

Lansing Community College is required under the Higher Education Opportunity Act (HEOA) to make an annual disclosure informing students that illegal distribution of copyrighted materials may lead to civil and/or criminal penalties.

Lansing Community College strictly prohibits the unauthorized distribution of any copyrighted material, including peer-to-peer file sharing and illegal downloading. The College's Acceptable Use and the Student Code of Conduct Policy both prohibit the use of the College's technology resources to violate copyright law. Use of the College's technology resources is a privilege granted by the College and may be revoked at any time for inappropriate conduct carried out on such systems, including, but not limited to:

- Making unauthorized copies of software or third party files, or otherwise violating software licensing agreements or copyright laws;
- Using peer-to-peer applications that violate content copyright.

Violations of these policies may result in loss of computer privileges and/or disciplinary action under the Student Code of Conduct and/or employee disciplinary action up to and including discharge of employment. In addition, the user may face both civil and criminal liability from the College, from law enforcement officials or from individuals whose rights are harmed by the violation.

Students and prospective students may review the College's [Acceptable Use Policy](#) online. Paper copies may also be obtained upon request at:

Lansing Community College Library  
Technology & Learning Center (TLC) Building – 2<sup>nd</sup> Floor  
400 N. Capitol Ave.  
Lansing, MI 48933  
517-483-1657

### **Civil and Federal 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 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 [U.S. Copyright Office](#) website, especially their [FAQ's](#) section.

### **Legal Alternatives for Acquiring Copyrighted Materials**

Lansing Community College encourages alternative and legal sites for obtaining digital information. Please visit the [Educause](#) website to find legal alternatives to illegal downloading or peer-to-peer sharing of copyrighted material.