COPYRIGHT INFRINGEMENT

Summary of Civil and Criminal Penalties for Violation of Federal Copyright Laws

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 U.S. 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 infringement.

Penalties for copyright infringement include civil and criminal penalties. 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. 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 details, see Title 17, U.S. Code, Sections 504, 505.

For more information, please see the website of the U.S. Copyright Office at http://www.copyright.gov.

Copyright Infringement Policy

Students attending Douglas J Institute are not permitted to use school copiers, scanners or printers without staff permission. If permitted to use, students must not copy, scan or print and distribute materials that are copyrighted.

Students do not generally have or need access to a school computer as the curriculum does not require the student to have computer access at the school. School computers may only be used to clock in and out, complete financial aid applications, MPNs, loan counseling and as otherwise allowed by an institute staff member. A student should not be using school computers for surfing the internet or downloading files of any type for any reason unless given permission from staff. Downloaded files, in violation of school policy, must not be shared with any other individual for any reason to avoid copyright laws.

A student must be fully aware that he/she is not violating copyright laws. A student must not assume that because he/she can access it on the web or make a personal copy that it is not copyrighted.

Students found in violation of the copyright infringement policy are subject to immediate termination. Unauthorized distribution of copyright material, including unauthorized peer-to-peer file sharing, may subject the student to civil and criminal liabilities.