

# NICHOLS COLLEGE

## File Sharing and Copyright Policy

All members of the Nichols College community are expected to comply with Title 17 of the United States Code “also known as the “Copyright Act of 1976” and the Digital Millennium Copyright Act (1998) in their use of the College’s Internet connection. All users of Nichols College network resources are also expected to abide by the rules in the Higher Education Opportunity Act of 2008 with regard to peer-to-peer file sharing. One site that can be used as reference for what sites to use for legal downloads of protected materials is [www.campusdownloading.com](http://www.campusdownloading.com).

### What You Can Do

- ◆ Make a backup copy of a CD, a DVD, or software that you purchased for your own use
- ◆ Copy music or movies that you purchase to your computer
- ◆ Copy music or movies that you purchase to your PDA, iPod, or MP3 music device
- ◆ Make a CD for yourself from music that you purchase from appropriate sites on the Internet

### What You Cannot Do

- ◆ Share, for others to download, music or movies, or software via a network (including the Internet)
- ◆ Make copies of a CD, DVD, or Software to give to a friend or that you borrowed from a friend
- ◆ Distribute for personal gain music you have purchased or downloaded
- ◆ Download music, movies, or software without purchasing it (unless it is legally “free”)

### Consequences of Violations

Violations of copyright law can have serious consequences in the area of:

- ◆ Civil Liability – Persons found to have infringed may be held liable for substantial damages and attorneys’ fees. The law entitles a plaintiff to seek statutory damages of \$150,000 for each act of willful infringement.

- ◆ Criminal Liability – Copyright infringement also carries criminal penalties under the No Electronic Theft Act. Depending on the number and value of the products exchanged, penalties for a first offense may be as high as three years in prison and a fine of \$250,000.
- ◆ College Sanctions – Students are responsible for their compliance with copyright law. The College cannot take responsibility for student compliance, and cannot defend students against a claim by a copyright owner. Upon receipt of a complaint about a student's behavior, College Officials are required to take action. This action could range from terminating a student's Internet connection and/or providing the student's name to the copyright owner, to suspension or expulsion from the College, depending on the severity of the infringement.

*(This policy was adapted with permission from Bates, Goucher and Lynchburg Colleges)*