

## Copyright

It is Blue Cliff College's policy that no copyright protected materials may be copied, either via hard copy or electronically, absent the prior written permission of the author or publisher or as otherwise permitted by applicable law. The copyright laws are complex and all students must exercise extreme care when considering the proper use of copyrighted materials.

The Higher Education Opportunity Act of 2008 as amended requires institutions to advise students and employees that unauthorized distribution of copyrighted material, including peer-to-peer file sharing may subject students and employees to civil and criminal penalties.

Peer-to-peer file sharing (P2P) is a technology that allows people to download files from one another over the internet. Normal downloads have a two participant relationship; a server that hosts the file and a client that downloads the file. Using P2P applications, networked computers share files without the need for a client server relationship. Each computer acts simultaneously as a client and server. P2P users store files on their computers and the P2P application enables other users to download those files onto their computers.

P2P technology makes it possible to share files that are copyrighted. Federal law prohibits the reproduction, distribution, public display or public performance of copyrighted materials over the Internet without permission of the copyright holder. Blue Cliff College fully complies with the federal Digital millennium Copyright of 1998. Users are made aware of the permitted and prohibited uses of our resources in the technology usage policy of Blue Cliff College.

Blue Cliff College may receive a notice from the Recording Industry Association of America (RIAA) and other content owners or service providers, that copyrighted material has been infringed by a user on the College's network. If this occurs notifications will be made to the individual(s) involved along with the Campus Director in an effort to stop the offenses. If legal action is taken Blue Cliff College will cooperate fully with any and all requests for information. (\*Possible legal consequences for violations are listed below.)

Blue Cliff College will review the policies semi-annually with the IT Director meeting with necessary members of the Corporate Executive Team to ensure that any changes in laws or requirements are noted and any changes necessary are made.

\*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 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](http://www.copyright.gov).