YOUR CONTENT AND OURS

Copyright Complaints and Takedown Policy

How a rights holder asks for infringing material to be removed, what a valid notice must contain, how an uploader may respond, and what happens to repeat infringers.

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AT A GLANCE

A plain-language summary. The numbered clauses below are what legally applies.

- Send a notice to legal@lacspace.com with the link, the work, and a statement of good faith.
- We acknowledge within 3 working days and act on valid notices within 10.
- Material containing personal documents is removed first and assessed afterwards.
- The uploader is told what was removed and may file a counter-notice.
- Three upheld notices closes the account.

1. Purpose and scope

1.1 This policy sets out the procedure by which a person may notify us that material on the Service infringes their rights, and by which an uploader may respond.

1.2 It applies to copyright, trademark, moral rights, privacy rights, rights in confidential information and rights of personality.

1.3 It is available to rights holders and to their authorised agents.

1.4 It operates alongside, and does not replace, any legal remedy available to a rights holder.

1.5 Use of this procedure is free of charge.

2. What a valid notice must contain

2.1 Your full name, postal address, telephone number and email address.

2.2 The direct URL of each item complained of. A notice that describes material without linking to it cannot be actioned within the stated timescales.

> *This is the single largest cause of delay. "Someone uploaded my book" identifies nothing in a library of many thousands of files.*

2.3 Identification of the work you say has been infringed, sufficient for us to recognise it -- a title, an ISBN, a publication date, or a copy.

2.4 A statement of the basis on which you hold the right, and if you act as an agent, evidence of your authority to act.

2.5 A statement that you have a good faith belief that the use complained of is not authorised by the rights holder, its agent, or the law.

2.6 A statement that the information in the notice is accurate.

2.7 Your physical or electronic signature.

2.8 Notices must be sent to legal@lacspace.com with "Takedown notice" in the subject line.

3. How we handle a notice

3.1 We acknowledge every notice within three working days of receipt.

3.2 We assess whether the notice is properly formed. If it is not, we tell you what is missing rather than rejecting it silently.

3.3 We act on a properly formed notice within ten working days of receipt.

3.4 Where the complaint is clearly well founded -- a scanned commercial textbook, for example -- we remove the material immediately on receipt.

3.5 Where the complaint concerns a person's private documents or personal data, we remove the material immediately and assess afterwards.

> *A marksheet or citizenship document does more damage with every hour it stays up, and the balance of harm in leaving it published while we deliberate is not close.*

3.6 Where the complaint is contested or unclear, we may restrict access to the material while we assess it.

3.7 We record every notice, the material concerned, the action taken and the date, and we retain that record for at least five years.

3.8 We do not charge, and we do not require a court order, before acting on a properly formed notice.

4. What we tell the uploader

4.1 We notify the uploader that material has been removed, which material it was, and the ground of complaint.

4.2 We provide the uploader with a copy of the notice, ordinarily with the complainant's contact details redacted unless disclosure is required by law or the complainant consents.

4.3 We tell the uploader that they may submit a counter-notice and how to do so.

4.4 We do not disclose the uploader's identity or contact details to the complainant except where required by law or by order of a court.

4.5 Where an uploader's account has been closed as a result, we tell them which clause was engaged and how to appeal.

5. Counter-notice

5.1 An uploader who believes material was removed in error may submit a counter-notice within thirty days of being notified.

5.2 A counter-notice must contain the uploader's name and contact details, identification of the material and its

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former location, and a statement of the basis on which they say the material was lawfully published.

5.3 A counter-notice must contain a statement that the uploader has a good faith belief the material was removed as a result of mistake or misidentification.

5.4 We forward a valid counter-notice to the complainant.

5.5 Where the complainant does not indicate within fourteen days that they are pursuing the matter, we may restore the material.

5.6 We are not obliged to restore material that breaches the Acceptable Use Policy on grounds independent of the copyright complaint.

5.7 Nothing in this section requires us to restore material where doing so would expose us or any person to legal risk.

6. Abuse of this procedure

6.1 A notice submitted in bad faith, or containing a statement the sender knows to be false, is an abuse of this procedure.

6.2 A person who knowingly submits a false notice may be liable to the uploader and to us for the resulting loss.

6.3 We may refuse to process further notices from a sender who has repeatedly submitted notices in bad faith.

6.4 We may publish anonymised statistics about notices received and actions taken.

6.5 This procedure may not be used to remove criticism, a poor review, or material a person simply dislikes.

7. Repeat infringers

7.1 We maintain a record of upheld notices against each account.

7.2 A first upheld notice results in removal of the material and a written warning.

7.3 A second upheld notice results in removal, a final warning and suspension of upload rights for thirty days.

7.4 A third upheld notice results in permanent closure of the account.

7.5 A single upload of a substantial commercial work -- a complete textbook, for example -- may result in immediate closure regardless of history.

7.6 A person whose account is closed for repeat infringement may not create a new account.

7.7 Closure for repeat infringement does not limit any remedy available to the rights holder against the uploader personally.

8. Trademark, privacy and other complaints

8.1 A trademark complaint should identify the mark, the registration if any, the goods or services concerned, and why the use complained of is likely to cause confusion.

8.2 A privacy complaint should identify the material and the personal information it contains, and confirm whether you are the person concerned or acting for them.

8.3 A complaint about a person's image, name or likeness should identify the material and confirm the absence of consent.

8.4 A complaint that material is defamatory should identify the specific words complained of and why they are said to be false.

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8.5 We apply the same acknowledgement and action timescales to all complaint types.

8.6 All such complaints should be sent to legal@lacspace.com.

9. Records, disputes and law

9.1 We may preserve removed material and its associated records for the purposes of a legal claim, a regulatory request or an internal audit, even after it ceases to be published.

9.2 Preservation for those purposes is not publication.

9.3 Nothing in this policy is an admission of liability by us in respect of any material.

9.4 Nothing in this policy limits our right to remove any material at our discretion under the Terms of Use.

9.5 This policy is governed by the laws of Nepal and any dispute arising from it falls within the jurisdiction of the courts of Kathmandu, Nepal.

9.6 This policy is not legal advice. A rights holder who needs advice on their position should take it independently.

Version history

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- Initial publication.
- Fixed acknowledgement at 3 working days and action at 10, with immediate removal for personal documents.
- Added a counter-notice procedure and a published three-strike rule for repeat infringers.

Publisher, contact and document control

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