



## **CAREER TRAINING ACADEMY Copyright Infringement Policy**

### **Unauthorized use of Copyrighted materials and Unauthorized File sharing**

In compliance with H.R 4137, the Higher Education Opportunity Act (HEOA), Career Training Academy [CTA] hereby gives notice that the unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject students to civil and criminal liabilities.

#### **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 website of the U.S. Copyright Office, especially their FAQ's at [www.copyright.gov/help/faq](http://www.copyright.gov/help/faq)

Unauthorized peer-to-peer file sharing will be handled in accordance with established college practices, policies, and procedures, confirmation of inappropriate use of Career Training Academy Information Technology resources may result in termination of access, disciplinary review, expulsion, termination of employment, legal action, or other disciplinary action deemed appropriate.

Information Technology will, when necessary, work with other CTA offices such as the President's and any other appropriate local, state, or federal authority in the resolution of violations.

The HEOA also requires that all colleges and universities offer legal alternatives to unauthorized downloads. You are encouraged to review legal alternatives to unauthorized downloads.

The Higher Education Opportunity Act requires that all post-secondary programs, colleges, and universities be able to offer legal alternatives to unauthorized downloading. CTA has determined that EDUCAUSE, a nonprofit association whose mission is to advance higher education by promoting the intelligent use of information technology, maintains a list of sites where you can legally download music, videos and other digital content. The list contained on the link listed below includes a large portion of the legitimate online services we're aware of. No endorsement or evaluation is intended.

The list can be found at: <http://www.educause.edu/legalcontent>.