

Software Piracy

Software piracy is illegal and grounds for disciplinary action up to and including dismissal of employees who have illegally copied software. Penalties for illegally copying software are severe. According to the Business Software Alliance website:

Penalties for Illegal Software

Infringement of copyright may constitute a criminal offense, exposing individuals and companies to substantial penalties and in the case of individuals, even imprisonment.

Criminal Penalties

Under the Copyright Act, making an infringing copy of software with the intention of obtaining a commercial advantage or profit and if the person knows or ought reasonably to know that the copy is infringing copyright and is now a criminal offense. Offenders may be liable for:

- Fines up to \$93,500 and /or up to five years imprisonment for individuals
- Fines up to \$467,500 and/or up to five years imprisonment for companies.

Civil Penalties

Making or using illegal copies of software for your personal use or at work is a civil offense under the Copyright Act and offenders are liable for:

- Damages of an unlimited amount (determined by the Court)
- Court costs in many circumstances, which can also be substantial.

It does not make any difference who loads the software. For example, if an employee loads personal software on a CPTC computer and then the software is copied by others at the College, the College is liable even though it was unaware of the activity. Any software on CPTC-owned computers including laptops, tablets, and smartphones used at home, in a classroom or in an office for which Coastal Pines Technical College does not have a license must be removed immediately. This is an excerpt from the Business Software Alliance website.

Many businesses, both large and small, face serious legal risks because of software piracy. Under the law, a company can be held liable for its employees' actions. If an employee is installing unauthorized software copies on company computers or acquiring illegal software through the Internet, the company can be sued for copyright infringement. This is true even if the company's management was unaware of the employee's actions.