

Legal

# DMCA Notice and Takedown Policy

Effective: May 6, 2026 · Updated: May 6, 2026 · Operator: Frankie Quiroz LLC

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## 1. Overview

Frankie Quiroz LLC ("**Quiroz Enterprise**," "**we**," "**our**," or "**us**") respects the intellectual-property rights of others and expects users of the website located at <https://quirozenterprise.com>, any related subdomain, and any iOS or Android application that loads or wraps the Site through a native wrapper such as Apache Cordova or Capacitor (collectively, the "**Site**") to do the same. This DMCA Notice and Takedown Policy (this "**Policy**") describes the procedures for submitting and responding to notifications of claimed copyright infringement under the United States Digital Millennium Copyright Act, codified at 17 U.S.C. § 512 (the "**DMCA**").

This Policy applies to claims of copyright infringement involving content made available on the Site. Claims involving trademarks, trade dress, defamation, right of publicity, or other matters should be directed to [legal@quirozenterprise.com](mailto:legal@quirozenterprise.com) with a description of the claim and the relevant URLs; those claims are not subject to the DMCA notice procedure described below. For trademark claims involving operating-brand marks, see also Section 9 of our [Disclaimer](#).

## 2. Designated Copyright Agent; U.S. Copyright Office Registration

We have designated the following agent to receive notifications of claimed copyright infringement and counter-notifications:

### Designated Copyright Agent

Frankie Quiroz LLC

c/o Designated Copyright Agent

30 N Gould St, Suite R

Sheridan, Wyoming 82801

United States

Email: [legal@quirozenterprise.com](mailto:legal@quirozenterprise.com)

Email subject line: *DMCA Notice* or *DMCA Counter-Notification*

### 2.1 U.S. Copyright Office Designated Agent Directory — Statutory Requirement

Section 512(c)(2) of the DMCA, codified at 17 U.S.C. § 512(c)(2), conditions the safe-harbor protection that the DMCA provides to service providers who host user-uploaded material on the designation of an agent to receive notifications of claimed infringement and the registration of that agent with the U.S. Copyright Office. The Copyright Office maintains a public, searchable online directory of designated agents at <https://www.copyright.gov/dmca-directory/>, administered under regulations promulgated at 37 C.F.R. § 201.38. Registration carries a six-dollar (US\$6) filing fee per service provider and is valid for three (3) years; registration must be renewed before expiration to maintain the safe harbor on a continuous basis.

**Notice — Pending Registration:** As of the Effective Date of this Policy, Frankie Quiroz LLC's registration of the Designated Copyright Agent named above with the U.S. Copyright Office's Designated Agent Directory is **pending**. The on-Site publication of this Policy alone is not sufficient to qualify Frankie Quiroz LLC for the DMCA safe harbor under 17 U.S.C. § 512(c) for any user-uploaded material. Frankie Quiroz LLC will complete the directory filing prior to relying on the safe harbor for any user-uploaded material, and will update this Policy to reflect the

registration. The accuracy of the agent's contact information published above will be maintained in any event.

**Why the on-Site publication is preserved.** Even before the directory filing is completed, the publication of a designated agent on the Site has independent value: it provides clear written instructions to copyright owners for how to give notice of claimed infringement, supports good-faith compliance with industry norms, and creates a documented compliance posture. This Policy is preserved on the Site for those purposes, and the "Pending Registration" flag will be removed (and the date of registration recorded) as soon as the U.S. Copyright Office filing has been completed.

Notices that do not include the elements required by 17 U.S.C. § 512(c)(3) may not be effective and may be rejected.

### **3. Notification of Claimed Infringement (DMCA Takedown Notice)**

If you are a copyright owner or are authorized to act on behalf of one, and you believe in good faith that material on the Site infringes your copyright, you may submit a written notification to our Designated Copyright Agent. Pursuant to 17 U.S.C. § 512(c)(3), your notification must be in writing and must include **all six** of the following elements:

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;
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 us to locate the material (typically, the URL or URLs on the Site);

4. Information reasonably sufficient to permit us to contact you, such as your address, telephone number, and (if available) an email address;
5. 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, its agent, or the law; and
6. 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.

Pursuant to *Lenz v. Universal Music Corp.*, 815 F.3d 1145 (9th Cir. 2016), a copyright holder must consider whether the use of the material constitutes fair use under 17 U.S.C. § 107 before issuing a takedown notification. Submitting a notification that ignores a clear fair-use posture may give rise to liability under 17 U.S.C. § 512(f) (see Section 6 below).

