



## OPSU POLICIES AND PROCEDURES

TITLE: Copyright Infringement Policy

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OPSU officials are required by The Higher Education Opportunity Act of 2008 to identify and report any infraction of the unauthorized distribution of copyrighted materials through illegal downloading or peer-to-peer distribution of intellectual property. The Higher Education Opportunity Act of 2008 (HEOA) Pub. L. 110-315 added provisions to include institutions of higher education. These requirements were effective upon enactment of the HEOA, August 14, 2008.

Unauthorized distribution of copyrighted material, including peer-to-peer file sharing, are subject to civil and criminal liabilities in accordance with the Federal copyright laws.

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 State 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 [www.copyright.gov](http://www.copyright.gov), especially their FAQ’s at [www.copyright.gov/help/faq](http://www.copyright.gov/help/faq).