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The Australian “Copyright Act 1968” policy (“Policy”) applies to the adfas.org.au website (“Website” or “Service”) and any of its related products and services (collectively, “Services”) and outlines how Association of Australian Decorative and Fine Arts Societies Incorporated (doing business as “Association of ADFAS”, “we”, “us” or “our”). addresses copyright infringement notifications and how you (“you” or “your”) may submit a copyright infringement complaint.

Protection of intellectual property is of utmost importance to us and we ask our users and their authorized agents to do the same. It is our policy to expeditiously respond to clear notifications of alleged copyright infringement that comply with the “Copyright Act 1968”.

What to consider before submitting a copyright complaint

Before submitting a copyright complaint to us, consider whether the use could be considered fair use. Fair use states that brief excerpts of copyrighted material may, under certain circumstances, be quoted verbatim for purposes such as criticism, news reporting, teaching, and research, without the need for permission from or payment to the copyright holder. If you have considered fair use, and you still wish to continue with a copyright complaint, you may want to first reach out to the user in question to see if you can resolve the matter directly with the user.

Please note that you may be liable for any damages, including costs and attorneys’ fees incurred by us or our users, if you knowingly misrepresent that the material or activity is infringing. If you are unsure whether the material you are reporting is in fact infringing, you may wish to contact an attorney before filing a notification with us.

We may, at our discretion or as required by law, share a copy of your notification or counter-notification with the account holder engaged in the allegedly infringing activity or for publication. If you are concerned about your information being forwarded, you may wish to hire an agent to report infringing material for you.

Notifications of infringement

If you are a copyright owner or an agent thereof, and you believe that any material available on our Services infringes your copyrights, then you may submit a written copyright infringement notification (“Notification”) using the contact details below pursuant to the “Copyright Act 1968 by providing us with the following information:

- Identification of the copyrighted work that you claim has been infringed, or, if multiple copyrighted works are covered by this Notification, you may provide a representative list of the copyrighted works that you claim have been infringed.
- Identification of the infringing material and information you claim is infringing (or the subject of infringing activity), including at a minimum, if applicable, the URL or URLs of the web pages where the allegedly infringing material may be found.
- Information reasonably sufficient to permit us to contact you, such as an address, telephone number, and, if available, an e-mail address.
- A statement that you have a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, the copyright owner's agent, or the law.
- A statement that the information in the notification is accurate, and under penalty of perjury that you are authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.
- A physical or electronic signature (typing your full name will suffice) of the copyright owner or a person authorized to act on their behalf.

All such Notifications must comply with the COPYRIGHT ACT 1968 requirements. You may refer to a COPYRIGHT ACT 1968 takedown notice generator or other similar services to avoid making mistake and ensure compliance of your Notification.

Filing a COPYRIGHT ACT 1968 complaint is the start of a pre-defined legal process. Your complaint will be reviewed for accuracy, validity, and completeness. If your complaint has satisfied these requirements, our response may include the removal or restriction of access to allegedly infringing material as well as a permanent termination of repeat infringers' accounts. A backup of the terminated account's data may be requested, however it may be subject to certain penalty fees imposed. The final penalty fee will be determined by the severity and frequency of the violations.

If we remove or restrict access to materials or terminate an account in response to a Notification of alleged infringement, we will make a good faith effort to contact the affected user with information concerning the removal or restriction of access, which may include a full copy of your Notification (including your name, address, phone, and email address), along with instructions for filing a counter-notification.

Notwithstanding anything to the contrary contained in any portion of this Policy, Association of ADFAS reserves the right to take no action upon receipt of a COPYRIGHT ACT 1968 copyright infringement notification if it fails to comply with all the requirements of the COPYRIGHT ACT 1968 for such notifications.

Counter-notifications

A user who receives a copyright infringement Notification may make a counter-Notification pursuant to the Copyright Act 1968. If you receive a copyright infringement Notification, it means that the material described in the Notification has been removed from our Services or access to the material has been restricted. Please take the time to read through the Notification, which includes information on the Notification we received as well as instructions on how to file a counter-notifications.

To file a counter-notification with us, you must provide a written communication that sets out the information specified in the list below:

- Identification of the material that has been removed or to which access has been restricted and the location at which the material appeared before it was removed or access to it was restricted.

- Information reasonably sufficient to permit us to contact you, such as an address, telephone number, and, if available, an e-mail address.
- A statement under penalty of perjury that you have a good faith belief that the material was removed or restricted as a result of mistake or misidentification of the material to be removed or restricted.
- A statement that you consent to the jurisdiction of the federal district court for the judicial district in which the address is located (or if you are outside of the United States, that you consent to the jurisdiction of any judicial district in which the service provider may be found), and that you will accept service of process from the person or company who provided the original infringement notification.
- A physical or electronic signature (typing your full name will suffice) of the copyright owner or a person authorized to act on their behalf.

Please note that you may be liable for, including costs and attorneys' fees incurred by us or our users, if you knowingly misrepresent that the material or activity is not infringing the copyrights of others or that the material or activity was removed or restricted by mistake or misidentification. Accordingly, if you are not sure whether certain material infringes the copyrights of others or that the material or activity was removed or restricted by mistake or misidentification, you may wish to contact an attorney before filing a counter-notification.

Notwithstanding anything to the contrary contained in any portion of this Policy, Association of ADFAS reserves the right to take no action upon receipt of a counter-notification. If we receive a counter-notification that complies with the terms of Copyright Act 1968 we may forward it to the person who filed the original Notification.

The process described in this Policy does not limit our ability to pursue any other remedies we may have to address suspected infringement.

Changes and amendments

We reserve the right to modify this Policy or its terms related to the Website and Services at any time at our discretion. When we do, we will revise the updated date at the bottom of this page, post a notification on the main page of the Website. We may also provide notice to you in other ways at our discretion, such as through the contact information you have provided.

An updated version of this Policy will be effective immediately upon the posting of the revised Policy unless otherwise specified. Your continued use of the Website and Services after the effective date of the revised Policy (or such other act specified at that time) will constitute your consent to those changes.

Reporting copyright infringement

If you would like to notify us of the infringing material or activity, we encourage you to contact us using the details below:

info@adfas.org.au
P O Box 414, Sawtell, NSW, 2452

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adfas.org.au