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## Mitchell Technical Institute

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Mitchell Technical Institute is required by federal government regulations to inform you of penalties which could be levied against persons who engage in the practice of illegally downloading copyrighted material. This requirement is specifically mandated by Higher Education Opportunity Act 2008 (HEOA) but portions are also relevant under the Digital Millennium Copyright Act (DMCA).

MTI has policies in place that prohibit the illegal downloading of copyrighted materials. Those policies are required reading for all MTI students and can be found in your student handbook.

A copy of the Acceptable Use Policy can also be found starting on page 69 of the Student Handbook. The Student Handbook can be found online at the link below:

<https://www.mitchelltech.edu/media/files/Academics/Student%20Handbook/MTI%20Student-Handbook-15-16.pdf>

MTI Copyright Policy

<https://www.mitchelltech.edu/media/files/About%20MTI/Board%20Policies/MTI%20551%20Fair%20Use%20Guidelines-2016.pdf>

A violation could result in internal disciplinary action taken by MTI; however you are now being informed that further civil and criminal procedures could also be applied to this violation.

### 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).

David Boos

Director of Technology

Mitchell Technical Institute