



ABOUT

About Subsentio®

Subsentio, LLC. is trusted by both the private and the public sectors to perform lawful intercept. Based in Centennial, Colorado the company has national, regional and rural service provider clients.

Subsentio provides Lawfully Authorized Electronic Surveillance (LAES) and compliance services to a diverse community of communications service providers. From national carriers to ultra-small rural providers, our clients serve millions of subscribers with a wide range of communications services. These services are often complex, multi-vendor environments encompassing differing phases of evolution and technological approaches.



SUBSENTIO,
The **CALEA** Compliance Company™

DMCA Records Production

Enabling "Safe Harbor" From Costly Copyright Infringement Litigation

Subsentio DMCA Records Production helps protect communications service providers from litigation and fines that result from customers' illegal use of copyrighted material online.

Under the Digital Millennium Copyright Act (DMCA), communications service providers may be held liable when their customers use copyrighted material online without permission. CSPs are required to follow strict procedures notifying customers of violations. A CSP's failure to issue "takedown notices" to offenders can result in stiff financial penalties. In December, 2015, a major internet service provider was fined \$25 million "because the company did not 'reasonably implement' a policy to terminate repeat infringers."

Subsentio DMCA Records Production establishes a process that helps put CSPs in "Safe Harbor" from legal action under the DMCA.

Subsentio DMCA Records Production Features and Benefits

1. Subsentio DMCA Records Production Features and Benefits
2. The Records Production process for DMCA "takedown notices" is simple and straightforward.
3. A DMCA claim is received by the CSP.
4. The CSP sends Subsentio the DMCA claim via email.
5. Subsentio creates a corresponding case file in the ICP work management system.
6. A Subsentio analyst will access client systems to retrieve subscriber records.
7. The analyst prepares and sends a DMCA notification letter to the CSP's subscriber.
8. Subsentio will provide the CSP with a monthly report for all DMCA activity.

***the Communications Assistance
for Law Enforcement Act***

- This law mandates your compliance
- When you are compliant, you are in "Safe Harbor"
- Subsentio provides end-to-end management of the lawful intercept process
- Partnering with Subsentio indemnifies you against legal problems and civil penalties

How Subsentio DMCA Records Production Works

Reacting to customer requests, Subsentio has expanded its Records Production services to now include the validation and subscriber notification of "takedown notices" received from individuals claiming copyright infringement of specific material posted on their websites. Subsentio has historically provided Records Production services designed to mitigate the costs and risks associated with legal compliance, as well as indemnification from criminal sanctions and civil liability.

The Subsentio team specializes in legal compliance and supports over 100 communications service providers today. Our analysts have years of experience in the validation and extraction of customer records backed up by our legal department. Subsentio never releases subscriber information to a third party. The subscriber is simply notified of potential copyright infringement. If the subscriber is not actually participating in copyright infringement they have the right to file counter notice. The subscriber faces no "legal" ramifications from the DMCA process. However, they might face legal action from the claimant.

Preventing Liability and Protecting Privacy

Responding to legal process while protecting customer privacy rights, is important and necessary, but typically not a core competency for CSPs. The cost of non-compliance with such requests, as well as privacy laws, can be high for communications service providers. Heavy fines may be levied against them, prosecution for criminal action can be sought, and the threat of lawsuits from consumers and advocacy groups is always present. CSPs that fail to protect customer privacy may find the greatest damage to them comes in the form of lost consumer confidence and brand erosion. Simply put, service providers lose customers when they lose trust.

Subsentio has created the systems and processes by which they can refer claims for processing confident that their individual subscribers will be notified of the claims submitted against them while at the same time retaining their individual privacy. In addition, Subsentio coordinates both the retrieval of the subscriber information, customer coordination along with systematic reporting.

