THE NEW YORK SEMINARY

COPYRIGHT INFRINGEMENT POLICY

As per 34 CFR 668.43(a)(10), students of The New York Seminary are hereby informed that unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject the student 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 at https://copyright.gov.

Legal Alternatives for Downloading or Otherwise Acquiring Copyrighted Materials

- Purchasing the material in a legal manner
- Securing permission for use from the copyright owner
- Linking directly to materials on other sites, rather than copying and pasting
- Sourcing materials from the public domain
- Lawfully using protected materials after a fair use analysis

Students are reminded that using free content is not always copyright infringement, and purchased content can contain copyrighted work. Always ensure that any content you obtain, whether free or purchased, comes from a legal and trustworthy source.

Unauthorized Peer-to-Peer Sharing

Unauthorized peer-to-peer sharing is a copyright violation, and is is prohibited by law, as well as by The New York Seminary. The school does not have an institutional information technology system for student use.