

This notice is provided in accordance with the Higher Education Opportunity Act of 2008.

Unauthorized distribution of copyrighted material by any means (including peer-to-peer file sharing) may subject an individual to civil and criminal liabilities in addition to violating CCS internal policies.

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 file-sharing 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 Web site of the U.S. Copyright Office at www.copyright.gov, especially their FAQ's at www.copyright.gov/help/faq.

Summary of CCS Penalties for Unauthorized File Sharing of Copyrighted Material

Upon a first offense, individuals will receive a written warning. If by nature of technology used the individual cannot be located, Internet access for the computer used will be suspended until a warning can be delivered.

Upon a second offense, disconnection of Internet service will occur.

Upon a third or subsequent offense, sanctions can include disciplinary probation, removal from housing, and/or dismissal from the College.

Legal Sources of Online Content

EduCause maintains a list of legal sources of online content at <http://www.educause.edu/legalcontent>. Members of the CCS community are encouraged to check that site to ensure they are compliant with the law.