

Notice Concerning Copyright Infringement and Peer-to-Peer File Sharing

NOTICE TO ALL FACULTY, STAFF AND STUDENTS:

This is a reminder that unauthorized distribution of copyrighted material by any means including peer-to-peer file sharing is against Berea College policy. Downloading or sharing copyrighted materials such as music and movies without the owner's permission is a violation of Federal copyright law and a violation of Berea College's Computer and Network Policy. We are required by law to provide this notice to you each year. Copyright violations may result in College disciplinary action and even criminal prosecution. Per the requirements of the Digital Millennium Copyright Act (DMCA), when copyright holders or industry groups like the Recording Industry Association of America contact the College about specific incidents of infringement, the College must respond by removing or disabling access to the infringing material. Per College policy disciplinary action may include loss of network access privileges or even dismissal, and the College will cooperate fully with any criminal investigation.

Unauthorized distribution of copyrighted material, including peer-to-peer file sharing, may subject you to civil and criminal liabilities. 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, especially their FAQ's at www.copyright.gov/help/faq.

For more information, check out the following resources:

- [Berea College Computer and Network Policy](#)
- [DMCA information](#)
- [Peer-to-peer file sharing copyright issues](#)