### **3.1 Misrepresentation Warning — Notifications**

**Please be aware** that under 17 U.S.C. § 512(f), any person who *knowingly materially misrepresents* that material or activity is infringing may be liable for damages, including costs and attorneys' fees, incurred by us, by the alleged infringer, or by a copyright owner, as a result of our reliance on the misrepresentation. Please also note that we are not in a position to evaluate or apply complex copyright doctrines such as fair use, and a notice that fails to consider obvious fair-use defenses may be deemed to have been submitted in bad faith. If you are unsure whether material on the Site infringes your copyright, you may wish to consult with an attorney before submitting a notification.

### **3.2 Format and Submission**

Notifications should be sent by email to the Designated Copyright Agent at [legal@quirozenterprise.com](mailto:legal@quirozenterprise.com) with the subject line "DMCA Notice," or by U.S. mail to the postal address in Section 2. Notifications submitted in electronic form must be in a format we can read; PDFs and plain-text emails are preferred over screenshots or proprietary file formats. Notifications submitted through any

other channel (such as a social-media direct message) may not reach the Designated Copyright Agent and may not be processed.

## 4. Our Response to a Compliant Notification

Upon receipt of a notification that substantially complies with the requirements of 17 U.S.C. § 512(c)(3), we will, in our discretion and in accordance with the DMCA: (a) expeditiously remove or disable access to the material claimed to be infringing; (b) take reasonable steps to notify the user, subscriber, or other person responsible for the material (the "**Affected Party**") that we have removed or disabled access to it, including by providing a copy of the notification (with personal contact information redacted as appropriate) so that the Affected Party may evaluate the claim and submit a counter-notification if appropriate; and (c) maintain a record of the notification. We may also, in our discretion, terminate the access of users who are repeat infringers, as described in Section 7 below.

If a notification is materially deficient (for example, fails to identify the copyrighted work or fails to include the required statements), we will so inform the sender and request that the deficiency be cured before action is taken on the notification.

## 5. Counter-Notification

If you are an Affected Party and you believe in good faith that material we have removed or disabled was either (a) not infringing, or (b) removed or disabled as a result of a mistake or misidentification of the material, you may submit a counter-notification to our Designated Copyright Agent. Pursuant to 17 U.S.C. § 512(g)(3), your counter-notification must be in writing and must include **all five** of the following elements verbatim, the substance of which is set out in the statute:

1. **Signature.** A physical or electronic signature of the subscriber.

2. **Identification of removed material and prior location.** 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 (typically, the original URL or URLs on the Site).
3. **Statement under penalty of perjury.** 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.
4. **Subscriber contact information.** The subscriber's name, address, and telephone number, and a statement that the subscriber consents to the jurisdiction of the 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 Frankie Quiroz LLC may be found.
5. **Service of process.** A statement that the subscriber will accept service of process from the person who provided notification under Section 3 above or from an agent of that person.

Upon receipt of a counter-notification that substantially complies with the requirements of 17 U.S.C. § 512(g)(3), we will promptly provide a copy to the person who submitted the original notification and inform that person that we will replace the removed material or cease disabling access to it within not less than ten (10) and not more than fourteen (14) business days following receipt of the counter-notification, unless our Designated Copyright Agent first receives notice from that person that an action has been filed seeking a court order to restrain the Affected Party from engaging in infringing activity relating to the material on the Site.

## **5.1 Misrepresentation Warning — Counter-Notifications**

**Please be aware** that under 17 U.S.C. § 512(f), any person who *knowingly materially misrepresents* that material or activity was removed or disabled by mistake or misidentification may be liable for damages, including costs and attorneys' fees, incurred by us, by any copyright owner or copyright owner's

authorized licensee, as a result of our reliance on the misrepresentation. Submitting a counter-notification falsely denying clear infringement may give rise to liability.

## 6. Misrepresentation Liability under 17 U.S.C. § 512(f)

The DMCA imposes civil liability on persons who knowingly materially misrepresent — in either a notification of claimed infringement under Section 3 above or in a counter-notification under Section 5 above — that material is infringing or that material was removed or disabled by mistake or misidentification. Damages available under 17 U.S.C. § 512(f) include actual damages, attorneys' fees, and other costs incurred by the alleged infringer, by any copyright owner or copyright owner's authorized licensee, or by us, in responding to the misrepresentation. The misrepresentation must be material and made knowingly; the leading authorities include *Lenz v. Universal Music Corp.*, 815 F.3d 1145 (9th Cir. 2016), and *Online Policy Group v. Diebold, Inc.*, 337 F. Supp. 2d 1195 (N.D. Cal. 2004). Frankie Quiroz LLC reserves all rights to seek such damages in appropriate cases, whether the misrepresentation is contained in a notice that targets material we host or in a counter-notification that responds to a takedown.

