

COPYRIGHT INFRINGEMENT POLICIES AND SANCTIONS

(INCLUDING COMPUTER USE AND FILE SHARING)

Computer Networks

John Paul the Great Catholic University provides internet access for employees by means of the University's computer network. Students are provided with wireless internet access in their apartments, in the common rooms, and on campus. Tapping into, or tampering with, the University's network or telephone wiring is strictly prohibited.

Internet and Computer Services

The University provides computer and internet resources for the purpose of research, communication, and retail business transactions.

It is essential that each user exercise responsible and ethical behavior when using the University's computer or internet resources. The following policy applies to all individuals who have been granted use of the University's computer resources and summarizes the principles that govern the appropriate use of those resources. Because it is impossible to anticipate all of the methods that individuals may employ to intentionally damage or misuse the College's computer resources, this policy focuses on some of the general regulations that govern the appropriate use of the College's computer resources.

The following list of inappropriate uses of the College's computer resources is not comprehensive, but illustrates some of the responsibilities that users must abide by when using the College's computer resources.

- Transmitting information that contains obscene, indecent, lewd, or lascivious material or other material that explicitly or implicitly refers to sexual conduct or contains profane language.
- Creating, modifying, executing, or retransmitting any computer program or instructions intended to (1) obscure the identity of the user of JP Catholic's computer resources or alter the system used to identify the user of the computer resources, or (2) subvert or render ineffective the security or access control measures on JP Catholic's computer resources.
- Authorizing another individual to use a user's computer account or JP Catholic's computer resources. Users must take reasonable precautions, including password maintenance and file protection, to prevent unauthorized individuals from using their account and must not share their password with other users or unauthorized individuals.
- Communicating or using any password, personal identification number, credit card number, or other personal or financial information without the permission of its owner.
- Using the University's computer resources to gain unauthorized access to resources of this or other institutions, individuals, or organizations. Using false or misleading information for the purpose of obtaining access to unauthorized resources.
- Accessing, altering, copying, moving, or removing information, proprietary software, or other files from JP Catholic's computer resources without authorization.

- Copying, downloading or distributing copyrighted materials, including unauthorized peer-to-peer file sharing, without the authorization of the copyright owner is illegal and may result in civil and criminal penalties, including fine and imprisonment. Copyrighted materials include, but are not limited to, copyrighted music, films and software.
- Using the University's computer resources in a manner that adversely affects other users, including impairing the computer resources or the resources of other institutions, individuals, or organizations by intentionally or negligently introducing any “Trojan-horse”, “virus”, or “worm” program.
- Using the College's computer resources for commercial gain or commercial purposes not officially approved by the College.
- Using JP Catholic’s computer resources for illegal online gambling.
- Violating laws or participating in the commission or furtherance of any crime or any other illegal purpose, e.g., pirating images, music, or software.

John Paul the Great Catholic University acknowledges its obligation to respect the privacy of a user's computer files and e-mail, but users should be sensitive to the inherent limitations of the computer resources—no computer security system can completely prevent unauthorized individuals from accessing a user's computer files or e-mail.

JP Catholic maintains the right to monitor and access a user's computer files, e-mail, and use of computer resources when it is necessary to protect the integrity, security, and proper functioning of the University's computer resources, when it is necessary to enforce this policy, or when it is required by law. JP Catholic may or may not notify users of such monitoring provided that it will not compromise the University's investigation or the investigation of an appropriate law enforcement agency.

Any violation of this policy, other related University regulations, or federal or state laws may result in immediate suspension of computer resource privileges. JP Catholic's authorities and/or the appropriate law enforcement agency will determine other possible disciplinary or legal action. Nothing in this policy supersedes existing University regulations and policies and/or state or federal law.

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, especially their FAQ's at www.copyright.gov/help/faq.

Legal Alternatives

Rhapsody

Rhapsody gives users all the music they want for a \$10/month subscription. Users have the capability to connect to the music catalog from different devices such as your personal computer, home audio systems, or apps for different platforms like the iPhone, iPod Touch, Android and Blackberry. The catalog has more than 16 million songs.

Amazon.com

Amazon.com has a MP3 & Cloud Player system with 20 million songs that users can play anywhere. It has the MP3 Music Store with 20 million songs to purchase, the Cloud Player for the Web to enable playing music from any browser, the Cloud Player for Android for the Android and Kindle Fire, and the Cloud Player for IOS for the iPhone and iPod Touch.

iTunes

iTunes allows the user to download movies, TV shows, music, apps, and books which will appear on all the devices they own. iTunes is a free app for any Mac or PC.

Pandora

Users choose an artist or song, and Pandora creates a station for them full of music that is similar to that artist or song. Pandora is free until the user listens to music on the site for more than 40 hours per month; after that it is \$1 for the remainder of the month. If a user purchases a yearly subscription, the stations will not contain advertisements.

Spotify

User can play music from the web (streaming music service) instead of on their phone or personal hard drive. Premium users can download songs; users who do not subscribe cannot legally download any music. Spotify has 15 million songs in their music catalog. They allow you to rent songs rather than own them, but allow users to choose the specific songs they listen to.

Slacker.com (Premium radio)

A Slacker subscription gives a user:

No ads, Unlimited Song Skips, Mobile Station Caching, ABC news, ESPN radio, complete song lyrics, play songs on demand, play albums on demand, play single artist stations, cache albums and playlists, and create playlists.

Last.fm

A last.fm subscription gives a user:

Uninterrupted radio listening, radio via mobile app, radio on supported hardware platforms, ad-free browsing and streaming, recent visitors to users profile, prestigious black icon, access to VIP zone with more charts, graphs, and latest from the Last.fm, and labs.