged infringer from engaging in infringing activity relating to the material on our computer system.

The DMCA provides penalties for a false counter notice filed in response to a notice of copyright infringement. LifeTomb reserves the right to pursue damages, including attorneys' fees, against claimants who make misrepresentations in their counter notification statement.

By complying with the forgoing, it is LifeTomb's expressed intent to comply with the provisions of the DMCA to limit its liability to the fullest extent as provided therein.

Repeat Infringer Policy

We will terminate any customer account that is the subject of two (2) separate DMCA takedown notification violations. For a customer whose content is removed and later restored as part of a DMCA takedown and subsequent counter-notification procedure, we will treat that underlying DMCA notification as having been withdrawn. In any event, LifeTomb reserves the right to terminate any customer account, which is the subject of fewer than two (2) DMCA takedown notifications, according to our business judgment and as we deem appropriate, given the surrounding circumstances.