

Washington Adventist University Copyright Infringement Policies and Sanctions

Definition

Copyright infringement is the act of using, without written consent or authority, one or more of the rights given to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These copyrights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading, uploading or sharing substantial parts of a copyrighted work without express authority constitutes an infringement of Federal law.

Penalties

According to the U.S. Copyright Office, penalties for copyright infringement include civil and criminal penalties. Individuals found to be liable for copyright infringement may be ordered to pay either actual damages or statutory damages of not less than \$750 and not more than \$150,000 per infringed. A court, in its discretion, can also levy costs and attorneys' fees. For additional details, please see Title 17, United States Code, Sections 504, 505. Willful infringement can also result in penalties, including but not limited to five years imprisonment and additional fines of up to \$250,000 per offense. For additional information, please see the website of the U.S. Copyright Office at www.copyright.gov.

Policy

Washington Adventist University email, internet and/or any other electronic platform may not be used to download, upload, stream, share, and/or distribute any music, movie, images, and or other digital, copyright-protected files without paying for them. Downloading, streaming, sharing, and/or distributing such materials without permission or proper licensing constitutes an infringement of copyright protected material and is punishable by fines. Under the federal Digital Millennium Copyright Act (DMCA) instituted in 1998, the copyright owner may bring court action that may result in civil liability or criminal prosecution.

Disclosure

Sharing of copyrighted material without proper licensing or express permission from the owner/author/software manufacturer is prohibited, and is not condoned by Washington Adventist University. Additionally, all students and employees are subject to the university's guidelines for responsible computing, and subject to disciplinary action should those policies be violated in accordance with the Washington Adventist University Student Handbook and the Handbook and Policy Manual for Faculty and Staff.