

Policy Name: Digital Millennium Copyright Policy

Applicability: This policy applies to all users of University facilities and services, including employees (faculty and staff), students, guests and contractors.

I. Purpose

The purpose of this policy is to implement University practices that abide and conform to the Federal Law governing the copyright of digital resources as defined in the Digital Millennium Copyright Act of 1998, 105 PL 105- 304.

II. Scope

This policy applies to activities involving the download, upload, or distribution of copyright protected digital material in any fashion but not limited to electronic data, information, voice, video and software by University computer system users on University computer systems.

III. Policy

The University complies with the provisions of the Digital Millennium Copyright Act (DMCA). Some of the specific areas addressed by DMCA are:

Limitation on Infringement Liability for “Service Providers”;
Limitations on exclusive rights; Distance Education;
Copyright Exemptions for Libraries and Archives; and
Limitations on exclusive rights; Computer Programs.

If you have a concern about the use of copyrighted material on the University network or domain, please contact the agent designated to respond to reports alleging copyright infringement.

It is illegal under Federal law (Title 17 of the US Code, and more recently the Digital Millennium Copyright Act, 105 PL 304), to download, upload, or distribute in any fashion, copyrighted material in any form without permission or a license to do so from the copyright holder. The University neither condones nor supports the use of copyrighted material in ways not intended for such materials.

IV. Designated Agent

The designated agent for the University to receive notification of claimed infringement under Title II of the DMCA is the University counsel, clwalker@seattleu.edu.

V. Claims

The DMCA specifies that all infringement claims must be in writing (either electronic mail or paper letter) and must include the following:

1. A physical or electronic signature of the copyright holder or a person authorized to act on his or her behalf;
2. A description of the copyrighted work claimed to have been infringed, or, if multiple copyrighted works at a single online site are covered by a single notification, a representative list of such works at that site;
3. A description of the material that is claimed to be infringing or to be the subject of infringing activity, and information reasonably sufficient to permit the service provider to locate the material;
4. Information reasonably sufficient to permit the service provider to contact the complainant, such as an address, telephone number, and, if available, an electronic mail address;
5. A statement that the complainant has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law; and
6. A statement that the information in the notification is accurate, and under penalty of perjury, that the complainant is authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

VI. Procedure to Resolve the Matter

Anyone informed about a copyright infringement must send the entire complaint to the designated agent for the University. The University may disclose any or all information about the accused to third parties in its sole discretion. The designated agent will follow the requirements of federal law concerning notices to the complainant and the accused and retention of a record of the complaint and resolution. The University reserves all right, at its sole discretion and without notice if it deems appropriate or necessary, to terminate the privileges of any system user who is accused of infringing the copyright of a third party, to disable access to material subject to a claim of infringing a copyrighted work as defined under the Digital Millennium Copyright Act, 17 U.S.C. § 512 (the “DMCA”) and to terminate the privileges of and to sanction any system user suspected of violating the law or this policy. Repeat violators will be sanctioned and their privileges will be terminated.