

Houston Barber School Copyright Policy

Houston Barber School makes available its policies and sanctions related to copyright infringement, including (i) a statement that explicitly informs students that unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject infringing students to civil and criminal liabilities; (ii) a summary of the penalties for violation of federal copyright laws; and (iii) Houston Barber School's policies with respect to unauthorized peer-to-peer file sharing, including disciplinary actions taken against students who engage in illegal downloading or unauthorized distribution of copyrighted materials using Houston Barber School's information technology system.

Unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, and the textbooks that are on CD/DVD may subject students to civil and criminal liabilities.

The making of an electronic or paper copy of a copyrighted work by any means (photocopying, electronic reproduction, scanning, digitizing, etc.) constitutes reproduction that is governed by copyright law. The copyright principles that apply to the use of copyrighted works in electronic environments are the same as those that apply to such use in paper environments.

The reproduction or copying of a work subject to copyright protection typically requires the permission of the copyright owner. However, the copyright law recognizes that in certain situations, copyrighted work may be reproduced without the copyright owner's consent. One such situation is where the doctrine of "fair use" applies. The following four factors must be considered for determining "fair use":

- The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes.
- The nature of the copyrighted work.
- The amount and substantiality of the portion used in relation to the copyrighted work.
- The effect of the use upon the potential market for or value of the copyrighted work.

Information about the appropriate use of copyrighted materials is included in the Houston Barber School Catalog, in addition to e-mail and/or paper disclosures.

Allegations of copyright infringement, including without limitation unauthorized peer-to-peer file sharing, by Houston Barber School students will be investigated. Any student involved in a copyright infringement situation will be referred to the Director and the proper authorities. The Director may call a disciplinary hearing, and if Houston Barber School determines that a student has violated any copyright laws, including without limitation, illegal downloading or unauthorized distribution of copyrighted materials using Houston Barber School's information technology system, the offending student's enrollment at Houston Barber School may be terminated.

Houston Barber School presently has a firewall web-filtering appliance, which provides web filtering and fire wall protection. Students have very limited access to computers at Houston Barber Schools. For those students who do use Houston Barber School computers, their access is limited to approximately 20 websites. While it is impossible to ensure 100% access restriction, Houston Barber School does disable all devices pertaining to copying computer-generated information, including blocking all USB connections. In addition, Houston Barber School prohibits student users from downloading restricted information without the consent of the administrators in charge of the program. Houston Barber School does not process students or customers with wi-fi access.

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

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

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 \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys’ fees. For details see title 17, United States Code, Sections 504 and 505. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense.

For more information, please see the U.S. Copyright Office website at www.copyright.gov, especially their Frequently Answered Questions (FAQ’s) at www.copyright.gov/help/faq/

Questions concerning this policy and sanctions should be submitted to Davjd Breda, at 313 Rankin Road Suite G, Houston, TX 77073 or at phone number 281-821-0681