

CLC Copyright Compliance Notice

This Web site has information on the lawful use of copyrighted materials, peer-to-peer networks, and fair use on CLC's computing networks and in CLC facilities. Additional information is given about the consequences of illegally uploading, downloading, and sharing music and movies.

This is not intended to be a comprehensive treatment of the copyright laws; rather, it is intended to provide basic information to help with understanding the differences between legal and illegal file sharing.

Many college and university students, including those at CLC, have disregarded information about the legal consequences of illegal file sharing. As a result, students and others have been successfully sued and have paid thousands of dollars in financial settlements for infringing on the copyrights of music, movies, and electronic game companies.

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.

For more information, please see the Web site of the U.S. Copyright Office at www.copyright.gov, especially their FAQ's at www.copyright.gov/help/faq.

Plan for Combating Unauthorized Distribution:

The College has technology in place to effectively combat unauthorized distribution of copyrighted materials. Measures in effect are:

ITS maintains packet-shaping and monitoring tools:

- A bandwidth shaping system is employed to monitor all traffic bandwidth, including peer-to-peer (p2p) file sharing. It will be used to block p2p traffic if evidence of illegal file sharing is discovered.
- A Cisco ASA500 firewall is employed for controlling and blocking ports. This can be utilized if needed to block traffic as needed.
- Various "sniffing" tools are employed by the College for more detailed packet tracing as needed.

In addition, the College accepts and responds to Digital Millennium Copyright Act (DMCA) notices. DMCA notices should be sent to the Chief Information Officer, or to the email address: abuse@clcollinois.edu.

This plan will be reviewed annually by the CIO to insure that it is effective in combating unauthorized distribution of copyrighted materials.

Mechanism for Educating and informing its community:

- All faculty, staff and students are sent an email at the beginning of the fall and spring semesters informing them about the inappropriate use of copyrighted materials.
- Incoming students are made aware of the need for ethical use of materials during the mandatory new student orientation.
- New full-time faculty have a copyright workshop as part of their mandatory New Faculty Institute.
- All new full-time and part-time faculty are sent a booklet, "Questions & Answers on Copyright for the Campus Community".
- A copyright workshop is scheduled annually through the Professional Development Center and is open to any interested faculty and staff.
- Copyright information is posted on the Professional Development Center Website.
<http://pd.clcollinois.edu/legal.cfm>

Procedure for Handling Unauthorized Distribution:

U.S. federal law treats the unauthorized uploading, downloading, or sharing and distribution of copyrighted material as a serious offense that carries significant consequences. Any CLC network account holder who infringes copyright laws risks a lawsuit by the copyright holder, loss of access to the CLC network and network services, and disciplinary action by CLC.

In recent years, copyright holders and trade associations - especially the Recording Industry Association of America (RIAA) and the Motion Picture Association of America (MPAA) have aggressively pursued copyright holders' rights and have been increasingly focused on universities. In some cases, the cost of settlement has ranged from approximately \$3000 or more for the initial offense, which may have been no more than a download of a single song. In December 2008, the RIAA announced a change in strategy and that it would begin working with internet service providers to combat illegal file sharing. CLC prohibits any infringement of intellectual property rights of others by any member of the CLC community. It is against CLC policy to participate in the violation of the intellectual property rights of others. CLC's policies regarding use of CLC Technology can be found at:

- Board Policies:
 - [#403 – Student Rights and Responsibilities](#)
 - [#909 – Responsible Use of Technology](#)
 - [#927 – Resolution of Complaints](#)
 - [#964 – Copyright](#)

- [Directive of Acceptable Use of Technology](#)

Alternatives for P2P: Legal Downloading

For more information on copyright compliance see the Recording Industry Association of America, www.riaa.org, and the Motion Picture Association of America, www.mpa.org. When purchasing music or movies online or purchasing a CD/DVD, it is important to understand the answers to the following questions:

- What permissions come with the product? These range from broad creative commons permissions, that allow for redistribution under certain conditions, to restrictive requirements, that allow the material to be only played on one machine, or allow only streaming, etc. It is the responsibility of the purchaser to understand the permissions.
- What digital restrictions, if any, are used with the product? Many services use digital rights management (DRM) technology to control the use of the music or digital works they sell. DRM usually reflects the permissions and can range from allowing unlimited copies of the CD/DVD to preventing any copying at all. DRM with a subscription-based model may render the music unplayable if the subscription is not maintained. Some services do not use DRM.

It is important to be aware that sharing music, movies, videos, software, games, and other copyrighted material may be a violation of law and can expose one who downloads and shares materials to civil and criminal penalties. Be responsible for the use of copyrighted materials.

[Click here](#) for a list of Web sites that are legal alternatives to download music and movies.