

## DMCA Policy

Last Update: March 1, 2023

Lookout, Inc. (“**Company**”) respects the intellectual property rights of third parties and responds to allegations that copyrighted material has been posted, uploaded or shared on or through any Lookout Service (as defined in our Terms of Service) without authorization from the copyright holder in accordance with the safe harbor set forth in the Digital Millennium Copyright Act (“**DMCA**”). Company will also, in appropriate circumstances and at its discretion, disable and/or terminate the accounts of users who may infringe or repeatedly infringe the copyrights of others in accordance with the DMCA.

### A. Notification of Alleged Copyright Infringement

If you believe that your work has been copied and made available through the Lookout Services in a way that constitutes copyright infringement, you may send a written document to Company’s Designated Agent (as set forth below) that contains the following (a “**Notice**”):

1. A description of the copyrighted work that you claim has been infringed.
2. Identification of the URL or other specific location that contains the material that you claim infringes your copyright described in Item 1 above. You must provide us with reasonably sufficient information to locate the allegedly infringing material.
3. An electronic or physical signature of the owner of the copyright or of the person authorized to act on behalf of the owner of the copyright.
4. A statement by you that you have a good faith belief that the disputed use is not authorized by the copyright owner, its agent, or applicable law.
5. A statement by you that the information contained in your Notice is accurate and that you attest under the penalty of perjury that you are the copyright owner or that you are authorized to act on the owner’s behalf.
6. Your name, mailing address, telephone number, and email address.

Company’s Designated Agent for Notice of claims of copyright infringement can be reached as follows:

Lookout, Inc.  
Attn: Copyright Agent  
3 Center Plaza, Suite 330  
Boston, MA 02108  
Email: [legal@lookout.com](mailto:legal@lookout.com), ATTN: COPYRIGHT AGENT.

Please note that you may be liable for damages, including court costs and attorneys’ fees, if you misrepresent that content uploaded by a Lookout Services user is infringing your copyright.

Upon receiving a proper Notice, Company will remove or disable access to the allegedly infringing material and notify the alleged infringer of your claim. We will also advise the alleged infringer of the DMCA Counter Notice Procedure described below in Section B by which the alleged infringer may respond to your claim and request that we restore this material.

### B. Counter Notice Procedure

If you believe your own copyrighted material has been removed from the Lookout Services in error, you may submit a written Counter Notice to our Designated Agent (as identified above) that includes the following:

1. Identification of the material that has been removed or disabled and the location at which the material appeared before it was removed or disabled.
2. A statement that you consent to the jurisdiction of the Federal District Court in which your address is located, or if your address is outside the United States, the judicial district in which Company may be found.
3. A statement that you will accept service of process from the party that filed the Notice or the party’s agent.

4. Your name, address and telephone number.
5. A statement under penalty of perjury that you have a good faith belief that the material in question was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled.
6. Your physical or electronic signature.

If you send our Designated Agent a valid, written Counter Notice meeting the requirements described above, we will restore your removed or disabled material within 10 to 14 business days from the date we receive your Counter Notification, unless our Designated Agent first receives notice from the party filing the original Notice informing us that such party has filed a court action to restrain you from engaging in infringing activity related to the material in question.

Please note that if you misrepresent that the disabled or removed content was removed by mistake or misidentification, you may be liable for damages, including costs and attorneys' fees.

### **C. Repeat Infringer Policy**

Company may withdraw all rights and privileges relating to the Lookout Services from any user who is deemed to be a repeat infringer. This determination will be based on the number of "strikes" against the user. A "strike" is counted against a user each time there is either: (i) an adjudication by a court, arbitrator or other tribunal of competent jurisdiction that the user has engaged in copyright infringement of any kind in relation to the Lookout Services; or (ii) Company has actual knowledge, regardless of any such adjudication, that the user has engaged in any such copyright infringement.

Each adjudication or instance of knowledge counts as a separate strike. If an adjudication or instance of knowledge pertains to multiple instances of copyright infringement, it can count as multiple strikes. Company has adopted a "three strikes and you're out" policy under which a user who accumulates three strikes is considered a repeat infringer and may be subject to account termination.