

Copyright Infringement & Computer Use/Sharing

Pima Medical Institute's (PMI's) Copyright Infringement and Computer Use/Sharing provides guidelines for the appropriate and inappropriate use of computing resources and file sharing, and provides guidelines to protect against copyright infringement. This policy is applicable to all PMI faculty, staff, students, alumni, and guests of the school. Students will be notified of this policy annually.

Additionally, PMI periodically reviews legal alternatives for downloading or acquiring copyrighted material and is required to make this information known. During the recent review, we updated our policy to include more information about unauthorized sharing, and have made available a legal alternative downloading option list. This information is available through our [website](#).

Unauthorized Sharing

The Digital Millennium Copyright Act (DMCA) is a federal law that is designed to protect copyright holders from online theft, which is the unauthorized distribution of copyrighted material is the unlawful reproduction or distribution of others works. This act covers music, movies, text and anything that is copyrighted. These provisions are designed to reduce the illegal uploading and downloading of copyrighted works through peer-to-peer file sharing. Sample violations include: forwarding, downloading and saving, or copying copyrighted material through any electronic or physical medium (e.g., email, text, thumb drive) and joining a file share network and downloading unauthorized copies of copyrighted material. The unauthorized sharing of all copyrighted materials as defined by the PMI Copyright Infringement and Computer Use / Sharing policy and federal law must be stopped.

File-Sharing Programs: A Frequent Culprit in DMCA Violations

In many of the cases violators claim to be unaware that they were distributing copyrighted works across the PMI network. This is due to the design of file-sharing programs such as Kazaa, BitTorrent and others. These programs can automatically make your computer act like a server, causing copyrighted materials to be made available from your computer without your knowledge. In an effort to reduce the number of DMCA violations at PMI, access to all peer-to-peer sharing applications has been restricted. For additional information regarding the DMCA, visit the [US Copyright Office - DMCA webpage](#).

If you have copyrighted material on your computer and need assistance removing it, call IT support at (520)-545-0672.

Legal Alternative Downloading Options

A list of alternative download options is available through our [website](#).

PMI Computing Resources

Computing resources include all computers, related equipment, software, data, and local area networks for which the school is responsible as well as networks throughout the world to which the school provides computer access. The computing resources of Pima Medical Institute (PMI) are intended to be used for its programs of instruction and research and to conduct the legitimate business of the school. All users must have proper authorization for the use of the computing resources. Users are responsible for complying with all legal and ethical guidelines of PMI computing resources. Users have a responsibility to respect the privacy, copyrights, and intellectual property rights of others. Use must be in accordance with school policy and applicable state and federal laws.

Unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may result in civil and criminal liabilities to the parties involved.

Violations

Violations include, but are not limited to, the use of computing resources to:

- harass, threaten, or cause harm to individuals,
- interfere with the activities of others, and/or
- download or post material that is offensive, illegal, proprietary, and/or in violation of copyright laws.

In instances of copyright infringement or prohibited file sharing, PMI will take disciplinary action if there is evidence of one or more violations, which may include termination from the program and/or employment. If a complaint is received, Information Technology Services will disable network access for the listed device and attempts to identify the owner to inform them about the complaint. If the owner believes the complaint to be inaccurate, they will be given the opportunity to contest the finding when they meet with Student Services or their Department.

For more information, see the website of the U.S. Copyright Office: www.copyright.gov

Sanctions

Any responsible party not in compliance with copyright rules and regulations can face probation, termination and/or face sanctions in accordance with state and federal 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 or permission, 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>.