

Wiregrass Georgia Technical College

HEOA Disclosure Statement regarding Federal Copyright Laws

- **Unauthorized Distribution of Copyrighted Materials is Against Federal Law**

The unauthorized copying and distributing of copyrighted materials, including, but not limited to, peer-to-peer (P2P) file sharing, is a violation of United States copyright law and may result in civil and criminal liability and prosecution.

- **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.

- **Unauthorized Distribution of Copyrighted Materials is Prohibited by TCSG Policy**

TCSG State Board Policy II.C.4 prohibits the unauthorized distribution of copyrighted materials via TCSG systems or networks. Maximum penalties under Georgia Law are a \$50,000 fine and 15 years of imprisonment, plus civil liability in addition to the potential federal penalties listed above.

- **Legal Alternatives for Downloading or Otherwise Acquiring Copyrighted Materials**

For a list of legal alternative sites for downloading copyrighted materials please visit <http://www.educause.edu/legalcontent>.