

Penalties and Instructional Policies on Copyright Infringement

Please be aware that it is illegal, as described in Federal Law (Title 17 of the US Code) to download, upload, file share, or distribute in any fashion, copyrighted material, in any form, without permission or a license to do so from the copyright holder. Heritage Christian University neither condones, nor supports, the use of peer-to-peer file sharing or copyrighted material in ways in which the material was not intended.

Violating Federal copyright laws may include penalties such as paying court-ordered compensation, monetary fines, and/or jail. In addition, students found to be in violation of any part of the policy will be subject to disciplinary action up to and including dismissal from Heritage Christian University. This includes engaging in illegal file sharing, uploading, downloading, or distributing copyrighted material in any form without permission or consent from the copyright holder.

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.

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.

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