ITS POLICIES AND GUIDELINES
CATEGORY: Information Technology Access
STATUS: Approved

POLICY TITLE: **Digital Millennium Copyright Act Policy**

POLICY PURPOSE:
On October 28, 1998, H.R. 2281, the Digital Millennium Copyright Act (DMCA), was enacted into law to address copyright issues with digitally formatted intellectual property, and Truman State University is required to establish procedures to adhere to this law.

APPLIES TO:
- All members of the Truman State University community
- Anyone granted access to Truman State University data, systems or networks

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POLICY STATEMENT:
Title 17 of the US Code and the Digital Millennium Copyright Act, 105 PL 304 contains provisions that prohibit the downloading, uploading, or distribution of copyrighted material in any form without permission or a license to do so from the copyright holder except in accordance with the exemptions provided under the copyrighted law. Truman State University complies with the provisions of the Digital Millennium Copyright Act (DMCA). If you have a concern regarding the use of copyrighted material on the truman.edu network or domain, please contact the agent designated to respond to reports alleging copyright infringement.

Designated Agent
The designated agent for Truman State University to receive notification of claimed infringement under Title II of the DMCA is:

Donna Liss
Chief Information Officer
Information Technology Services
100 East Normal
Truman State University
Kirksville, MO 63501
www.truman.edu
copyright@truman.edu
Telephone: 660-785-4163
Fax: 660-785-7632

Claims
The DMCA specifies that all infringement claims must be in writing (either electronic mail or paper letter) and must include the following:

- A physical electronic signature of the copyright holder or a person authorized to act on his or her behalf;

- A description of the copyrighted work claimed to have been infringed, or, if multiple copyrighted works at a single online site are covered by a single notification, a representative list of such works at that site;
- A description of the material that is claimed to be infringing or to be the subject of infringing activity, and information reasonably sufficient to permit the service provider to locate the material;
- Information reasonably sufficient to permit the service provider to contact the complainant, such as an address, telephone number, and, if available, an electronic mail address;
- A statement that the complainant has a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law; and
- A statement that the information in the notification is accurate, and under penalty of perjury, that the complainants is authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.

EXCLUSIONS OR SPECIAL CIRCUMSTANCES:

CONSEQUENCES:
By failing to abide by this policy or policy procedures, individuals may be subject to sanctions, up to and including the loss of computer or network privileges, disciplinary action, suspension, termination of employment, dismissal from the University, and legal action. Some violations may constitute criminal offenses under local, state, and federal laws. The University will carry out its responsibility to report such violations to the appropriate authorities.

CONTACTS:

Responsible Executive:	Provost and Vice President for Academic Affairs
Responsible Office:	Information Technology Services
Contact:	Chief Information Officer 111 McClain 660-785-4163
APPROVED BY:	Truman State University President / Board of Governors
APPROVED ON:	2011/07/01
EFFECTIVE ON:	2011/07/01
REVIEW/CHANGE HISTORY:	2006/11/24, 2011/07/01
REVIEW CYCLE:	Annual

DEFINITIONS:

RELATED DOCUMENTS:

Truman State University DMCA Response Procedures
Digital Millennium Copyright Act of 1998 (U.S. Copyright Office)

KEYWORDS: