

DMCA – Copyright Infringement Notice

We respect the rights of all copyright owners. Tongal, Inc. (“Tongal”) complies with the notice and takedown processes set forth in the Digital Millennium Copyright Act (“DMCA”). DMCA requests should only be submitted by the copyright owner or an agent authorized to act on the owner’s behalf. If you are a copyright owner or an agent thereof and believe that your copyright has been infringed, you may submit a DMCA notification by filing a notice with our DMCA designated agent.

Summary of the Process

Here is a summary of the notification process, as suggested by the DMCA:

1. If a copyright owner believes that material on the Tongal website infringes his/her/its copyright, that person may send us a written notice as described below. We will attempt to remove or disable the allegedly infringing material.
2. We will attempt to notify the user who posted the allegedly infringing material. That user then has the right to request that the material be re-enabled. If that user properly makes such a request, we will re-enable the material unless and until the two parties jointly ask us to remove it or a court orders us to remove it.

Filing a Notice

To file a copyright infringement notification with us, please send a written communication to our designated agent, either by regular mail or email to the address set forth below, and include the following:

1. Identification of the copyrighted work that you believe has been infringed.
2. Identification of the material that you claim is infringing or which you claim is the subject of infringing activity.
3. Sufficient information to permit Tongal to locate the material. Please provide the URL and any screenshots you have to help us locate the material quickly.
4. Information reasonably sufficient to permit Tongal to contact you, such as an address, telephone number, and email address.
5. The following statement: "I have a good faith belief that use of the copyrighted materials in the manner complained of is not authorized by the copyright owner, its agent, or the law." The following statement: "I swear, under penalty of perjury, that the information in the notification is accurate and that I am the copyright owner or am authorized to act on behalf of the owner of an exclusive right that is allegedly infringed."
6. The following statement: "I acknowledge that under Section 512(f) of the DMCA any person who knowingly materially misrepresents that material or activity is infringing may be subject to liability for damages, including costs and attorneys' fees."
7. The following statement "I understand that abuse of this tool will result in termination of my Tongal member account."
8. Your physical or electronic signature.

In the event that your notification does not comply with the requirements set forth above and does not substantially comply with the requirements of 17 U.S.C. § 512(c)(3), Tongal may not be obligated to remove the material.

Counter Notification

If Tongal removes material pursuant to a DMCA notification, Tongal will make a good faith attempt to contact the user who posted it so he/she/it may make a counter notification pursuant to sections 512(g)(3) of the DMCA.

To ensure Tongal is able to respond efficiently to your counter notification, please contact us in writing, either by regular mail or email to the address set forth below, and include the following:

1. Identification of the material that has been removed and the specific URL where the material appeared before it was removed.
2. Your contact information, including your name, address, telephone number, and email address and your statement that you consent to the jurisdiction of Federal District Court for the judicial district in Los Angeles County, and that you will accept service of process from the person who provided notification under section 512(c)(1)(C) or an agent of such person.
3. The following statement: "I swear, under penalty of perjury, that all information contained in my counter notification is accurate and I have a good faith belief that the material identified was removed as a result of mistake and/or misidentification."
4. Your physical or electronic signature.

Where to Send Notices

Written notices should be sent to us as follows:

Legal Department – DMCA Complaint
Tongal, Inc.
8605 Santa Monica Blvd.
Los Angeles, CA 90069
U.S.A.
With copy to: legal@tongal.com

Please note that you may risk liability for damages if you materially misrepresent that material was removed or disabled by mistake and/or misidentification. Any and all counter notifications submitted to Tongal that substantially comply with the above will be furnished to the complaining party. Tongal will terminate the member accounts of and/or block access to users who are repeat infringers.

(Revised February 2023)