


Title: Copyright and Peer-to-Peer File Sharing Policy	
Written by: Librarian	
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Approved by:  <hr/> Chancellor	Governing Board Approval: <hr/> 1/12/2016 Date
<hr/> 1/12/2016 Date	<hr/> 1/12/2016 Date

PURPOSE

Trinity College of Nursing & Health Sciences network users are prohibited from distributing copyrighted materials through illegal downloading, via web pages, email, or peer-to-peer distribution. The policy applies to both college-owned and personally-owned computers that have access to the College network. The distribution of copyrighted material from any computer (including music, games, videos, etc., for which users do not have the owner’s permission) is a violation of federal law (Digital Millennium Copyright Act).

POLICY AND PROCEDURE

The College’s plan to combat the unauthorized distribution of copyrighted material by users of College networks includes:

1. Utilizing one or more technology-based deterrents
2. Educating and informing the College community about appropriate and inappropriate use of copyrighted material
3. Providing consumer information upon request to prospective and enrolled students
4. Procedures for handling unauthorized distribution of copyrighted material, including disciplinary action
5. Offer legal alternatives to illegal downloading or otherwise acquiring copyrighted material
6. Reviewing the effectiveness of the plan on an annual basis

Statement of Penalties for 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 United States Code). These rights include the right to reproduce or distribute a copyrighted

work. In the filesharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an 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. 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 <https://copyright.gov>.