



Delaware State University

University Area(s) Responsible: Division of Technology and Information Systems; Office of Finance and Administration

Policy Number & Name: 8-03: Copyright Infringement Investigation Policy and Procedure

Approval Date: 7/11/11

Revisions: _____

Related Policies and Procedures: _____

Introduction

In order to comply with the provisions within 18 USC 2319, Criminal Copyright Infringement, 17 USC 101, The No Electronic Theft (NET) Act and the Digital Millennium Copyright Act of 1998 regarding educational institutions, Delaware State University expects its staff, faculty and students to familiarize themselves with the principles of copyrights and to respect the rights of copyrights owned by others. All computer and network account holders at DSU are responsible for complying with copyright regulations and the University's policies and procedures regarding copyrighted materials.

Purpose

The purpose of this procedure is to ensure the proper initiation and completion of investigations into potential copyright infringements.

Policy

Delaware State University students, staff and faculty and all other account holders will comply with the copyright regulations set forth by 18 USC 2319, Criminal Copyright Infringement, 17 USC 101, The No Electronic Theft (NET) Act and the Digital Millennium Copyright Act of 1998 regarding educational institutions. Investigations into reported or potential acts of copyright infringement will be conducted by DSU and a resolution that may include sanctions, including denial of access to University computing services, will result from such investigations.

Procedure

- 1. Upon notification of a potential copyright infringement issue, ensure actions are initiated to preserve any and all data necessary to conduct the investigation.**
- 2. Notify DSU General Counsel of a potential copyright infringement.**
- 3. Proceed with the investigation. During the course of the investigation keep appropriate personnel apprised of the status of the investigation. During the investigation, Technology & Information Systems personnel may shutdown, disable, or otherwise make unusable certain components of the communications or computer systems.**
- 4. At the conclusion of the investigation, provide the results to the appropriate departments. If it is determined that copyright infringement has indeed taken place, the University reserves the right to deny, limit, revoke or impose other sanctions as it sees fit. The Office of Student Affairs will address student violations. Faculty and Staff violations will be addressed by appropriate Unit Heads and other relevant University officials.**

Note:

Additional Tasks

Ensure that the copyright infringement contact information is correct on both our web site <http://www.desu.edu/copyright.php> and the government copyright web site. <http://www.copyright.gov/onlinesp/agents/d/delstate.pdf>

Reminders sent out (E-News) to inform users, that if they receive infringement notices in error, who to forward them to, as well as to inform users of contact changes.