

# 3.0 KLYP COPYRIGHT POLICY

Effective: September 25, 2020.

## 3.1 RESPECT FOR COPYRIGHTS

KLYP, Inc. a Delaware Corporation ("KLYP") respects intellectual property rights and expects Users to also. This policy outlines allowed use of copyrighted material and the notification process for potential infringement.

KLYP's policy, in appropriate circumstances and at its discretion, is to disable and/or terminate account access of users with a pattern of infringing on the copyrights or other intellectual property rights of others.

Users that have a complaint will be given a warning and request for clarification of their use, if under Fair Use. A point score based on KLYP's sole and independent opinion will be assessed for claims in the notice provided to the user, the score may be adjusted based on the User's response. A blatant violation of Copyright may score over 1-point, a use that is within fair use may have zero or under 1-point assessment. Users that exceed three points may be barred from using KLYP for a period of time based on the frequency and severity of past complaints.

## 3.2 COPYRIGHT GUIDELINES

Users posting media (e.g. photos, video, or sound files) or directly quoted (text) content that they don't hold the copyright for, should obtain permission from the copyright holder unless the use falls under allowed "Fair Use." Where possible Users are encouraged to note the source when incorporating the work of others under "Fair Use" in a KLYP post.

### 3.2.1 FAIR USE

Fair Use insights are available on the following webpages: Stanford University's ["What is Fair Use?"](#), [Wikipedia's Fair Use](#), and the [U.S. Copyright Office Fair Use Index](#) and [More Information on Fair Use](#), which outline that acceptable Fair Use includes:

#### 3.2.1.1 COMMENTARY AND CRITICISM:

- A. Quoting a few lines (or a limited portion of a video or sound file) for a review.
- B. Summarizing and quoting (including a photo or sound bite) from an article or piece to provide news or commentary, in the KLYP setting particularly likely in relation to emerging trends and styles.
- C. Using a photo or short portion of video to provide an educational lesson or instruction, such as how a particular style or look is achieved. (This would not include copying large portions of another tutorial or lesson.)

- D. Commenting on a style or color of hair, nails, or treatment. This could be in relation to the attributes of the general style, specific instance and harmony or lack thereof or other aspect of the style, application, technique or other attributes.

One of the standards that indicates infringement is when your use of the original material could eliminate a user from needing or wanting to use the original source material. So directly copying another's photos or directions from a lesson on how to create a hairstyle would not be fair use, to achieve the same result would likely be considered infringement. Using portions from multiple sources and putting things in your own words would more likely be considered research, versus copyright infringement.

#### 3.2.1.2 PARODY:

A work that treats in a comic or farcical manner the original work.

#### 3.2.1.3 PLAGIARISM: TAKING SOMEONE ELSE'S WORK AS YOUR OWN...CAN BE COPYRIGHT INFRINGEMENT.

To avoid plagiarism either attribute short quotes, photos or other media used or put the idea, step, or concept in your own words and acknowledge your sources for quotes and research, it is the right thing.

### 3.3 COPYRIGHT LAW AND D.M.C.A.

In agreement with the Digital Millennium Copyright Act of 1998, (text may be found on the U.S. Copyright Office [DMCA website](#) also <http://www.copyright.gov/legislation/dmca.pdf>), KLYP will promptly respond to claims of copyright infringement using the KLYP website and mobile application(s) (the "Site and Application") that are reported to KLYP's Designated Copyright Department according to the sample DMCA notice below.

### 3.4 COPYRIGHT HOLDER RIGHTS

If you are a copyright owner, or are authorized to act on behalf of one, or authorized to act under any exclusive right under copyright, please report alleged copyright infringements taking place on or through KLYP by completing the following DMCA Notice of Alleged Infringement and delivering it to KLYP's Copyright Department at the address indicated below. Upon receipt of the Notice as described below, KLYP will take whatever action, in its sole discretion, it deems appropriate, including removal of the challenged material from KLYP.

### 3.5 DMCA INFRINGEMENT NOTICE TO KLYP

To submit a notice to KLYP of potential copyright infringement under the DMCA, please follow these federal regulatory requirements by sending written notice to KLYP as noted below:

- A. Identify the copyrighted work that you claim has been infringed, or - if multiple copyrighted works are covered by this Notice – you will provide a comprehensive list of the copyrighted works that you claim have been infringed.

- B. Identify the material that you claim is infringing (or to be the subject of infringing activity) and that is to be removed or access to which is to be disabled, and information in a way to permit KLYP to be able locate the offending material, including at a minimum, if applicable, the URL of the link shown on the Site and/or Application where such material may be found.
- C. Provide your mailing address, telephone number, and, if available, email address.
- D. Include both of the following statements in the body of the Notice:
  - a. Provide notice of the reason or claim the use is not valid, e.g. revenge posting,
  - b. "I hereby state that I have a good faith belief that the disputed use of the copyrighted material is not authorized by the copyright owner, its agent, or the law (e.g., as a fair use)."
  - c. "I hereby state that the information in this Notice is accurate, and certify that I am the owner, or authorized to act on behalf of the owner of the copyright or of an exclusive right under the copyright that is allegedly infringed."
  - d. If you don't hold the copyright, define the relationship to the copyright holder.
- E. Provide the jurisdiction of copyright.
- F. Certify the statements under the penalty of perjury.
- G. Provide your full legal name and your electronic or physical signature.

Deliver this Notice, with all items requested to KLYP's Copyright Department:

KLYP, Inc – Copyrights  
P.O. Box 661  
Salt Lake City, UT 84110

Email to:

[Copyright Concern to SolutionCenter@klypme.com](mailto:CopyrightConcerntoSolutionCenter@klypme.com)