

Copyright Infringement Policy

In compliance with the reauthorization of the Higher Education Opportunity Act (2008), and the Digital Millennium Copyright Act (1998), Chatfield College is providing the following information on copyright law and campus policies and federal penalties regarding its infringement.

Copyright law gives the creators of art works, authors, publishers and inventors to right to control how their work is used or distributed. This includes the right to limit how their materials are reproduced, distributed, publicly performed or displayed, or incorporated into new versions of the original work. Copyright protection is extended to both published and unpublished works. A work may no longer be subject to copyright restrictions under certain terms and conditions depending upon its initial date of creation or publication. More guidance on the terms of copyright can be accessed at <http://www.copyright.gov/circs/circ15a.pdf>.

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). Fair use policies describe how copyrighted material may be used without violating copyright law. An index of fair use practices can be accessed at <http://copyright.gov/fair-use/more-info.html>. All other unauthorized reproduction, distribution, file-sharing, downloading, or uploading of substantive parts of a copyrighted work without specific permission constitutes an infringement and is subject to the following civil and criminal penalties:

- If copyright was unknowingly or mistakenly violated, you may be ordered to pay either actual or “statutory” damages between \$750 and \$30,000 per work.
- If copyright was knowingly violated (“willful infringement”) a court may award up to \$150,000 per work, and may also assess court costs and attorney fees.
- Willful copyright infringement can also result in criminal penalties including imprisonment up to five years and fines up to \$250,000 per work.

In order to combat either inadvertent or willful infringement of copyright, Chatfield College has implemented the following practices and policies that guide our students in the appropriate use of copyrighted materials:

- All members of the Chatfield College community agree to the provisions of the Computer and Network Acceptable Use Policy which describes penalties and guidelines for appropriate use of on-line resources.
- The unauthorized transfer, via peer-to-peer (p2p) or other means, of copyrighted material is subject to disciplinary procedures outlined in the student handbook.
- To discourage illegal file sharing, signage is located in student computer labs to discourage illegal file sharing. A list of Legitimate Download Services can be found at <http://www.educause.edu/>.
- Computing and Library staff are trained on the college’s position with respect to copyright issues.

- All members of the Chatfield College community agree to the provisions of the Plagiarism Policy which describes penalties and guidelines for appropriate use of source materials.
- When using copyrighted materials either in whole or in part, students and staff agree to consult the Copyright Clearance Center <http://www.copyright.com/>, to obtain appropriate permissions for republication of illustrations and other printed materials, as well as for distribution or broadcast of written, audio and visual materials within the academic setting.