

**THE UNITED STATES DIGITAL MILLENNIUM COPYRIGHT ACT OF 1998  
(17 U.S.C. § 512)**

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**SAMPLE FORM OF COUNTER-NOTIFICATION  
TO MLS PROPERTY INFORMATION NETWORK, INC.  
OBJECTING TO A CLAIM OF INFRINGEMENT OF COPYRIGHT  
AND THE DISABLING OR REMOVAL OF MATERIAL  
FROM THE MULTIPLE LISTING SERVICE**

For Use by Participant in the MLS Property Information Network, Inc.  
Multiple Listing Service Whose Listing Data Was Disabled or Removed  
from the Multiple Listing Service Because of a Third-Party Claim of Infringement

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**Important Notice**  
**Please Read Before Submitting a Counter-Notification**

*MLS Property Information Network, Inc. (“MLS PIN”) is a “service provider” within the meaning of the United States Digital Millennium Copyright Act (the “DMCA”). As such, MLS PIN has taken steps to meet the conditions for eligibility under the DMCA in order to limit its liability for third-party claims of copyright infringement by material that MLS PIN Participants or Subscribers post on the MLS PIN multiple listing service.*

*This Sample Form of Counter-Notification is intended to comply with the provisions of Section 512(g)(3) of the DMCA (“Contents of Counter Notification”). It is provided by MLS PIN solely as a convenience to Participants desiring to object to a third-party infringement claim that resulted in MLS PIN’s disabling or removing from its multiple listing service Participant or Subscriber data that was claimed to infringe. It is not the exclusive form in which a counter-notification may be submitted to MLS PIN, but any counter-notification that is submitted must meet the requirements of Section 512(g)(3) of the DMCA in order to be effective. Each Participant proposing to submit a counter-notification to MLS PIN is urged to consult its own legal counsel before using this form or otherwise submitting a counter-notification to MLS PIN. It is the responsibility of the Participant to assure that the counter-notification meets the requirements of Section 512(g)(3).*

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[The Sample Form of Counter-Notification Begins on the Next Page]

**COUNTER-NOTIFICATION TO MLS PROPERTY INFORMATION NETWORK, INC.  
FROM A PARTICIPANT OBJECTING TO THE REMOVAL OF MATERIAL  
FROM THE MULTIPLE LISTING SERVICE AS THE RESULT OF  
A CLAIMED INFRINGEMENT OF COPYRIGHT**

**SUBMITTED PURSUANT TO THE REQUIREMENTS OF  
THE UNITED STATES DIGITAL MILLENNIUM COPYRIGHT ACT OF 1998**

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*[Please type or print all information provided in Items 3, 4 and 6.]*

\_\_\_\_\_, 20\_\_

TO: Kathleen E. Condon, Designated Agent  
MLS Property Information Network, Inc.  
904 Hartford Turnpike  
Shrewsbury, Massachusetts 01545

Intending this Notification to meet the requirements of Section 512(g)(3) of the Digital Millennium Copyright Act of 1998 (the "DMCA"), the undersigned hereby states the following:

1. The undersigned is a Participant in good standing (a "Participant") in the multiple listing service (the "MLS") owned and operated by MLS Property Information Network, Inc. ("MLS PIN").

2. Listing data, information and/or images of the undersigned Participant, or of a Subscriber affiliated with the undersigned Participant (collectively, the "Listing Data"), have been removed from the MLS by MLS PIN, or MLS PIN has disabled access to the Listing Data in the MLS, and that removal or disabling is the result of a claim made by a third party (the "Third-Party Claimant"), pursuant to a Notification delivered to MLS PIN under the DMCA, that the Listing Data infringes on a copyright of the Third-Party Claimant (the "Infringement Claim").

3. The following identifies the Listing Data that has been removed from the MLS or to which access in the MLS has been disabled because of the Infringement Claim:

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4. The following identifies the location in the MLS at which the Listing Data appeared in the MLS before it was removed or access to it was disabled because of the Infringement Claim:

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5. Under penalty of perjury, the undersigned Participant swears that it has a good faith belief that the Listing Data removed from the MLS because of the Infringement Claim, or to which access in the MLS has been disabled because of the Infringement Claim, was removed or disabled as a result of mistake or misidentification of the Listing Data to be removed or disabled.

6. Contact information for the undersigned Participant is as follows:

Name and Title of Contact Person:

\_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Facsimile: \_\_\_\_\_

7. For purposes of hearing the Infringement Claim, the undersigned Participant, for itself and, to the extent permissible, its affiliated Subscribers, consents to the jurisdiction of the Federal District Court of the judicial district in which its address (as set forth in Item 6 above) is located.

8. For purposes of hearing the Infringement Claim, the undersigned Participant will accept service of process, on its own behalf and, to the extent permissible, on behalf of its affiliated Subscribers, either from the Third-Party Claimant that provided notification to MLS PIN of its infringement claim under the DMCA against the undersigned's Listing Data or from an agent of the Third-Party Claimant.

\_\_\_\_\_  
Printed or Typed Name of Participant

\_\_\_\_\_  
Signature of Participant's Authorized Agent

\_\_\_\_\_  
Printed or Typed Name of Participant's  
Authorized Agent

\_\_\_\_\_  
Printed or Typed Title of Participant's  
Authorized Agent