

09 - Intellectual Property Compliance and Notice and Takedown Policy

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1. General

This policy sets out Brain in Hand Ltd policy on intellectual property rights and outlines the importance Brain in Hand Ltd places on not infringing rights which are owned by others.

2. Responsibilities

This policy applies to all Company personnel using Brain in Hand Ltd computer systems and equipment and all those operating and working within premises leased by this company.

3. Computer and Internet use

Access to the Internet and email using Company equipment and resources is a privilege.

- Company Internet access shall not be used for any illegal or unlawful purposes.
- Users shall not attempt to circumvent or subvert security measures on either the Company's network or any other system connected to or accessible through the Internet.
- Intellectual property rights and Copyright must not be compromised when publishing on the Internet or via email distribution.
- Employees must not use the Internet or email system for any unauthorised distribution of software or other copyright protected material.

Users who abuse this privilege are subject to disciplinary action up to and including dismissal.

4. Use of software

Brain in Hand Ltd is authorised to use software only in the manner allowed by the relevant license agreement. Brain in Hand Ltd does not own this software or its related documentation and unless authorised by the software licensor, does not have the right to reproduce it except for backup purposes, or following agreement with the software publishers in question.

5. Guidelines for all employees

All employees must:

- Respect the legal protections to data and software provided by copyright and licenses.

All employees must not:

- Download from the Internet or install upon the Company's computer unlicensed or illegal software.
- Install, copy or play on company devices unlicensed games, music, films, ebooks, publications, pictures or other copyright protected material.

6. Other copyright and other IP rights protected material / products

All personnel to verify legitimacy of all traders entering company premises. No illegal traders selling items such as DVDs, CDs, or clothing and other manufactured goods are to be allowed on company premises.

All personnel to respect copyright licensing arrangements regarding reproducing copyright protected material (e.g. newspaper articles, books, journals and magazines).

Any employee who makes, acquires, or uses unauthorised copies of any copyright or other IP rights protected material will be liable to formal disciplinary action.

7. Notice and Take Down Policy and Procedures

In making material available online Brain in Hand Ltd acts in good faith. However, despite these safeguards, we recognise that from time to time material published online may be in breach of copyright laws, contain sensitive personal data, or include content that may be regarded as obscene or defamatory. If you are concerned that you have found material on our website for which you have not given permission, contravenes privacy law, is obscene/defamatory and in terms of copyright law is not covered by a limitation or exception, please contact us in writing stating the following:

1. Your contact details
2. The full details of the material – describe the protected material in as much detail as possible so that the specific content, edition and format may be readily identified. Specify exactly the extent of use (e.g. by quoting text that has been reproduced).
3. The exact and full url where you found the material.
4. If the request relates to copyright provide proof that you are the rights holder and a statement that, under penalty of perjury, you are the rights holder or are an authorised representative.
5. The full reason for your request specifying the category for protection if under intellectual property law (e.g. original literary, software). Also specify exactly the extent of use (e.g. by quoting text that has been reproduced).
6. If your complaint is on grounds other than copyright infringement then clearly state the nature of your complaint and specify the law that is alleged to have been infringed including, but not limited to privacy laws, data protection, obscenity, breach of confidence, defamation. Provide as much information as possible so that your complaint can be properly investigated.

Contact details:

By post:

FAO: Notice and Takedown
Brain in Hand Ltd
The Innovation Centre
Rennes Drive
University of Exeter
Exeter EX4 4RN

By email:

admin@braininhand.co.uk

Please include “FAO: Notice and Takedown” in the subject line.

Upon receipt of notification the ‘Notice and Takedown’ procedure is then invoked as follows:

1. Brain in Hand Ltd will acknowledge receipt of your complaint by email or letter and will make an initial assessment of the validity and plausibility of the complaint.
2. Upon receipt of a valid complaint the material will be temporarily removed from the Brain in Hand website pending an agreed solution.

3. Brain in Hand Ltd will contact the contributor who deposited the material, if relevant. The contributor will be notified that the material is subject to a complaint, under what grounds and will be encouraged to assuage the complaints concerned.
4. The complainant and the contributor will be encouraged to resolve the issue swiftly and amicably and the satisfaction of both parties with the following possible outcomes:
 - The material is replaced on the Brain in Hand website unchanged.
 - The material is replaced on the Brain in Hand website with changes.
 - The material is permanently removed from the website.
5. If the contributor and the complainant are unable to agree a solution the material will remain unavailable through the Brain in Hand Ltd website until a time when a resolution has been reached.