

## ANNUAL DISCLOSURE UNAUTHORIZED DISTRIBUTION OF COPYRIGHTED MATERIALS

Charter College is required by Federal Law – H.R. 4137 to make an annual disclosure informing students, faculty, and staff that illegal distribution of copyrighted materials may lead to civil and/or criminal penalties.

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. Transmitting, downloading or copying any material that you do not have the right to make available and that infringes any patent, trademark, trade secret, copyright or other proprietary rights of any party is prohibited. Installing or distributing pirated or unlicensed software is also forbidden.

Students, faculty or staff who violate federal copyright law do so at their own risk. Charter College takes steps to detect and punish users who illegally distribute copyrighted materials. Charter College reserves the right to suspend or terminate network access to any campus user that violates this policy and network access may be suspended if any use is impacting the operations of the network. Violations may be reported to appropriate authorities for criminal or civil 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 filesharing 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 website of the U.S. Copyright Office at <https://copyright.gov>