
File Sharing and the Higher Education Opportunity Act

Sofia University recognizes that there are legitimate uses for file sharing and does not want to block or limit those who need to collaborate with others. However, due to legislation outlined in the re-authorization of the Higher Education Opportunity Act that was signed into law in 2008 with an implementation date of July 1, 2010, Sofia University is obligated to comply with the various aspects of the HEOA. The per-to-peer, file-sharing, and copyright stipulations are outlined below followed by Sofia University's proposed actions in response to comply:

Please know that unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject students to civil and criminal liabilities.

Summary of Civil and Criminal Penalties for Violation of Federal Copyright Laws

The institution requires its students to respect the rights of others, including intellectual property rights. The federal Copyright Act (17 U.S.C. § 101, et seq.) prohibits the unauthorized making and distribution of copyrighted material. Violations of the Copyright Act, including unauthorized per-to-peer file sharing, may subject students to civil and criminal liabilities. These Liabilities include, but are not limited to, actions by a copyright owner to recover actual damages, profits, or statutory damages, as well as reasonable attorneys' fees and costs, and federal criminal charges that may result in fines and imprisonment.

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 \$250,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, and Sections 504,505. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines up to \$250,000 per offense. For more information, please see the website of the U.S. Copyright office at: www.copyright.gov