

GUIDELINES FOR LOADING THIRD-PARTY COPYRIGHTED MATERIAL ONTO COMPANY COMPUTER SYSTEMS

Purpose and Statement of Corporate Policy

These Guidelines set forth _____ (“Company”)’s corporate policy with respect to loading of certain third-party copyrighted materials onto Company computer systems, whether on individual hard drives or on any part of Company’s corporate network. This policy and guidelines apply to employees, contractors, and other persons using Company computers and corporate network. There are several categories of material covered by this policy: (1) audio files, video files and software downloaded from the Internet, (2) text, images and graphic designs copied or downloaded from websites or through other mechanisms such as FTP, and (3) text, graphics, software, audio files and video files originally stored on electronic, magnetic or optical media such as CDs, floppy disks and hard drives, and then loaded onto computer systems through input devices or input ports such as CD-ROM drives, disk drives, USB ports and DVD players.

Please note that these Guidelines do not apply to the use of open source software, as there is a separate Open Source Policy for this important topic. These Guidelines also do not apply to the use of material that you are sent by third parties in connection with your job or Company’s relationship with such third parties (e.g., slide presentations, white papers and confidential documents in electronic format that are e-mailed or sent to you on electronic, magnetic or optical storage media). Refer to the Information Classification Guidelines *[include link]* for more details on how to handle such material. These Guidelines are meant to restrict those who desire to seek out material and load it onto any Company computer or any part of the Company corporate network either through a network connection or any input device.

These guidelines must be strictly followed because participation in the illegal reproduction or distribution of third-party copyrighted materials may result in personal civil damages and criminal penalties, including fines and imprisonment.

It is Company’s corporate policy that any person who uses a Company computer or any part of the Company corporate network, including by remote connection, to commit copyright infringement or otherwise in violation of any Company policy or guideline with respect to the use of copyrighted materials, will be subject to disciplinary action, up to and including termination of employment.

1.0 Background

- 1.1 **Text Files, Audio Files, Video Files and Software, Including Files Made Available Through Peer-to-Peer and other File Sharing Networks.** The widespread use of peer-to-peer networks (such as the defunct Napster), as well as other more specialized networks for the sharing of content (such as Internet Relay Chat and Usenet groups) have resulted in a large volume of illegal content (particularly audio and video content such as recently released movies) and software being made available for distribution directly by end users without authorization by the copyright owner. Both Company and you as the end user may face legal liability if you download or further distribute such materials. In addition, peer-to-peer networks can create significant security vulnerabilities, such as the sharing of files not intended by the user that could jeopardize Company's trade secrets and other intellectual property.
- 1.2 **Text, Graphic Designs and Images.** Much of the text and many of the graphic designs and images on the Internet are protected by copyright. The author or the entity that posted the material may intend for you to view the material while visiting the web site and even download PDF or other files for personal reference. However, copying the material and incorporating it into your work product or using it for other purposes beyond personal use may create legal liability for you and Company. Individuals and organizations do not give up their copyrights by putting their materials on the Internet. Also, it is important to remember that the person who posted the material on the site may have obtained the material illegally. Individuals often mistakenly believe that the use of material available on the Internet is not problematic either because such material is in the public domain or because of the fair use doctrine. You should not assume that either of these is the case.
- 1.3 **Material on DVD Disks, Compact Disks, Floppy Disks, Hard Drives and Other Storage Media or Devices.** The loading and operation of unauthorized copies of content stored on DVDs or CDs onto computer systems may involve the violation of third party copyrights. Copying and distributing software on floppy disks or other removable media may also be a violation of third party copyrights unless a single copy is being made for back-up purposes only. The direct copying of software from one hard drive to another is also prohibited.
- 1.4 **Copyright Law.** To better understand Copyright law, please contact your legal representative.

2.0 Restrictions on Software Use

- 2.1 Each Company employee is provided with necessary software for use on Company's computers, workstations, servers and host computers.
- 2.2 Third party software that has not been properly licensed or purchased by Company or the employee must not be loaded, stored or executed on a Company computer or on the Company corporate network. This includes software made available for download at no charge through the Internet. Further, unauthorized

reproduction or distribution of software or documentation is not permitted.

- 2.3 Employees must not make copies of Company provided software for use on other machines, even other Company computers, unless expressly authorized by a license agreement.
- 2.5 Employees should not use any software that they believe has been transferred from unmarked diskettes or the Internet, or software manuals that are photocopies.
- 2.6 A single application program diskette, CD ROM or other tangible medium should not be used to program the hard drive of more than a single system unless you can verify that such use is permitted by a valid license agreement.

3.0 Restrictions on Other Third-Party Copyrighted Materials

- 3.1 No third party copyrighted material obtained from the Internet may be loaded into or executed on Company computers, workstations, servers, or the Company network, without the authorization of the copyright owner(s). No third party copyrighted material may be made available for distribution, including by file sharing software, via Company computers, workstations, servers, or the Company network without the authorization of the copyright owner(s). Copyright owners may outline terms of use for material made available on their web site in which case you must adhere to such terms. Please look for explicit terms of use, copyright statements, importance notices or links that appear to lead to any of the foregoing. If you have any doubt about the meaning of such terms or the scope of authorization to use such materials, contact the Legal Department.
- 3.2 When in doubt, you should regard all information available on the Internet (including information available via peer-to-peer or other networks) as being protected by copyright, whether or not a copyright notice is included with or affixed to the information. Unless your use is authorized by the copyright holder or is permitted as fair use, you should assume your right to copy, use and distribute copyrighted material is limited.
- 3.3 **Downloading any material from illicit pirate sites on the Internet for storage or use on Company premises or corporate network is prohibited.** In particular, enabling the distribution of content contained on a Company computer or corporate network via a peer-to-peer network to unauthorized users, whether or not such content was properly obtained from the copyright owner, is prohibited.