Pursuant to [Title 17, United States Code, Section 512(c)(2)](http://www.copyright.gov/title17/92chap5.html#512), notifications of claimed copyright infringement (a “Notification”) should be sent to the Service Provider’s Designated Agent:

**Service Provider:** Distributed Energy Research & Solutions, Inc., d/b/a EnergySage

**Name of Agent Designated to Receive Notification of Claimed Infringement*:*** V. Aggarwal

**Full Address of Designated Agent to Whom Notification Should be Sent:** 12 Berkeley Court, Brookline, Massachusetts 02445

**Telephone Number of Designated Agent*:*** (617) 398-0045

**Facsimile Number of Designated Agent*:*** (617) 398-0045

**Email Address of Designated Agent*:*** [dmca-agent@energysage.com](mailto:dmca-agent@energysage.com)

notification

To be effective, a Notification must include the following:

1. A physical or electronic signature of a person authorized to act on behalf of the owner of an exclusive right that is allegedly infringed (the “Complaining Party”);
2. Identification of the copyrighted work claimed to have been infringed, or, if multiple copyrighted works at a single online site are covered by a single notification, a representative list of such works at that site;
3. Identification of the material that is claimed to be 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 reasonably sufficient to permit the Service Provider to locate the material;
4. Information reasonably sufficient to permit the Service Provider to contact the Complaining Party, such as an address, telephone number, and, if available, an electronic mail address at which the complaining party may be contacted;
5. A statement that the Complaining Party has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law; and
6. A statement that the information in the notification is accurate, and under penalty of perjury, that the Complaining Party is authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

Upon receipt of a written Notification containing the information outlined in the paragraphs numbered 1 through 6 above:

1. The Service Provider shall remove or disable access to the material that is alleged to be infringing;
2. The Service Provider shall forward the written Notification to the alleged infringing subscriber; and
3. The Service Provider shall take reasonable steps to promptly notify the alleged infringing subscriber that it has removed or disabled access to the material.

Counter Notification

Subscribers who have received copies of Notifications alleging their infringement of copyrighted material may submit a Counter Notification to the Service Provider. To be effective, a Counter Notification must be a written communication provided to the Service Provider's Designated Agent that includes substantially the following:

1. A physical or electronic signature of the Subscriber;
2. Identification of the material that has been removed or to which access has been disabled and the location at which the material appeared before it was removed or access to it was disabled;
3. A statement under penalty of perjury that the Subscriber has a good faith belief that the material was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled; and
4. The Subscriber's name, address, and telephone number, and a statement that the Subscriber consents to the jurisdiction of Federal District Court for the judicial district in which the address is located, or if the Subscriber's address is outside of the United States, for any judicial district in which the Service Provider may be found, and that the Subscriber will accept service of process from the person who provided Notification or an agent of such person.

Upon receipt of a Counter Notification containing the information outlined in paragraphs 1 through 4 above:

1. The Service Provider shall promptly provide the Complaining Party with a copy of the Counter Notification;
2. The Service Provider shall inform the Complaining Party that it will replace the removed material or cease disabling access to it within ten (10) business days; and
3. The Service Provider shall replace the removed material or cease disabling access to the material within ten (10) to fourteen (14) business days following receipt of the Counter Notification, provided Service Provider's Designated Agent has not received notice from the Complaining Party that an action has been filed seeking a court order to restrain the alleged infringing subscriber from engaging in infringing activity relating to the material on the Service Provider's network or system.