

Copyright Infringement Policy and Sanctions

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 and 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 for the U.S. Copyright Office at www.copyright.gov.

Networks Barber College Copyright Policy

Networks Barber College does not allow the unauthorized use of copyrighted material. Peer-to-peer (P2P) file sharing programs are not permitted on premises for users of Networks Barber College’s computer network. A peer-to-peer file sharing program is any computer application that alters a personal computer into a storage server that can distribute data to other computers simultaneously.

Copyrighted materials cannot be shared by any means, including network file shares, the internet, illegal upload/download, and is not limited to just peer-to-peer programs. Copyright infringement, according to the U.S. Copyright Office, is when “a copyrighted work is reproduced, performed, publicly displayed, or made without the permission of the copyright owner.”

If an individual is found to be illegally distributing copyrighted material (Peer-to-peer sharing) using any of Networks Barber College’s computing resources, disciplinary action will be taken as outlined below:

- 1st Offense: Students will be put on Continuous Probation. This means the student will be put on probation for the remainder of their program.
- 2nd Offense: Student will be terminated from the program.

