Intellectual Property Policy

We respect the intellectual property rights of others, and we expect our Users to do the same. This policy explains how we, as the service provider of Artaux (www.artaux.io) address allegations of intellectual property infringement against the content in our Contributor’s Digital Assets, and how copyright owners and authorised parties can submit valid notices claiming intellectual property infringement. As allegations of intellectual property infringement are made against Contributor’s Digital Assets, which are uploaded to Artaux by the Contributors, this policy explains how Contributors can respond when their items are affected by a notice.

This policy forms a part of Artaux’s Terms of Use.

**If you think your content is being used without your permission you can submit a General IPR notice.**

If you own intellectual property rights (IPR) other than copyright, including trademarks, or have the authority to act on behalf of the IPR owner, then you may consider sending us a General IPR notice requesting we takedown the Contributor’s Digital Assets made available on Artaux.

**How to submit a General IPR Notice in relation to content on Artaux.**

If you believe that a Contributor’s Digital Asset on Artaux is using content that is protected by a form of IPR, such as a trademark, we ask you to send us a General IPR Notice that contains the detailed information set out below.

1. Tell us about the content in the Contributor’s Digital Asset that you claim infringes your rights, including a description and where we can find it - include the URL.
2. Tell us about the rights you claim, the basis of the ownership claim, and where we can see evidence of your right - include the URL. If you're claiming a trademark right include the trademark registration number, country and class of registration.
3. Give us a detailed explanation about how you believe the content in the Contributor’s Digital Asset violates your claimed right.
4. Include your full name and contact details, including address, phone number and email address. You need to sign and date your notice. If you are submitting a soft copy of the notice, please note that you will need to enter your full name with your digital signature which is legally binding. If you want to sign a physical document you'll need to scan the document and then send it to us.

We will respond appropriately depending on what your claim is about. We may ask for more information and send a copy of your claim to the Contributor. The Contributor might contact you directly using the details you've provided.

**Template for a General IPR Notice for Artaux**

If you would like to submit a General IPR Notice to us then you can use this template by filling in the ‘To be completed by you’ section and submitting it via [support@artaux.io](mailto:support@artaux.io)

In order for a Generral IPR Notice to be valid each field must be filled in.

|  |  |
| --- | --- |
| **Required information** | **To be completed by you** |
| Date | [insert date of signature of this notice] |
| Your full legal name | [insert your full legal name, not a company name] |
| Your email address | [insert the email address you are sending this notice from] |
| Your street address | [only need to fill this in if this notice is being sent from your postal address and not your email address] |
| Your phone number | [insert your phone number] |
| Username of the Contributor whose Digital Asset you claim is infringing your intellectual property rights | [insert the username of the Contributor whose content  you claim is infringing your IPR] |
| IPR owner or authorised agent | Choose one of the statements below  [I confirm I am the IPR owner of the Alleged Infringed Content]  OR  [I am the Authorised Agent of the IPR owner of the Alleged Infringed Content]   1. Tell us about the content that you claim infringes your rights, including a description and where we can find it - include the URL; 2. Give us a detailed explanation about how you believe the content violates your claimed right; and |
| Alleged Infringed Content  (**This means your IPR which you claim has been infringed)** | [Explain:   * Describe your IPR you claim have been infringed * Describe the basis of your ownership claim * The title of your content * What type of content is this? * Evidence of your rights - ie. Where it appears  - include the URL] * If you're claiming a trademark right include the trademark registration number, country and class of registration |
| Allegedly infringing content in the Contributor’s Digital Assets and the URL to be removed  (**This means the content in the Author’s item  on our sites which you claim is infringing your copyright)** | [Add:   * all content in the Contributor’s item that you claim has been copied or used without your permission * Include a description of that content in the Contributor’s Digital Asset * add all links (URLs) to the content in the Contributor’s Digital Asset you claim has infringed your copyright  - make sure it matches the content set out in the above field] |
| Signed by you  (By law, you need to sign and date your notice. If you are submitting a soft copy of the notice, please note that you will need to enter your full name with your digital signature which is legally binding. If you want to sign a physical document you'll need to scan the document and then send it to us.) | [You must sign this notice by either writing your full name here or adding your electronic signature] |

**Information for the Contributors that have been sent an IPR Notice**

If you are a Contributor of Digital Assets that are subject to an IPR notice and you don’t agree with the allegations made in relation to your content on Artaux, then you have some options to consider.

If you receive an IPR notice you can consider whether you think the claims made in the notice are valid. You might choose to seek legal advice, especially if you're not sure whether there is any legal validity to the claim.

You can choose to accept the takedown notice - if so your content will be taken down and remain taken down.

Or, you can choose to respond to an IPR takedown notice by sending us a counter-notification.

1. Tells us about the content in your Digital Asset that has been taken down, including a description and where it was found - include the URL.
2. Make a formal statement about why you think the content in your Digital Asset should be reinstated. Include the following words: *“I make this statement under penalty of perjury, I have a good faith belief that the content was...[add the reason why the content was not used in an unauthorized way]”* (for example “removed or disabled as a result of mistake or mis-identification of the content”.
3. Include your full name and contact details, including your address, phone number and email address.

By law, you need to sign and date your counter-notice. If you are submitting a soft copy of the counter-notice, please note that you will need to enter your full name with your digital signature which is legally binding. If you want to sign a physical document you'll need to scan the document and then send it to us.

We'll send a copy of the counter-notification to the person who sent the IPR takedown notice (claimant).  Unless the claimant sends us a notice that court proceedings have been filed against you, we may reinstate the content within 14 business days from when we received the counter-notification.

Please take care to understand this process because it is possible that the claimant can take legal action against you if you file a counter-notification.

It's really important not to make a false claim, as this could have serious legal consequences. Please seek your own advice if you're not sure about what the counter-notification process means.

**Template of a counter-notice for Contributors who have received an IPR Notice**

If you would like to submit a counter-notice to us then you can use this template by filling in the ‘To be completed by you’ section and submitting it via [support@artaux.io](mailto:support@artaux.io)

|  |  |
| --- | --- |
| **Required information** | **To be completed by you** |
| Date | [insert date of signature of this notice] |
| Your full legal name | [insert your full legal name, not a company name] |
| Your Artaux username | [insert the username by which you’ve registered on Artaux] |
| Your email address | [insert the email address you are sending this notice from] |
| Your street address | [only need to fill this in if this notice is being sent from your postal address and not your email address] |
| Your phone number | [insert your phone number] |
| Allegedly infringing content and URLs which have been removed or for which the IPR Notice has been submitted | [Add:   * all content that has been removed due to IPR takedown notice which you claim is a mistake or misidentification * Include a description of that content * add all links (**URLs**) to that content  - make sure it matches the content set out in the above field] |
| Signed by you  (By law, you need to sign and date your notice. If you are submitting a soft copy of the notice, please note that you will need to enter your full name with your digital signature which is legally binding. If you want to sign a physical document you'll need to scan the document and then send it to us.) | [You must sign this notice by either writing your full name here or adding your electronic signature] |

**How to contract Artaux (Avishyat Tech Ventures LLP)**

You can contact us on [support@artaux.io/](mailto:support@artaux.io/) info@artaux.io

Please address General IPR takedown notices to Avishyat Tech Ventures LLP.

You can also post to Avishyat Tech Ventures LLP, Flat no. 7, Parichaya Society, 1000/6D, Navi Peth, Pune 411030.