## 7. Repeat-Infringer Policy

In accordance with 17 U.S.C. § 512(i), Frankie Quiroz LLC has adopted and reasonably implements a policy providing for the termination, in appropriate circumstances, of users (including, where applicable, account holders, subscribers, and recurring visitors) who are repeat infringers. The standard for "repeat infringer" under Section 512(i) is informed by case law, including *BMG Rights Management (US) LLC v. Cox Communications, Inc.*, 881 F.3d 293 (4th Cir. 2018), and analogous decisions; we apply that standard in good faith based on the totality of the circumstances.

**Implementation.** The repeat-infringer policy operates as follows:

1. **Tracking.** The Designated Copyright Agent maintains a record of compliant DMCA notifications received with respect to each identifiable user, account, IP-address range, or other identifier, and of any counter-notification submitted in response.
2. **Strikes.** A compliant notification, after expiration of any counter-notification window without restoration of the material, results in a “strike” against the responsible user. A counter-notification that succeeds in restoring the material does not count as a strike.
3. **Escalation.** Escalation steps generally include (a) a written warning after a first strike; (b) a temporary suspension of any account-like access after a second strike; and (c) termination of access in appropriate circumstances after a third strike. The number of strikes is illustrative; we may move directly to termination in cases of egregious or willful infringement.
4. **Discretion.** We retain discretion to weigh the seriousness of the alleged infringement, the volume and timing of notifications, the user’s response to prior notifications, and the existence of any pattern of fair-use disputes that may suggest the notifications are themselves abusive. We may decline to strike a user where the underlying notice appears to lack a good-faith basis under *Lenz*.
5. **Notice and reinstatement.** A user whose access has been terminated may seek reinstatement by writing to [legal@quirozenterprise.com](mailto:legal@quirozenterprise.com) with a credible showing that the underlying claims of infringement were erroneous or have been resolved. Reinstatement is at our discretion.

This Section 7 is intended to satisfy the “adopted and reasonably implemented” standard for repeat-infringer policies under 17 U.S.C. § 512(i)(1)(A). It applies to all forms of access through which users may upload, transmit, or post content on or through the Site — not solely to traditional user-account flows.

## 8. Reservation of Defenses

Nothing in this Policy waives, limits, or otherwise affects any defense, counterclaim, or other right that Frankie Quiroz LLC may have under applicable law in connection with a notification of claimed infringement or a counter-notification, including, without limitation, the safe-harbor provisions of 17 U.S.C. § 512, the doctrine of fair use under 17 U.S.C. § 107, the doctrines of de minimis copying and independent creation, the first-sale doctrine under 17 U.S.C. § 109, and any rights arising under license, assignment, or otherwise. By processing a notification or counter-notification, we do not concede that any material is or is not infringing, that any user is or is not eligible for safe-harbor or fair-use protection, or that we are or are not a service provider eligible for the DMCA safe harbor.

## 9. Trademark and Other Non-DMCA Claims

The DMCA notice-and-takedown procedure described in this Policy applies only to claims of *copyright* infringement. Claims involving trademark or service-mark infringement, trade-dress infringement, dilution, false designation of origin, false advertising, defamation, right of publicity, or any other claim outside the scope of 17 U.S.C. § 512 should be directed to [legal@quirozenterprise.com](mailto:legal@quirozenterprise.com) with a clear description of the claim, the URL or location of the contested material, the basis for your right, and your contact information. We will respond to non-copyright claims under our general legal-claims procedures and applicable law; the DMCA timing and counter-notification framework does not govern.

## 10. Updates to This Policy

We may update this Policy from time to time to reflect changes in our practices, in applicable law, or in the operational status of the Designated Copyright Agent registration. The version in effect at any given time is the version posted at this URL. The “Effective Date” and “Last Updated” fields at the top of this Policy indicate when the most recent revision was made.

# 11. Related Policies

This Policy supplements our [Terms of Service](#), [Privacy Policy](#), [Disclaimer](#), [Cookie Statement](#), and [Acceptable Use Policy](#), each of which is incorporated by reference. In the event of a conflict between this Policy and the Terms of Service with respect to copyright takedown procedures, this Policy controls.

Quiroz Enterprise is the operating company of Frankie Quiroz LLC, a privately held Wyoming-domiciled entity. All brand marks shown are the property of their respective subsidiaries or affiliated entities. The Quiroz Enterprise operating circle is invite-only — there is no public registration.

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