

POLICIES AND PROCEDURES

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In accordance with the U.S. Copyright Act of 1976 and all subsequent amendments, Columbia College of Nursing faculty, staff, and students are expected to act responsibly in the use of copyrighted works and in decision making regarding fair use. These works include print and electronic documents, software, databases, multimedia and audio visual materials, photographs, music, and other types of creative works covered by federal copyright laws. Unauthorized distribution of copyright works including peer-to-peer file sharing may lead to civil and criminal liabilities.

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 up to 250,000 per offense. For more information, please see the Web site of the U.S. Copyright Office at: www.copyright.gov.

College Policies for Violating Copyright

Persons thought to be in violation of copyright law through peer-to-peer file sharing or illegal downloading while using Columbia College of Nursing computers and network may be subject to disciplinary action which may include suspension or termination of authorization of use of CCON computers, systems, and network. Columbia College of Nursing may utilize software developed to determine the violations of plagiarism. Disciplinary action for students will be administered in accordance with the sanctions in the Standards of Conduct.

Legal Alternatives

To identify legal alternatives of downloading copyrighted materials, please visit the EDUCAUSE Legal Sources of Online Content page at www.educause.edu/legalcontent.

Resources

[Copyright: United States Copyright Office](#)

[Copyright Law of the United States \(PDF document\)](#)

[Copyright Advisory Office Columbia University](#)

[Copyright Clearance Center](#)

[The Digital Millennium Copyright Act of 1988 \(PDF document\)](#)