

Copyright, Intellectual Property, and File-sharing Policy

(Revised March 2019)

The St. Francis College Copyright, Intellectual Property, and File-sharing Policy creates guidelines regarding the use of copyrighted materials.

The use of file-sharing networks by students or employees to download and share copyrighted works without written permission from the copyright owner – like software, music, movies, TV shows, games and images – violates United States copyright laws as well as the policies of St. Francis College (the “College”).

Unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject you to civil and criminal liabilities in addition to sanctions imposed by the College. Both the person who makes a copy of a copyrighted work available for unlawful download and the person who receives or downloads an illegal copy have violated copyright laws and College policies.

Even if you lawfully purchased a song, it is illegal to allow others to make and keep a copy of that song. Under the Digital Millennium Copyright Act (DMCA), a copyright owner or an authorized agent of the copyright owner may lawfully scan Internet traffic and send a complaint to the College. If the copyright owner chooses to follow-up with civil litigation, it may file a “John Doe” lawsuit against your IP address, and the College would have to provide the identity of the College network user in response to a valid subpoena. The College is not responsible for, and will not reimburse, any legal costs and fees incurred as a result of any threatened or actual litigation that arises from any such allegation of infringement.

Infringement of a copyright can result in substantial penalties including any of the following:

- Actual damages
- Statutory damages fixed at not less than \$750 and not more than \$30,000 per violation
- In cases of “willful” infringement the court can impose a penalty of \$150,000 per work infringed
- Cost and attorney’s fees
- Injunction
- Impoundment of the illegal work
- Criminal penalties including up to five years imprisonment for “willful” infringement and fines up to \$250,000 per offense