UNIVERSIDAD DEL SAGRADO CORAZÓN

POLICY FOR THE PROTECTION OF COPYRIGHT AND THE USE OF PHOTOCOPIES OR REPRODUCTIONS OF WORKS

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The University of the Sagrado Corazón is a non-profit corporation, organized under the laws of the Commonwealth of Puerto Rico, dedicated to higher education. As an educational institution, the University of the Sagrado Corazón is guided by an ecumenical spirit and openness to pluralistic discussion.

Our institution is committed to the principle of essential human equality and the laws enacted in this regard. For this reason, it encourages and facilitates the development of the individual on a spiritual, moral, intellectual, social, and physical level for a life of service to society. The University uses technology in both its educational and administrative processes. In harmony with these principles and the laws governing copyright, this policy is enacted to regulate the reproduction of works protected by the Copyright Law.

Copyright is exercised over original works whose authorship is fixed in a tangible medium of expression. Within this definition, there are copyrights on literary, dramatic, musical, scientific, technical, choreographic, and pictorial works, graphic designs, pantomimes, sound recordings, sculptures, films, photographs, video recordings, audiovisual works, reference works, computer programs, databases, and other works. pantomimes, sound recordings, sculptures, films, photographs, video recordings, audiovisual works, reference works, computer programs, databases, and others through institutional networks.

The law governing this right is known *as "The Copyright Act of 197d,"* as amended (Title 17, United States Code). The *Copyright* Act recognizes the copyright holder's exclusive right to make or permit the making of total or partial reproductions of the works, distribute copies, prepare other versions derived from the original work, and in other ways exhibit, demonstrate, or present their works.

Copyright protection exists from the moment the work is first fixed, at the time of creation of the work. In the case of works created under a contract for hire or service, it is the employer and not the employee who is considered the owner *("*Auloi ¢*"*H'orLJór *liire").*

The "Doctrine of Fair Use" *(*Jeff- *ase),* within the law, permit, with certain restrictions and under limited circumstances, the reproduction of *copyrighted* works *for* educational purposes, criticism, commentary, news reporting, teaching (including multiple reproductions for classroom use), and research, without the reproduction being considered a violation of copyright.

To determine whether a reproduction constitutes "fair use" under copyright law, several factors must be examined, including:

A. The purpose and character of the use, including whether it is for commercial or non-profit educational purposes.

B. The nature of the work]• protected by copyright.

C. The amount and scope of the portion of the work reproduced in relation t o the whole protected work; and

D. The effect of the reproduction of the work on the potential market and value of that protected work c copyright.

To use protected works, you must obtain the permission or consent of the author before copying or reproducing their works, regardless of the medium used.

The Universidad del Sagrado Corazón expressly prohibits its professors, employees, students, and independent contractors who provide services to the University from engaging in actions that constitute violations of copyright protection laws, regardless of the medium used, whether it be photographs, reproductions of works, or through the use of institutional networks. whether through photocopying, reproduction of works, or the use of institutional networks. In the context of
Sharing *(Creci'* life *sli‹ii'iiig),* downloading, or uploading substantial portions of a *•• i›iotegida without authorization constitutes a violation of the law. Any violation of the law may result in penalties that could include dismissal or expulsion from the University, depending on
the facts. The procedure established in the Student Handbook in the Employee Manual will be followed in each case.

Final Penalties **Violation** of **Federal Copyright** Law

A violation of the Federal Copyright Law consists of the exercise, without permission or authorization, of one or more of the exclusive rights granted to the owner of the copyright under Section 106 of the Law (Title 17 of the United States Code). These rights include the right to reproduce or distribute a work protected by the Act.

Penalties for violations of the Act include civil and criminal penalties. In general, any person who is in civil violation of the Act may be punished by paying actual damages, or statutory damages set at no less than $5,750 and no more than $30,000 per violation. For an intentional violation, the court may award up to $150,000 per violation. A court may, at its discretion, include costs and attorney's fees in its award. For more details, see Title 17, United States Code, Sections 504 and 505.

Intentional infringement under the Act may also result in criminal penalties, including imprisonment for up to five (5) years and fines of up to $250,000 per offense.

For more information, visit the website of the U.S. Copyright Office at www.copyright.nov (they have a section in Spanish).