

# User Agreement

## User Agreement

**\*You must be an immediate family member (Mother, Father, Brother, Sister, Spouse, Child) to submit a Memory Lane memorial.**

I understand that the Kentucky Office of Highway Safety monitors all submissions and reserves the right to omit memorials where profane or slanderous/defamatory language is used (this includes the names of other parties involved and details or opinions related to the cause of the accident). Entering such shall subject me to cancellation of page services and removal from the Memory Lane page, as well as legal liability by the Kentucky Office of Highway Safety and/or other parties.

I understand that the Kentucky Office of Highway Safety reserves the right to omit memorials submitted by persons not immediately related to the accident victim, and/or those that are in dispute by family members. Non-family members that submit memorials without express permission from the Kentucky Office of Highway Safety may be subject to removal from the Memory Lane page, as well as legal liability by the victim's family and/or other parties.

I understand that the Kentucky Office of Highway Safety will review submitted memorials and confirm that the details of the memorial are consistent with the accident report. If the information in the submitted memorial is inconsistent with the information provided in the accident report, the creator of the memorial will be notified of these inconsistencies by email. If the creator does not approve the change/omission within one week, the memorial will not be posted. Details of the accident shall be limited to the date and location of the same.

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### Extended Family Member/Friend

I understand that the Kentucky Office of Highway Safety monitors all submissions and reserves the right to omit entries where profane or slanderous/defamatory language is used (this includes the names of other parties involved and details or opinions related to the cause of the accident). I also understand that entries in dispute by family members may also be omitted. Entering such shall subject me to cancellation of page services and removal from the Memory Lane page, as well as legal liability by the Kentucky Office of Highway Safety and/or other parties (including victim's families).

# Terms & Conditions

## **Kentucky Office of Highway Safety Memory Lane Page - Terms of Use**

ATTENTION: PLEASE READ THESE TERMS OF USE (“TERMS”) CAREFULLY BEFORE USING THIS PAGE. USE OF THIS MEMORIAL PAGE SIGNIFIES ACCEPTANCE OF ALL TERMS CONTAINED HEREIN. THESE TERMS APPLY ONLY TO THE KENTUCKY OFFICE OF HIGHWAY SAFETY (KOHS) MEMORY LANE PAGE LOCATED AT [WWW.KYHIGHWAYSAFETY.COM](http://WWW.KYHIGHWAYSAFETY.COM)

## **Disclaimers**

The materials on Memory Lane are provided by KOHS "as is" without warranties of any kind including warranties of merchantability, fitness for a particular purpose, or non-infringement of intellectual property. KOHS may make changes to the materials on Memory Lane page at any time without notice but does not guarantee materials will be updated at particular intervals.

## **Registration**

When submitting a memorial on the Memory Lane page, all information submitted must be truthful, accurate, current, and complete. KOHS may deny a memorial if any of the information provided is found to be inaccurate, out of date, or incomplete. Any suspected loss, theft, or unauthorized use of information should be reported to KOHS immediately. Participant is fully responsible for all use on the web page.

## **User Submissions**

KOHS authorizes the participant to view the materials on the Memory Lane page only for personal, non-commercial use. The participant will retain all copyright and other proprietary notices contained in the original materials or any copies of the materials.

Participants are prohibited from posting or transmitting to or from Memory Lane:

- Content that is unlawful, threatening, libelous, defamatory, obscene, pornographic, racist, sexist, slanderous, or offensive;
- Content that would violate any law;
- Content protected by copyright or that KOHS believes infringes on intellectual property rights, including, but not limited to, any commercially released film or television footage or professionally produced images, unless used with the express permission of the copyright owner;
- Content which advertises or otherwise solicits funds or is a solicitation for goods or services;
- Content that promotes illegal activity;

- Content that contains viruses or other technological devices designed to harm or interrupt this page;
- Content that is harmful to minors;
- Content that otherwise violates or infringes the rights of others, including, but not limited to, intellectual property rights; and
- Content that contains any personally identifiable information or protected health information.

KOHS reserves the right to monitor and review any and all User Submissions. KOHS may ban participants from using Memory Lane due to breach of these Terms. KOHS may remove User Submissions at any time and for any reason. Participant is solely responsible for the consequences that may arise from the content posted or published on the Memory Lane page.

In connection with User Submissions, participant affirms, represents, and warrants that:

- Participant owns or has the necessary licenses, rights, consents, and permissions to use and authorize KOHS to use all patent, trademark, trade secret, copyright or other proprietary rights in and to User Submissions; and
- Participant has consent or permission to use the name or likeness of any individual identified in the User Submission.

### **Software**

Any software used to deliver the services on Memory Lane page is the copyrighted work of its suppliers. Use of the software is governed by the terms of the user license agreement, if any, which accompanies or is included with the software.

### **Intellectual Property Rights**

All material contained in any User Submission becomes the property of KOHS. Intellectual property rights in connection with ownership of this property include the right to, but are not limited to, KOHS's rights to use, reproduce, distribute, prepare derivative works of, and display the User Submissions in connection with the Memory Lane page.

### **Third-Party Websites**

Links to third-party websites are provided solely as a convenience to the participant. KOHS does not control and is not responsible for any of these third-party websites or their content.

### **Linking to this Memorial Wall**

Any links to Memory Lane from external sources must comply with the following guidelines and all applicable laws. Participant may not:

- Replicate the content on Memory Lane;
- Create a browser or border environment around this Site's content;
- Imply that KOHS is endorsing that external source or the external website products;

- Misrepresent the external website relationship with KOHS;
- Present false information about KOHS products or services;
- Use KOHS trademarks without permission; and
- Provide content that could be construed as distasteful, offensive, controversial, or inappropriate for any age group.

## **Privacy and Personal Information**

All information obtained by KOHS is subject to Kentucky laws.

KOHS may gather personal information from participants, including name, city and state of residence, and e-mail address. KOHS may use and share personal information with persons or organizations within and outside of KOHS for permitted purposes including compliance with the law and when necessary to host and manage Memory Lane.

Any material, graphics, information, or other communication ("User Submissions") transmitted or posted to Memory Lane will be considered non-confidential and non-proprietary. KOHS reserves the right to copy, remove, manipulate, disclose, distribute, incorporate, and otherwise use the User Submissions and all data, images, sounds, text, and other information embodied therein for any and all commercial or non-commercial purposes. KOHS may use personally identifiable information submitted by the participant on Memory Lane to interact with the participant directly as it relates to the functionality of Memory Lane.