

Copyright Infringement Policy

How Evangel Responds to Claims of Copyright Infringement and RIAA Pre-Litigation Letters

When Evangel receives a copyright infringement claim involving music, video, software, or other digital materials, it takes the following steps under the 1998 federal statute known as the *Digital Millennium Copyright Act* or DMCA:

- we check network usage logs and registration information to examine the system alleged to be involved in copyright infringement and we identify the person using it;
- we suspend the system's Internet access;
- we notify the copyright holder (or agent) that we are handling the infringement claim under the guidelines of the DMCA;
- we DO NOT disclose the user's identity;
- we inform the user that an infringement claim has been made and ask if the user has downloaded or shared the copyrighted material in question without permission.

First-Time Offenses

If the user acknowledges using the copyrighted material without permission, we:

- require the user to read the Computer User Agreement and to review information about the DMCA statute and copyright regulations;
- require the user to submit a statement: (a) confirming the copyright infringement, (b) acknowledging violation of the Computer User Agreement, and (c) promising not to repeat this behavior;
- deny the user's system access to the Internet for five days;
- inform the claimant that the matter has been resolved.

If the user denies using the copyrighted material without permission, we:

- require the user to submit a statement denying the copyright infringement claim;
- inform the claimant that the claim has been denied;
- under the DMCA, the claimant may pursue a subpoena to obtain the identity of the system user and may file a lawsuit against the user.

Second-Time Offenses

If the user acknowledges a second instance of using copyrighted material without permission, we:

- require the user to re-read the Computer User Agreement and to review information about the DMCA statute and copyright regulations;
- require the user to submit a statement: (a) confirming the second case of copyright infringement, (b) acknowledging violation of the Computer User Agreement and his/her promise not to repeat this behavior, and (c) recognizing that any further violations will result in permanent disconnection from the Internet and other actions as the Evangel may deem appropriate;
- deny the user's system access to the campus network for five days and to the Internet for a period not to exceed the balance of the semester;
- inform the Dean of Students of the actions taken;
- inform the claimant that the matter has been resolved.

Third-Time Offenses

- deny the user's system access to the campus network for five days and to the Internet for a period not to exceed the balance of the semester;
- inform the Dean of Students of the actions taken;
- inform the claimant that the matter has been resolved.