

## Living Arts College @ School of Communication Arts

### COPYRIGHT RESTRICTION

Manuals and software are copyrighted and cannot be copied without the written permission of the Campus Director. Unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject them to civil and criminal liabilities up to and including:

1. Actual dollar amount of damages and profits.
2. *Copyright Law of the United States* 161 able jointly and severally, in a sum of not less than \$750 or more than \$30,000 as the court considers just. For the purposes of this subsection, all the parts of a compilation or derivative work constitute one work.
3. In a case where the copyright owner sustains the burden of proving, and the court finds, that infringement was committed willfully, the court in its discretion may increase the award of statutory damages to a sum of not more than \$150,000.
4. Attorney fees and court costs.
5. An injunction to stop the infringing acts.
6. Impound the illegal works.
7. Up to five years in prison.

Evidence of illegal activities or policy violations will be turned over to the appropriate authorities as soon as possible after detection. Depending upon their nature, violations of law or policy will be met with responses including revocation of access, suspension of accounts, disciplinary actions, and prosecution.

Students must never add software programs or software utilities or components to College computers. Doing so will be a violation of Guidelines for Progress and grounds for dismissal. Students are also responsible for backing up their work and checking their work files. They are expected to keep backup materials secure. The College has no responsibility for these files.

### PEER-TO-PEER NETWORKING

#### What is peer-to-peer (P2P) networking?

A type of network where computers communicate directly with each other, rather than through a central server. Often referred to simply as peer-to-peer, or abbreviated P2P, a type of network in which each workstation has equivalent capabilities and responsibilities in contrast to client/server architectures, in which some computers are dedicated to serving the other computers. A "network" is a group of two or more computer systems linked together by various methods. In recent usage, peer-to-peer has come to describe applications in which users can use the Internet to exchange files with each other directly or through a mediating server.

#### Types of Copyright Infringement Notifications

Copyright holders and organizations that represent copyright holders, such as the RIAA and MPAA, typically send out three different types of communications related to copyright infringement:

1. **Cease and desist, or copyright infringement, notices** – The purpose of these notices is to stop the illegal possession and distribution of copyrighted material. When the Center for Information Technology Services (CITS) receives these notices from copyright holders or their representatives, CITS contacts the user whose Internet Protocol (IP) address has been identified in the notice. CITS notifies the user that illegal copies of copyrighted materials must be destroyed.
2. **Pre-litigation notices** – These letters are used by copyright holders and their representatives prior to filing a lawsuit to recover, by way of a settlement, financial damages caused by the illegal distribution of copyrighted material. If you have been identified as participating in the illegal downloading or uploading of copyrighted materials, you may receive one of these notices, even if you have already destroyed your copy (or copies) of the material(s) in question.
3. **Subpoenas** – These notices indicate that the copyright holder has filed a lawsuit to recover damages for the illegal distribution of copyrighted material. If the court finds you liable, you will be subject to fines and penalties.

**Living Arts College prohibits the use of its computing resources to conduct illegal activity.** The College complies with applicable federal, state, and local laws and requires that users do the same. While using a Living Arts College computer, users agree to obey the College's computing policies and the laws referenced by these policies. Users are responsible for all activity that transpires through their computing accounts and the devices that are registered to them.

Living Arts College enforces its own policies and standards pertaining to the electronic communication environment; regardless of whether a copyright holder pursues legal action.