

BETH MEDRASH GOVOHA

COPYRIGHT INFRINGEMENT POLICIES AND SANCTIONS

Beth Medrash Govoha is required by law to provide the following information regarding copyright infringement, copying of digital files, and associated penalties:

Unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject students to civil and criminal liabilities. Beth Medrash Govoha does not have an institutional technology system for the student's use.

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 at www.copyright.gov.

Beth Medrash Govoha, following federal guidelines, likewise prohibits unauthorized peer-to-peer file sharing. Students who engage in illegal downloading or unauthorized distribution of copyrighted materials using Beth Medrash Govoha's information technology system face disciplinary action, up to and including expulsion from the institution

Legal alternatives to obtain copyrighted material include:

- Purchasing the material
- Securing permission from the copyright owner
- Linking to materials on other sites, rather than copying and posting
- Using material in the public domain
- Lawfully using protected materials after a fair use analysis
- Students are reminded that even content paid for can be a copyright infringement and that free content is not always an infringement.