

# Beasley Broadcast Group, Inc. DMCA Copyright Complaint Procedures

**Effective Date: December 31, 2015**

Our copyright complaint procedures (“DMCA Procedures”) governs your use of various Platforms (as defined in the Beasley Broadcast Group, Inc. Terms of Service Agreement (“TOS”)), and any other service that is owned or operated by subsidiaries of Beasley Broadcast Group, Inc. (collectively, “Beasley,” “we,” “us,” and “our”) including our radio stations (“Stations”) that have an authorized link to these DMCA Procedures.

Below are the steps required for users of our Platforms to notify us of an alleged copyright infringement of content posted on the Platforms and the steps we will take to respond to such notices. Our DMCA Procedures are part of our TOS and are hereby incorporated by reference. Any capitalized terms that are not defined in this document shall have the same meaning given in our TOS. You understand, acknowledge and agree that both the TOS and these DMCA Procedures are legally binding on all users.

You acknowledge, understand and agree that all Beasley Material available on these Platforms is owned by or licensed to Beasley, our Stations, Advertisers, Operational Service Providers and/or third party licensors (including users that submit their own material, also called user generated content (“UGC”)) and is protected under U.S. and/or international copyright, trademark, patent, or other relevant intellectual property laws. If you submit UGC to our Platforms, you agree to certain licensing terms in our TOS. [Click here for details.](#)

Unless such use is expressly prohibited by us, you may view, reproduce, distribute, transmit, link, cache, or otherwise use Beasley Material for your personal and *non-commercial use*, including posting on your Facebook page or other social networking platforms, provided you do not delete or change any of the Beasley Material, including copyright or trademark notices. Except where permitted by law or expressly authorized by Beasley, Beasley Material may not be reproduced, distributed, transmitted, cached or otherwise used for *commercial purposes* unless you have our prior written permission. You may only use our Platforms and our Beasley Material as expressly permitted in these DMCA Copyright Procedures and our TOS and for no other purpose. Beasley, our Stations, Advertisers, Operational Service Providers and/or licensors retain exclusive ownership of all Beasley Material. See our TOS for more information. [Click Here.](#)

## **How to Provide Notification for Claims of Copyright Infringement**

If you have a good faith reasonable belief that any Beasley Material is infringing on your copyrights, and you wish to notify us of such alleged copyright infringement, you must send a written communication to Beasley’s Designated Agent (see below for contact information) that includes substantially the following:

- 1. A physical or electronic signature of a person authorized to act on behalf of the owner of an exclusive copyright that is allegedly infringed;**
- 2. Identification of the copyrighted work claimed to have been infringed, or, if multiple copyrighted works at a single online website are covered by a single notification, a representative list of such works at that website;**
- 3. 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 Beasley’s Designated Agent to locate the material;**
- 4. Information reasonably sufficient to permit Beasley’s Designated Agent 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;**
- 5. 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; and**
- 6. 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 copyright that is allegedly infringed.**

**Contact Information for Designated Agent for Notification of Claimed Copyright:**

NAME: Joyce Fitch

ADDRESS: DMCA Designated Agent  
Beasley Broadcast Group, Inc.  
3033 Riviera Drive, Suite 200  
Naples, Florida 34103

EMAIL: copyright@bbgi.com

PHONE: (239) 263-5000

FAX: (239) 263-8191

The above address is intended only for notifications and any related correspondence regarding claims of copyright infringement for this Service. United States law provides significant penalties for submitting a false or fraudulent claim of copyright infringement. **Correspondence pertaining to other matters will not receive a response if sent to the above contact information.**

Upon receipt of a notice of claimed infringement that meets the above requirements (or any notification in substantial conformance with the Digital Millennium Copyright Act, 17 U.S.C. § 512(c)(3)), we will remove or disable access to any posted content for which we have received a conforming notice of claimed copyright infringement. If we have an accurate postal mail or email address, we will also send a notification to the user who posted the content, informing the user that the content was removed or access to it was blocked because of claimed copyright infringement.

**Beasley Repeat Infringer Policy**

Under the appropriate circumstances, we will terminate the account or membership of a user who repeatedly infringes the copyright(s) of Beasley Material and/or disable the user's access to any or all Beasley Platforms. Each user agrees that if his or her account or membership is terminated and/or access is disabled pursuant to this Copyright Complaint Notice, the user will not attempt to establish a new account or membership under any name (real or assumed). The user further agrees that by opening a new account or registering for membership after being terminated and/or disabled, the user will have violated the Copyright Complaint Procedures and TOS and shall indemnify and hold us harmless for any and all liability that we may incur arising out of or in connection with the user's use or misuse of the Platforms.

**How to Appeal the Removal of Material with a Counter Notification If You Believe Your Content Was Not Infringing**

If you are a user who posted material that was removed in response to a notice of claimed copyright infringement and you believe that such material was removed due to a mistake or misidentification, you may request that we restore the posting or cease blocking access to the material by sending us a written communication via postal mail, email, or facsimile to Beasley's Designated Agent for receiving notices of infringement (see above for the contact information). This counter notification must include substantially the following information:

- 1. A physical or electronic signature of the user of our Platforms that submitted the removed or disabled material;**
- 2. 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.**
- 3. A statement under penalty of perjury that the user has a good faith belief that the material was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled.**
- 4. The user's name, postal address, telephone, and email address (if applicable), and a statement that the user consents to the jurisdiction of the Federal District Court for the judicial**

**district in which the address is located, or if the user's address is outside of the United States, for any judicial district in which Beasley may be found, and that the user will accept service of process from the person who provided notification of copyright infringement under 17 U.S.C. § 512(c)(3) or an agent of such person.**

When we receive a counter notification that meets these requirements, we will forward a copy of the counter notification to the person who sent the notice of infringement and inform him/her that the removed material may be restored or we may allow access to the material in ten (10) business days. If during those 10 business days, the person who sent the original notice of infringement notifies us that he/she has filed an action seeking a court order to restrain the user from infringing activity relating to the material on our Platforms, we will not restore or allow access to the material. Otherwise, we may restore the material and allow access at our sole discretion.

Users acknowledge, understand and agree that under our TOS (which is binding on all users) we retain the right to modify, remove, block access to, or not restore any material at any time for any reason without any liability to the posting user and that we shall not be liable to any user under any circumstances for declining to restore or replace user submitted content. We reserve the right, but not the obligation, to restore material that was removed or to allow access to the material.

Please contact **copyright at bbg dot com** if you have any questions regarding this Copyright Complaint Notice.

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