

Upwork Global Inc. (“Upwork,” “our,” “us,” or “we”) respects the intellectual property rights of others and seeks to offer a platform which contains no content that violates those rights. To promote these objectives, we provide a process for submission of complaints concerning content posted by our users. Our policy and procedures are described and referenced below.

Copyright Infringement Claims

Pursuant to the Digital Millennium Copyright Act (17 U.S.C. § 512) (“DMCA”), Upwork has procedures for receiving written notification of claimed copyright infringement. Upwork has also designated an agent to receive notices of claimed copyright infringement. If you believe in good faith that your copyright has been infringed, you may submit a written communication that contains all of the following:

1. An electronic or physical signature of the person authorized to act on behalf of the owner of the copyright interest.
2. A description of the copyrighted work that you claim has been infringed. Provide a URL or link to where the material is located, if possible.
3. A description specifying the location on our website(s) of the material that you claim is infringing, including a URL or link to where the material is located. Provide information reasonably sufficient to enable us to locate it.
4. Your email address and your mailing address and/or telephone number.
5. A statement by you that you have a good-faith belief that the disputed use is not authorized by the copyright owner, its agent, or the law.
6. A statement by you, made under penalty of perjury, that the information in your notice is accurate and that you are the copyright owner or authorized to act on the copyright owner’s behalf.

Upwork’s Legal Department is its designated agent under the DMCA. Please submit your notice to Upwork’s Legal Department by email to legalnotices@upwork.com or by mail to Attn: Legal Department, 655 Montgomery Street, STE 490, DPT 17022, San Francisco, CA 94111-2676, USA.

In response to a notice, Upwork may remove or disable access to the allegedly infringing material, and take such other actions Upwork deems appropriate in its sole discretion. Please bear in mind that you may be liable for damages (including costs and attorneys’ fees) if you materially misrepresent that material is infringing. If we remove or disable access, we will attempt to contact the poster of the allegedly infringing material so that the poster may provide a counter notification (the “Counter-Notice”) as described below.

If you believe that a notice of copyright infringement has been improperly submitted against you, you may submit a Counter-Notice, pursuant to Sections 512(g)(2) and (g)(3) of the DMCA. You may provide a written communication that contains all of the following:

1. Your physical or electronic signature.
2. Identification of the material removed or to which access has been disabled, including the specific URL or link.
3. A statement under penalty of perjury that you have a good-faith belief that removal or disablement of the material was a mistake or that the material was misidentified.

4. Your full name, your email address, your mailing address, and a statement that you consent to the jurisdiction of the Federal District court (i) in the judicial district where your address is located if the address is in the United States, or (ii) located in the Northern District of California (Santa Clara County), if your address is located outside the United States, and that you will accept service of process from the complainant submitting the notice or his/her authorized agent.

Please submit your Counter-Notice to Upwork's Copyright Agent as specified above.

Trademark and Other Intellectual Property Right Infringement Notices

For claims of trademark infringement or other claims of intellectual property infringement, you must similarly provide us with clear information about the location of the allegedly infringing work, including the URL or link where the work is located; complete information about your trademark or other intellectual property rights, including identifying the trademarked word(s) or symbol(s), trademark registration number(s), and a direct link to the trademark record(s), if available; and your contact information (name, physical address, email address and telephone number). Please also indicate your relationship to the trademark holder, including whether you are the trademark holder or whether you are an authorized representative for the holder.

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