

Copyright Infringement Policies

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Unauthorized distribution of copyrighted material, including unauthorized peer-to-peer¹ file sharing, may subject those in violation to civil and criminal liabilities.

Procedures

I. Potential Civil and Criminal Sanctions for Copyright Infringement:

- In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or “statutory” damages affixed at not less than \$750 and not more than \$30,000 per work infringed.
- For “willful” infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys’ fees. For details, see Title 17, United States Code, Sections 504, 505.
- Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information, please see the website of the U.S. Copyright Office at www.copyright.gov.

II. Policy Violations

- Inappropriate conduct and violations for willfully violating this policy will be reviewed and addressed by the Campus Director or Director of Operations based on the campus in which the student is enrolled.
- Academic consequences for willfully violating copyright laws include, but are not limited to:
 - Receiving a grade of 0 for a test or assignment where the violation took place
 - Receiving a grade of 0 in the course where the violation took place
 - Dismissal from the Program.

¹ Peer-to-Peer File Sharing (P2P) - Refers to computer systems that are connected to each other via the Internet using P2P software like BitTorrent or Limewire. These programs make it easy to share files between computers. There are many legitimate uses of P2P file sharing, such as sharing open-source software and trial versions, however, P2P file-sharing applications are also used to share copyrighted material such as music, movies, software applications and games without permission. If you upload or distribute copies you make of copyrighted works or download or acquire unlicensed copies of copyrighted works, you may be infringing on someone else’s rights and not only be subject to dismissal from the program, but also be subject to civil and criminal liabilities.