

DMCA § 512 TAKEDOWN NOTICE REQUIREMENTS

The DMCA provides a safe harbor to eligible service providers who store infringing content on their systems or networks at the direction of their users ([17 U.S.C. § 512\(c\)\(3\)](#)). These service providers must maintain a compliant notice-and-takedown procedure and respond expeditiously to effective takedown notices.

To provide notification of a claimed infringement and request the removal of or disable access to the allegedly infringing work, the **copyright owner** or person authorized to act on behalf of the copyright owner must send a **written** takedown notice to the service provider's DMCA **designated agent**. The takedown notice must include the following:

1. **Signature** (physical or electronic) of the copyright owner or person authorized to act on behalf of the copyright owner;
2. Identification of the **infringed work**, or a representative list for multiple works on a single site;
3. Reasonably sufficient information to identify and locate the **infringing work**;
4. Reasonably sufficient **contact information** of the complaining party;
5. Statement of **good faith belief** that allegedly infringing work is not authorized by the copyright owner, its agent, or law; and
6. Statement the notification is **accurate** and, under penalty of perjury, that the complaining party is **authorized** to act on behalf of the owner.

An effective takedown notice requires substantial compliance with all requirements listed above. An incomplete notice may still be effective, however, if it substantially complies with items 2, 3, and 4 and the service provider fails to promptly attempt to contact the complaining party or take reasonable steps to assist in the receipt of notification that substantially complies with all requirements listed above.

Upon receiving an effective takedown notice, service providers **must respond expeditiously** to remove or disable access to the work that is claimed to be infringing.



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