

COPYRIGHT INFRINGEMENT

The US Department of Education provides the following summary of 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 website of the U.S. Copyright Office at www.copyright.gov (<http://www.copyright.gov/>), especially their [FAQ section](http://copyright.gov/help/faq/) (<http://copyright.gov/help/faq/>).

All MCLA students and prospective students are expected to review the following mechanisms in educating and informing themselves about appropriate versus inappropriate use of copyrighted material:

- The MCLA Network User Agreement assented to by each user as a condition of network access, has a section dealing with adherence to [copyright restrictions](http://techhelp.mcla.edu/index.php/Network_User_Agreement/#Adherence_to_copyright_restrictions) (http://techhelp.mcla.edu/index.php/Network_User_Agreement/#Adherence_to_copyright_restrictions).
- MCLA has posted on line a document describing its stand on [sharing and property rights](http://techhelp.mcla.edu/index.php/Peer_2_Peer_Sharing_%28P2P%29/) (http://techhelp.mcla.edu/index.php/Peer_2_Peer_Sharing_%28P2P%29/). This document explicitly refers to the legal issues and legal penalties involved.
- A [summary](http://techhelp.mcla.edu/index.php/Peer_2_Peer_Sharing_%28P2P%29/) (http://techhelp.mcla.edu/index.php/Peer_2_Peer_Sharing_%28P2P%29/) offered by the Department of Education

Note: MCLA treats the unauthorized distribution of copyrighted material as a breach of the [Network User Agreement](http://techhelp.mcla.edu/index.php/Network_User_Agreement/#Application_of_MCLA_policies_and_local_state_and_federal_laws_and_statutes) (http://techhelp.mcla.edu/index.php/Network_User_Agreement/#Application_of_MCLA_policies_and_local_state_and_federal_laws_and_statutes). Penalties for violations allow for limiting or completely denying network access.