

Dear Campus Community,

The U.S. Department of Education sets specific requirements for institutions of higher education regarding copyright infringement. Accordingly, Colorado College annually communicates the importance of being knowledgeable of federal regulations when using copyrighted information.

Sharing copyrighted materials (including music, movies, and software) is a violation of the Digital Millennium Copyright Act (DMCA). Using the college's network to share copyrighted materials or to illegally download material violates not only the DMCA, but also college policy. Those who violate copyright law will be subject to discipline by Colorado College and may be subject to civil and criminal consequences including financial penalties. A summary of penalties is included in this document.

We encourage you to protect yourself by learning about federal regulations and what constitutes appropriate use of copyrighted material. The College's Intellectual Property and Copyrights, Acceptable Use, and Network Connection policies are posted at: <https://www.coloradocollege.edu/basics/welcome/leadership/policies/a-z-list/index.dot>. You may also read more about our Copyright Infringement Policy at our Higher Education Opportunity Act site at the link below:

<https://www.coloradocollege.edu/other/heoa/annual-heoa-disclosures/academic-matters.dot?>

You can also attend one of the college's copyright seminars and consult the individuals listed below if you have questions on fair use in particular and on copyrights in general.

POSITION	RESPONSIBILITY
Vice-President for Finance and Administration	Issues about ownership of intellectual property for CC faculty, staff, and students
Library Director or designated professional library staff member	Library reserves, digital archives, electronic reserves, general issues, licensing issues for electronic resources, use of library video and music collections, general questions
Associate Dean of the Faculty or Associate Dean of the College	Issues on copying for classroom use, student rights, grant applications, student/faculty research
Vice President for Information Management or designated IT professional staff member	Agent for notification of infringement on college owned servers, file sharing

We thank you for your attention to this important matter.

Sandi Wong
Dean of the College

Brian Young
Chief Technology Officer/VP of Information Technology Services

Summary of penalties for infringement

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 website of the U.S. Copyright Office at www.copyright.gov

Frequently Asked Questions

Q: What about downloading music, videos, and games?

A: If you have a program or an application on your computer that allows you to get music, videos, or games for free when those items are available for purchase, you may be using a peer-to-peer file sharing program (P2P). The availability of a program that allows you to share may not be someone being generous; copyright holders often use peer-to-peer programs to detect who is violating their copyrights. This can result in a complaint against the college and/or the individual using the program.

Q: What is peer-to-peer file sharing and what is wrong with it?

A: Peer-to-peer (P2P) file sharing is a way of exchanging or transferring files over the Internet. While P2P file sharing may be performed for legitimate reasons, a significant number of P2P file sharing programs are used for distribution of copyrighted works (music, movies, software, books, images, and other works) without the consent of the copyright owner. In addition to being illegal, engaging in this type of activity may lead to sluggish network performance because of the bandwidth required. P2P file sharing can also involve spy-ware or viruses.

Q: If I didn’t know and already have a P2P program on my computer, what should I do?

A: Please see below:

PCs	MACs
<ul style="list-style-type: none">• Click on your Start button• Click on Control Panel• Click on Add/Remove Programs (Windows XP) or Programs and Features (Windows 7 and Vista)• Select the P2P program to remove• Click Uninstall	<ul style="list-style-type: none">• Locate the folder containing the software you want to remove. (Usually found in the Applications folder)• If there is an uninstall program, run it. If not, go back to the Applications folder and move the software’s folder to the trash.• Empty the contents of your trash folder.• Restart your computer

If you need help removing P2P software from your computer, contact the **Helpdesk** at **389-6449**.