



# COPYRIGHT INFRINGEMENT POLICIES AND SANCTIONS (INCLUDING COMPUTER USE AND FILE SHARING)

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## **Computer Networks**

The College provides e-mail access in the dormitories and Internet access in the library and student mailroom by means of the College's computer network. Tapping into, or tampering with, the College's network or telephone wiring is strictly prohibited. In keeping with the College's aim of maintaining a community of learning in the dormitories, students are not permitted to set up their own computer networks either by means of wireless technology or by running network cables from room to room.

## **Internet and Computer Services**

The College provides computer resources for three purposes: research, communication, and retail business transactions (such as purchasing airline tickets). To allow for the quietude and rest that contemplation requires, the College has no interest in promoting widespread use of the Internet for entertainment purposes. Several computers are available for student use in the library and the student mail room. Some residence halls are equipped with computers which students may use to access their college email accounts. Internet access, however, is limited to the library and mail room. The use of cell phones, cell phone service, or any other wireless service, to access the Internet is prohibited. Students are welcome to bring their own computers. If they bring laptops, they may request to have their computers configured to access the Internet in the library and in the student mail room (they should bring their own Ethernet cable and their computer should be equipped with an Ethernet port).

It is essential that each user exercise responsible and ethical behavior when using the College's computer resources. The following policy applies to all individuals who have been granted use of the College's computer resources and summarizes the principles that govern the appropriate use of those resources. Because it is impossible to anticipate all of the methods that individuals may employ to intentionally damage or misuse the College's computer resources, this policy focuses on some of the general regulations that govern the appropriate use of the College's computer resources.

The following list of inappropriate uses of the College's computer resources is not comprehensive, but illustrates some of the responsibilities that users must abide by when using the College's computer resources.

- Transmitting information that contains obscene, indecent, lewd, or lascivious material or other material that explicitly or implicitly refers to sexual conduct or contains profane language.
- Creating, modifying, executing, or retransmitting any computer program or instructions intended to (1) obscure the identity of the user of the College's computer resources or alter the system used to identify the user of the College's computer resources, or (2) subvert or render ineffective the security or access control measures on the College's computer resources.
- Authorizing another individual to use a user's computer account or the College's computer resources. Users must take reasonable precautions, including password maintenance and file protection, to prevent unauthorized individuals from using their account and must not share their password with other users or unauthorized individuals.
- Communicating or using any password, personal identification number, credit card number, or other personal or financial information without the permission of its owner.

- Using the College's computer resources to gain unauthorized access to resources of this or other institutions, individuals, or organizations. Using false or misleading information for the purpose of obtaining access to unauthorized resources.
- Accessing, altering, copying, moving, or removing information, proprietary software, or other files from the College's computer resources without authorization.
- Copying, downloading or distributing copyrighted materials, including unauthorized peer-to-peer file sharing, without the authorization of the copyright owner is illegal and may result in civil and criminal penalties, including fine and imprisonment. Copyrighted materials include, but are not limited to, copyrighted music, films and software.
- Using the College's computer resources in a manner that adversely affects other users, including impairing the College's computer resources or the resources of other institutions, individuals, or organizations by intentionally or negligently introducing any “Trojan-horse”, “virus”, or “worm” program.
- Using the College's computer resources for commercial gain or commercial purposes not officially approved by the College.
- Using the College’s computer resources for online gambling.
- Initiating or propagating electronic “chain letters” or other activities that excessively increase the load of the College's computer resources, e.g., printing excessive copies of documents, files, or images.
- Violating laws or participating in the commission or furtherance of any crime or any other illegal purpose, e.g., pirating images, music, or software.

Thomas Aquinas College acknowledges its obligation to respect the privacy of a user's computer files and e-mail, but users should be sensitive to the inherent limitations of the College's computer resources—no computer security system can completely prevent unauthorized individuals from accessing a user's computer files or e-mail.

The College maintains the right to monitor and access a user's computer files, e-mail, and use of computer resources when it is necessary to protect the integrity, security, and proper functioning of the College's computer resources, when it is necessary to enforce this policy, or when it is required by law. The College will notify users of such monitoring provided that it will not compromise the College's investigation or the investigation of an appropriate law enforcement agency.

Any violation of this policy, other related College regulations, or federal or state laws may result in immediate suspension of computer resource privileges. The College's authorities and/or the appropriate law enforcement agency will determine other possible disciplinary or legal action. Nothing in this policy supersedes existing College regulations and policies and/or state or federal law.

### **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).