



## **POLICY AND PROCEDURES OF THE PINEVILLE BEAUTY SCHOOL ON COPYRIGHT INFRINGEMENT AND PEER-TO-PEER (P2P) FILE SHARING**

Anyone found committing unauthorized distribution of copyrighted material including unauthorized peer-to-peer file sharing may be subject to institutional, civil, and/or criminal sanctions.

The Pineville Beauty School does not tolerate unauthorized peer-to-peer file sharing, illegal downloading or unauthorized distribution of copyrighted materials using the institution's information technology system. Violation penalties may include placing the student on suspension or termination if the student continues to violate policy. Violations by staff members may be subject to suspension or termination if he/she continues to violate the policy. Disciplinary actions by the institution are considered separate from any civil and criminal sanctions.

Each student or staff member caught committing unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing shall be dealt with on a case by case basis. The owner(s) and administrator(s) of the institution will notify the student or staff member in writing of the institutional sanctions, if applicable, and any future sanctions if repeated. If the student or staff member continues to violate the policy and law, the school may choose to contact the authorities and the student or staff member may be subject to civil and criminal charges. The institution may or may not choose to place the student on suspension or termination. When pertaining to a staff member, the institution may or may not choose to suspend or terminate said staff member's employment. Please see below for more information on federal law pertaining to copyright infringement and peer-to-peer file sharing.

### **FEDERAL COPYRIGHT INFRINGEMENT AND PEER-TO-PEER FILE SHARING LAW**

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).