

MEMORANDUM

TO: ALL STUDENTS

FROM: Amy S. Kelso, Senior Associate General Counsel

DATE: October 6, 2016

SUBJECT: Copyright Infringement Reminder

Compliance with federal copyright law is expected of all students, faculty, and staff at UNC Charlotte. “Copyright” is legal protection for creative intellectual works, which is broadly interpreted to cover any tangible expression of an idea. Text (including email and internet content), graphics, art, photographs, music, movies, and software are examples of types of works protected by copyright. The **creator** of the work, or sometimes the person who hired the creator, is usually the **copyright owner**.

“Use” of a work means copying, distributing, making derivative works, publicly displaying, or publicly performing the work, and includes downloading and uploading content on the Internet. **You may “use” all or part of a copyrighted work only if (a) you have the copyright owner’s permission, or (b) you qualify for a legal exception.**

The most common exception in an educational setting is called “**fair use**.” “Fair use” is a legal term, and you should not assume that a use you intend to make is “fair use” without [examining several variables](#) in order to determine whether your use constitutes “fair use.” Atkins Library has a [website](#) devoted to copyright that provides helpful guidance in navigating copyright and plagiarism issues.

Copying, distributing, downloading, and uploading content to or from the Internet or other electronic resources without legal exception or permission may infringe the copyright for that content. Even an innocent, unintentional infringement violates the law. **Violations of copyright law that occur on or over the University’s networks, computers, or electronic communication resources may create liability for the University as well as personal liability for the user.** Students who commit copyright infringement using University computing resources may be subject to disciplinary action under [University Policy 406, The Code of Student Responsibility](#), as well as termination of the user’s email and/or Internet access account in accordance with [University Policy 307, Responsible Use of University Computing and Electronic Communication Resources](#). Violations of law may also be referred for criminal or civil prosecution.

Please be mindful of the law and University policy, and consult with the [Office of Legal Affairs](#) if you have any questions about how copyright law affects your use of University computing and electronic communication resources. You can find helpful guidance on the issues of legal and illegal downloading at the following external websites:

- Why Music Matters Digital Downloading Resource: <http://whymusicmatters.com/>
- Campus Downloading and Sharing Music Files: <http://itservices.uncc.edu/student-services/appropriate-use-policies/copyright-infringement>
- RIAA Student FAQs: <http://www.riaa.com/resources-learning/for-students-educators/>

*[Note: A copy of this memo is available online at:
<https://legal.uncc.edu/sites/legal.uncc.edu/files/media/CopyrightStudents.pdf>]*