**Copyright Infringement and Unauthorized Distribution Quick Information Sheet**

As a member of the Youngstown State community it is important for you to know and understand the policies and governing procedures related to material that is covered under copyright protection. Please become familiar with the below selections that highlight important information pertaining to the copying and distribution of material. As you acquaint yourself to the following be aware that that unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject students to civil and criminal liabilities. Please see the below summary for more information on possible penalties.

**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/).

**Current YSU Board of Trustee Policy language specific to information protected by copyright law**

Acceptable Use Policy (AUP) Board Policy (**­­3356-4-09 Acceptable use of university technology resources.)**

**Section D User requirements, Subsection 6:**

**(D)** All users of the university-owned technology resources (computing, networking and data), regardless

of affiliation with the university, must:

**(6)**Respect copyrights, intellectual property rights, and

ownership of files and passwords.

**Section J Examples of unacceptable use, Subsection i and j:**

**(J)** Examples of unacceptable use:

**(i)**Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including but not limited to, the installation or distribution of pirated or other software products that are not appropriately licensed is prohibited.

**(j)** Unauthorized copying and downloading of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music and films and the installation of any copyrighted software for which an active license has not been procured is prohibited.

**Referrals of Alleged Student Misconduct to the Office of Student Conduct**

Also, covered in this policy are the guidelines to disciplinary actions that may result against students who engage in illegal downloading or unauthorized distribution of copyrighted materials using the institution's information technology system. Per the sections of the policy noted below, any situations that include potential violations of these policies by a student will be referred to the Office of Student Conduct for review. If a student is found in violation of a policy, they will be appropriately sanctioned, up to and including expulsion from Youngstown State University. Possible sanctions are explained further in *The Student Code of Conduct*, which can be found at: <http://cms.ysu.edu/administrative-offices/student-conduct/art-iv-sect-g>

**Section F No expectation of privacy, Subsection 4:**

**(4)** The university, in its discretion, may disclose the results of any such general or individual monitoring, including the contents and records of individual communications, to appropriate university personnel, student conduct, or law enforcement agencies and may use those results in appropriate university disciplinary proceedings.

**Section K Enforcement, Subsection 2:**

**(2)**The office of the chief technology officer must immediately report the enforcement action and the justification for the action to the vice president of student affairs, vice president for finance and administration, or provost (or their designee), as applicable.  The university may permanently suspend all technology access of anyone using the university network resource until due process has been completed by student conduct, employee administrative discipline and/or law enforcement agencies

Current YSU Board of Trustee policys can be found on the YSU website.