



COPYRIGHT LAW

The copyright law of the United States (title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specific conditions is that the photocopy or reproduction is not to be “used for any purpose other than private study, scholarship, or research.” If a user makes a request for, or later uses, a photocopy or reproduction for purposes in excess of “fair use,” that user may be liable for copyright infringement. LIBI urges Faculty and students to familiarize themselves with “fair use” guidelines and reserves the right to refuse to accept a copying order if, in its judgment, fulfillment of the order would involve violation of copyright law. For further information, please refer to the US Copyright Office website at: <https://www.copyright.gov/fair-use/more-info.html>

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 website of the U.S. Copyright Office at (www.copyright.gov).

All students, Faculty, and staff are expected to read, understand, and abide by all applicable copyright laws and to sign an acknowledgment that indicates the understanding of the legal ramifications of violating copyright law, the penalties associated with it, and LIBI’s specific policies with regard to copyrights.

COPYRIGHT INFORMATION

Intellectual honesty is the foundation of our society. Original thought and proper credit for others' work is central to learning and teaching. Like plagiarism, violation of copyright is a serious breach of the commitment to intellectual integrity expected of all members of the college community.

LIBI students have access to the Internet and computer labs which the college hopes will be properly utilized to complete classwork, homework, and to help with securing employment. Students who use LIBI’s IT resources are responsible for what they do on the school’s computers, including complying with copyright law. Students using the Web to read, share files, or publish pages must ensure that they take appropriate steps to prevent any copyright violations. File-sharing programs automatically distribute files. Please be aware that certain programs automatically turn on sharing when installed. If you use such



programs, please ensure that you are not violating copyright by default (by sharing music or other media files or software you have loaded on your computer). Even unintentional infringement violates the law.

All LIBI network users must comply with federal copyright law. Violations of copyright law are also violations of college policy. For more information on copyright law see the sites listed below:

- [U S Copyright Office](#)
- [Brad Templeton's 10 Copyright Myths \(Clarinet News Publisher\)](#)

The Digital Millennium Act of 1998 stipulates that the college must take appropriate action if it receives notice of copyright infringement. If the college is notified that an infringement has occurred, the College is obligated by law to ensure that the infringing activity ceases. LIBI will act accordingly to sanction all involved in the infringement. Actions may include disconnecting a network port, shutting down an e-mail account, and a report to the Provost and Conduct Officer for disciplinary action. In the event of second or repeat infringement, LIBI is required under the law to take away the individual's computer account and terminate all access to the college network. In addition to any college action, the copyright owner may also take further legal action against the individual involved.

CLASSROOM PROTOCOLS

Classroom protocols are discussed in the Student Handbook. Please review them carefully.

COPYRIGHT INFRINGEMENT CLAIMS

Students concerned about potential Copyrights violations should file the claim with the Office of the Director of Operations & Institutional Effectiveness at: claw@libi.edu. Also, students can file a complaint by sending an email to the following email address: copyrightcomplaint@libi.edu.