

Copyright Infringement and Illegal File Sharing

The copying, distribution or sharing of copyrighted works (including music, videos, and digital copies of textbook) without permission may be referred to as “copyright infringement”, “pirating” or, in the electronic context through peer-to-peer networks, “illegal file sharing”. 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 the permission of the copyright holder constitutes infringement.

Penalties for Copyright Infringement

The unauthorized copying, sharing or distribution of copyrighted material is strictly prohibited. It is a violation of federal law, the Copyright Act, and of the Student Code of Conduct. Students who infringe a copyright are subject to disciplinary action under the Student Code of Conduct, up to and including expulsion. Employees may be subject to disciplinary action ranging in severity from a warning up to and including termination of employment.

In addition, 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.

Copiah-Lincoln Community College will provide this information to all students in its annual HEA notice, as well as to all students and employees in periodic email reminders.

Plan to Combat Copyright Infringement

Pursuant to certain amendments to the Higher Education Act of 1965 (HEA), Copiah-Lincoln Community College has adopted a plan to combat copyright infringement. The Compliance Plan details the technology-based deterrent used by Co-Lin to reduce illegal file sharing, the mechanisms for informing the community about inappropriate use, the procedures for handling unauthorized distribution of copyrighted material and the procedures for periodically reviewing the plan’s effectiveness

Plan to Combat Copyright Infringement

As part of its efforts to combat illegal file sharing, Co-Lin endeavors to educate and inform its community about copyright infringement. To that end, users of the College network must agree to be bound by the Institution’s Acceptable Use Policy. The College also publishes the [Student](#)

Handbook, which contains the Copyright Policy and penalties for violations. The College Copyright Policy is also maintained on Copenh-Lincoln Community College website.

Topical articles and issues are sent periodically via email to the College community.

Resources and policies regarding copyright issues and legal and illegal examples of file sharing:

- www.copyright.gov, especially their FAQ's at www.copyright.gov/help/faq
- [Educause File Sharing Resources](#)
- www.campusdownloading.com
- [Acceptable Use Policy](#)
- [Student Handbook](#)
- [Copyright Policy](#)

Legal Alternatives

As part of compliance with the HEA, Copenh-Lincoln Community College endeavors to provide its community with information about numerous legal sources of music, videos, books and other copyrighted material. For a comprehensive list of legal sources of music, videos, books and other copyrighted material, see the Educause website at www.educause.edu/legalcontent.

Additional legal downloading sources are:

[Music United's list of Legal Sites](#)
[SHOUTcast](#)
[RadioTower.com](#)
[IMEEM.com](#)
[Epitonic.com](#)
[Fingertips](#)
[GarageBand](#)
[GigaTracks](#)
[MTVU](#)

[Pure Volume](#)
[Apple iTunes](#)
[Movieline \(Blockbuster\)](#)
[Internet Archive](#)
[Creative Commons](#)
[Sounds](#)

Copyright Infringement Reporting

To report copyright infringements on Copenh-Lincoln Community College's Web site, please notify:

J.P. McInnis
Director of Technology
Tel: 601-643-8488
Fax: 601-643-8222
e-mail address: dmca@colin.edu

J.P. McInnis is the agent designated under the [Digital Millennium Copyright Act, P.L. 105-304](#), to respond to reports alleging copyright infringements on Copleah-Lincoln Community College's Web site.