



COPYRIGHT INFRINGEMENT POLICIES AND SANCTIONS

The Higher Education Opportunity Act of 2008 (HEOA) (Pub. L. 110-315) added provisions to the Higher Education Act of 1965, as amended, (HEA) requiring institutions to take steps to combat the unauthorized distribution of copyrighted materials through illegal downloading or peer-to-peer distribution of intellectual property. In response to these requirements, which became effective upon enactment of the HEOA, August 14, 2008, LIBI has established the following policy:

The college takes copyright protection very seriously and expects all students to abide by this policy. This policy was compiled in accordance with the provisions of the United States Copyright Act of 1976 as amended, and the Digital Millennium Copyright Act of 1998. All reproduction or use of copyrighted materials by students, faculty, and staff must comply with the provisions of these laws.

LIBI prohibits the use of college network resources to conduct inappropriate and/or illegal activity. The College complies with applicable federal and state laws and requires that network account holders do the same in accordance with LIBI's Computer and Internet policies. Alleged violations will be subject to disciplinary due process. Unauthorized or improper use will lead to the possible revocation of the user's access, and LIBI may also require restitution for any use that is in violation of the usage guidelines. LIBI will pursue criminal and civil prosecution of violators when appropriate. For more information please review the Student Handbook.

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 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 Web site of the U.S. Copyright Office at www.copyright.gov, especially their FAQ's at www.copyright.gov/help/faq.

Please refer to the Student Handbook for the Student Copyright Compliance Policy.

Student Acknowledgement:

Student Signature

____ / ____ / ____
Date month day year