Copyright Policy

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General Description

Policy Summary:

Trinity University endeavors to comply with copyright law and encourages all members of the Trinity community to obey the provisions of the copyright law. Trinity understands that copyright law applies to digital resources and that any unauthorized redistribution of music, movies, text, software or other protected media may be a violation of the law. Various policies relevant to specific issues of copyright are referenced in links noted below. Please refer to them for detailed information on Trinity expectations related to conformance to copyright law.

Purpose:

The term “intellectual property rights” refers generally to the ownership rights over a creative work. The most common types of intellectual property are trademarks, patents and copyrights. Copyright is a form of protection of intellectual property provided by the laws of the United States to the authors of original works. Copyright is an issue of particular seriousness because technology now allows the easy copying and transmission of some protected works. All members of the University community are responsible to comply with all legal statutes regarding intellectual property, including the Digital Millennium Copyright Act (DMCA). The Copyright Policy addresses this responsibility.

Scope:

The Copyright Policy applies to anyone using Trinity University’s computer systems, networks, and data systems. This includes faculty and staff members, students, external vendors, guests and other members of the University community.

Policy Content

Summary

The University's designated agent for notices under the Digital Millennium Copyright Act is Jason Hardin (Library). For more information on copyright and intellectual property, please refer to the Library's resource - http://libguides.trinity.edu/policies_copyright

Federal copyright laws also protect the software available for use on computers at the Trinity University. The software provided through the University for use by faculty, staff, and students may be used only on computing equipment as specified in the various software licenses.

Faculty, staff, or students must not copy or reproduce any licensed software or intellectual property found on University computing equipment, except as expressly permitted by the software license, author, or granting authority. Faculty, staff, and students may not use unauthorized copies of licensed software on University-owned computers.

Digital Millennium Copyright Act (DCMA)

United States copyright law is based in the U.S. Constitution, giving Congress the authority "To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries." (Article I, sec. 8) Those exclusive rights to one's own intellectual property include literary, dramatic, musical, artistic, works in any medium (printed, digital, other recording media) as well as software.

Copyrighted works include the following broad categories:

- Literary Works
- Musical works, including accompanying words
- Dramatic works, including accompanying music
- Pantomimes and choreographic works
- Pictorial and graphical works
- Sculptural works
- Motion pictures and other audiovisual works
- Sound recordings in all formats
- Architectural works
- Photographs
- Museum reproductions of paintings or other works of art
- Software

Copyright law has been modified from time to time to address issues related to new publishing and distribution technologies. The DMCA of 1998 deals with transmission and use of digital works. The DMCA recognizes that digital transmission of works adds complexity to copyright law.

The federal government requires colleges and universities to establish policies and plans to "combat unauthorized distribution of copyrighted materials by users of the institution's network without unduly interfering with the educational and research use of the network." The DMCA does provide non-profit educational institutions with some protections if individual members of the community violate the law. However, for Trinity University maintain this protection, the University must immediately respond to complaints from copyright holders when someone in the University community has infringed on their

copyright by using material without permission.

It is the responsibility of all students, faculty, and staff at Trinity University to understand and comply with US Copyright Law, in particular the Copyright Act of 1976 and DMCA. Additional information on U.S. copyright law is found on the United States Copyright Office Internet site. Members of the University community should familiarize themselves with the sanctions for violations of the DMCA. The DMCA prohibits downloading or distribution of copyrighted works without the owner's permission for use as required or recommended reading for any course taught at or in connection with Trinity University. DMCA does not shield Trinity University from vicarious liability for this type of copyright infringement.

Examples of copyright infringement found in a university setting:

- A faculty member places a number of full-text articles on a class Internet page that is accessible to anyone who can access the Internet.
- Students download MP3 files of music and videos files and send them to friends without the copyright holder permission.
- Students use BitTorrent or similar peer-to-peer file sharing utilities to download copyrighted music without permission from the copyright holder.
- Students use BitTorrent or similar peer-to-peer file sharing utilities to make copyrighted works stored on their hard drive available to others to download
- A student prepares a Internet page assignment for a course and uses corporate logos without permission.
- Without the copyright holder's permission, a faculty member places an electronic copy of a standardized test on the department's Internet site.
- A staff member enhances the departmental Internet site with music that is downloaded and artwork that is scanned from a book, all without attribution or permission.
- A student scans a photograph that has been published and uses it without permission as the background of his/her Internet site.
- A student develops an e-commerce site for a class and, without permission, scans in photographs of products that came from commercial Internet sites.
- A student selects a segment of a movie and places it on his Internet site.

The University Library can assist the Trinity University community in accessing sites which provide legal options for content use.

Performance Evaluation

Consequences of Policy Violation:

Enforcement:
To ensure adherence to the Copyright Policy, Trinity University reserves the right as described above to monitor the University community use of copyright materials.

Any behavior in violation of this policy is cause for disciplinary action. Violations will be adjudicated, as appropriate, by the CIO, the Office of the Dean of Students, the Office of Housing and Residential Life, and/or the Office of Human Resources. Sanctions as a result of violations of this policy may result in, but are not limited to, any or all of the following:

- Attending a class or meeting on copyright law issues, as well as successful completion of a follow up quiz;
- Loss of University computing, e-mail, and/or voice mail privileges;
- Disconnection from the residential hall network;
- University judicial sanctions as prescribed by the student Code of Conduct;
- Monetary reimbursement to the University or other appropriate sources;
- Reassignment or removal from University housing and/or suspension or expulsion from the University;
- Prosecution under applicable civil or criminal laws.F. Reporting Violations

Reporting Violations:
Agent for Notification of Claims of Infringement
To notify the Trinity University administration of a claim of infringement of copyright, please contact our Agent for Notification of Claims of Infringement:

Jason Hardin

Elizabeth Huth Coates Library
Trinity University
One Trinity Place
San Antonio, TX 78212

Phone: 210-999-8181
Fax: 210-999-8182

Terms & Definitions

Terms and Definitions:

Term:	Definition:
Creator	Any person or persons who create an item of intellectual property.
Intellectual Property	Includes any patentable invention, any copyrightable subject matter, or trade secret. It also includes works of art, and inventions or creations that might normally be developed on a proprietary basis. In this policy, intellectual property is limited to the information technology.
Digital Millennium	A 1998 US law intended to update copyright law for electronic commerce and

Term:	Definition:
Copyright Act (DMCA)	electronic content providers. It criminalizes the circumvention of electronic and digital copyright protection systems.

Related Documents

Related Documents:

Document Type:	Document Name:	Document Number:
Policy	Appropriate Use Policy for Students	ITS-0003
Policy	Peer to Peer File Sharing	ITS-0004
Policy	Faculty Handbook 2026-2027	ACAD-0002
Policy	Student Handbook 2019-2020	STUD-0002

Revision Management

Revision History Log:

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v2.0	2/4/2020 5:17 PM	James Bradley
v1.0	8/14/2019 2:26 PM	Courtney Cunningham

Vice President Approval:

Enter Vice President(s) that are responsible for approving this document

Name:	Title:
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