MC MONTGOMERY COLLEGE   Memorandum

Office of Information Technology

To: Montgomery College Students

From: Nell Feldman, Chief Information Security Officer
Suzette Spencer, Director of the Library

Subject: Policy Notice on Copyright Violations

Date: September 14, 2023

Welcome to the fall 2023 semester at Montgomery College. It is our goal to provide our students with a safe and powerful computing environment. We encourage students to fully participate in the Internet experience and in the free exercise of individual rights and academic freedoms. At the same time, we cannot permit our computer resources to be used for illegal purposes.

Montgomery College is required under the Higher Education Opportunity Act to notify you of the following information:

- Use of the College's technology resources for file sharing of copyrighted works including music, videos, games, images, motion pictures, and using peer-to-peer (P2P) software is illegal. Further, downloading these copyrighted works for personal use without permission from the copyright owner can result in criminal and civil penalties. It violates both the U.S. Copyright Act, and the Digital Millennium Copyright Act of 1998 (DMCA). The Library's copyright libguide is also a helpful resource: https://libguides.montgomerycollege.edu/copyright.

- Consequences for copyright infringement may include fines, monetary damages, and imprisonment. Actual or statutory damages may apply. For more information, refer to the DMCA Civil remedies, Section 1203, and Criminal offenses and penalties, Section 1204. Violations of the Copyright Act or the DMCA, including downloading copyrighted music, videos, or games for personal use without permission from the copyright owner, may carry heavy civil and criminal penalties. The minimum fine for copyright infringement or violations of the DCMA is $750 for any one work. Criminal penalties even for first-time offenders, can be severe: Up to $500,000 in fines and up to five years in prison. Willful copyright infringement can result in larger fines and longer periods of imprisonment. The music and motion picture industries take these offenses very seriously, and copyright infringement can lead to legal action.

- The *Montgomery College Student Code of Conduct and the Acceptable Use of Information Technology Policy ("AUP")* both prohibit the use of the College's technology resources to violate copyright law.

- As providers of your Internet service, Montgomery College is required by law to divulge your name and address to the authorities if a complaint is received about your illegal file-sharing activities. Montgomery College must honor all legitimate warrants, subpoenas, and court orders.

- Montgomery College is required to take action to discourage illegal file sharing of copyrighted works, and as a result the College:

  - blocks the illegal sharing of files across our network,
  - employs network tools to detect this activity and to identify violators, and
  - relies on a variety of network security applications to raise overall network efficiency and to provide a safe computing environment.

At Montgomery College, **copyright infringement is strictly prohibited**. Therefore, please use alternative and legal sites for finding copyrighted materials. You can find a current list of licensed music, movies, TV shows, and book providers here.

It is our intention to strictly enforce College policy, and we will obey and comply with all legitimate government laws and regulations. Please assist by carefully reading this information and abiding by the laws and regulations. You can refer to Montgomery College copyright policy (68101CP - Use of Copyrighted Materials), which explains the policy and procedures. You also can refer to a tutorial on plagiarism created by MC librarians: https://www.softchalkcloud.com/lesson/serve/cafVBuijknhpyr/html

If you have any questions, please contact Nell Feldman as the IT Policy Administrator at itpa@montgomerycollege.edu or 240-567-7222.

Best wishes for an outstanding semester!