

## **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 of up to \$250,000 per offense.

For more information, please see the Web site of the U.S. Copyright Office at [www.copyright.gov](http://www.copyright.gov), especially their FAQ's at [www.copyright.gov/help/faq](http://www.copyright.gov/help/faq).

Notwithstanding the above, DEC Information Technology personnel, after discussion with his or her department supervisor (for DEC staff) or the Vice President of Academic Affairs (for a DEC student), may suspend, block, or restrict access to an account, independent of DEC disciplinary procedures, when it appears reasonably necessary to do so in order to protect the integrity, security, or functionality of DEC or other computer resources, to protect DEC from liability, or where the emotional or physical well-being of any person is immediately threatened.

Access will be restored to the account holder whenever the appropriate investigation by DEC IT personnel determines that the protection of the integrity, security, or functionality of DEC or other computing resources has been restored and the safety and well-being of all individuals can reasonably be assured, unless access is to remain suspended as a result of formal disciplinary action imposed through the Information Technology personnel and DEC's President/CEO or as a result of legal action.