

# KONGREGATE

## DMCA TAKEDOWN REQUEST

We, at Kongregate Inc. (“Kongregate,” “we” or “us”), take matters of intellectual property (“IP”) very seriously and would not knowingly infringe on or condone the infringement of another party’s IP.

**DMCA TAKEDOWN NOTICE.** Pursuant to the Digital Millennium Copyright Act, 17 U.S.C. § 512(c)(2) (“DMCA”), we will respond to clear notices of alleged copyright or trademark infringement. If you are a trademark or copyright owner, and you believe that your IP rights have been violated, please complete and submit a signed copy of the form below to [support@kongregate.com](mailto:support@kongregate.com). Please note that if you are NOT an IP rights owner or their agent, Kongregate will not be able to process complaints submitted through this form.

This form is designed to be simple and straightforward, while reducing the number of notices we receive that are fraudulent or difficult to understand or verify. If any of the other information is missing from your notification, we will not be able to respond to your request. Upon receipt of a fully completed and signed notification form, we will disable access to the allegedly infringing materials and will notify the individual who posted the materials that access has been disabled.

**COUNTER-NOTICE.** Pursuant to 17 U.S.C. § 512(g)(2), the individual who posted the materials may provide us with counter-notification that the materials were removed or disabled as the result of a mistake or misidentification of the materials. This counter-notification must (1) be signed, (2) include the individual’s name, address and telephone number, (3) include a statement that the individual is making the counter-notification under penalty of perjury, and (4) state that the person consents to the jurisdiction of the federal district court where his or her address is located. If we receive such a counter-notification, a copy will be sent to you notifying you that access to the materials will be restored within ten business days. Access will be restored between the tenth (10<sup>th</sup>) and fourteenth (14<sup>th</sup>) business day after we receive a counter-notification, unless you inform us that you have filed an action seeking a court order to restrain the individual who made the posting form engaging in infringing activity on our network and servers.

### **PLEASE PROVIDE THE FOLLOWING INFORMATION AND SIGN BELOW:**

<b>NATURE OF INFRINGEMENT:</b>	<input type="checkbox"/> Copyright <input type="checkbox"/> Trademark
Description of <b>YOUR COPYRIGHTED WORK</b> that has been infringed:	
<b>REGISTRATION NUMBERS</b> , if any, of your proprietary material:	

# KONGREGATE

Description of the <b>ALLEGEDLY INFRINGING MATERIAL</b> located on our site:	
<b>URL</b> at which the allegedly infringing material is located on our site:	
<b>YOUR NAME:</b>	
If an authorized agent, identify the person or company on behalf of whom you are providing notice:	
<b>TELEPHONE NUMBER:</b>	
<b>E-MAIL ADDRESS:</b>	
<b>PHYSICAL ADDRESS:</b>	

**BY SIGNING BELOW, YOU CERTIFY, UNDER PENALTY OF PERJURY, THAT:**

- You are either the rights holder of the aforementioned IP, or authorized to act on behalf of the rights holder;
- You have a good faith belief that the use of the allegedly infringing material has not been authorized; and
- The information provided above is true and accurate.

**SIGNATURE:** \_\_\_\_\_

**NAME:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**DESIGNATED AGENT:** *Kongregate's designated agent is Markus Lipp and may be reached at [support@kongregate.com](mailto:support@kongregate.com) or Kongregate Inc., 10680 Treena Street, Suite 155, San Diego, CA 92131.*