



PRINCETON RESCUE SQUAD EDUCATION DEPARTMENT

701 Stafford Drive Princeton, WV 24740

POLICY: Copyright and Software Infringement

Effective Date: August 2018

TITLE: Copyright and Software Infringement—Student

RATIONALE: To establish policies for student conduct with regard to copyright and software infringement as well as liabilities for unauthorized distribution.

POLICY:

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.

Fair use provisions of the Copyright Act (Section 107) permit certain uses of copyrighted works for education and scholarly research, especially if the proposed use:

- Is nonprofit and educational

 - Use in a class presentation is more permissible than use in something you will sell.

- Takes into account the nature of the original (i.e. highly creative vs. largely factual)

 - Being highly creative in nature, music has more protection than a scholarly article, which is largely factual.

- Is not a substantial portion of the original, and

 - Photocopying an entire book is not permissible, but one chapter is.

- Does not affect the potential market for the original.

 - Buying a book at the bookstore, photocopying it, and then returning the book for a refund is not permissible.

For more information about fair use, see <https://www.copyright.gov/title17/>

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 \$750.00 and not more than \$30,000.00 per work infringed. For “willful” infringement, a court may award up to \$150,000.00 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 \$250,000.00 per offense.

Princeton Rescue Squad students charged with copyright infringement will be subject to disciplinary procedures up to and including dismissal from the program of study.

RESPONSIBLE PERSONNEL:

Students