

Arlington Career Institute

Copyrighted Materials Policy and Sanctions

Unauthorized distribution of copyrighted material, including peer-to-peer file sharing and the unauthorized use of the College's information and its technology systems may subject a student to civil and criminal liabilities and penalties of federal copyright laws.

Students engaging in unauthorized use of copyrighted materials, including peer-to-peer file sharing, illegal downloading or unauthorized distribution of copyrighted materials using the school's information technology system may face termination from the institution. In addition, the student may face criminal penalties as summarized below. This list is not all-inclusive, and the student needs to be aware of the severe sanctions because of violating these policies.

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 of "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringement. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorney's fees. For details, see Title 17, United States Code, Section 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 FAQs at www.copyright.gov/help/faq."