

# Higher Education Opportunity Act

## ***Notice to the St. Vincent College Students about downloading/sharing copyrighted files, music, videos, and movies.***

Unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject students to civil and criminal liabilities under federal copyright law.

Several of the provisions of Higher Education Opportunity Act, signed into law into 2008, are intended to reduce unauthorized duplication of copyrighted works. Students are encouraged to read and understand this 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](http://www.copyright.gov), especially their FAQ's at [www.copyright.gov/help/faq](http://www.copyright.gov/help/faq).

## ***Additional Information***

A description of Saint Vincent College's policies with respect to unauthorized peer-to-peer file sharing, including disciplinary actions that are taken against students who engage in illegal downloading or unauthorized distribution of copyrighted materials using Saint Vincent College's information technology system can be found in the [Student Handbook](#).

[Recording Industry Association of America \(RIAA\) - Unauthorized Copying and the law](#)

[Motion Picture Association of America \(MPAA\) - Copyright Information](#)

## ***Legal Alternatives***

A [comprehensive list of alternatives](#) to illegal downloading