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Copyright Law and Policy. A Reminder.

1 message

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To: students@cnu.edu, faculty@cnu.edu, employees@cnu.edu

Dear Members of the CNU Community,

There has been a great deal of attention on intellectual property rights lately. This attention is largely due to the ease of transferring data in our digital age. As a part of a national effort to address the requirements of copyright law, the Higher Education Opportunity Act requires an annual disclosure by colleges of the importance of copyright law and policy, a disclosure that must include an indication of civil and criminal penalties for violations.

CNU respects the intellectual property rights of creators of copyrighted materials. All members of the University community are expected to observe copyrights and intellectual property rights, including software licensing. The transfer of electronic data files in violation of copyrights or intellectual property rights is prohibited.

The property covered includes, but is not limited to, software, electronic music, images and video files. The University considers **peer-to-peer sharing** of such copyrighted materials an inappropriate use of its network resources. Furthermore, this activity is illegal according to the Digital Millennium Copyright Act (DMCA).

The penalties for copyright infringement under DMCA may be severe. 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

For a listing of some legal ways of obtaining online content, please see EDUCAUSE's "Legal Sources of Online Content."

<http://www.educause.edu/legalcontent>

Thank you for supporting our University's respect of intellectual property rights.

George Webb, CIO, Information Technology Services