

**UNIVERSITY OF HOUSTON SYSTEM
ADMINISTRATIVE MEMORANDUM**

SECTION: Information Technology

NUMBER: 07.A.02

AREA: Computing Services

SUBJECT: The Ethical and Legal Use of Micro/Personal Computer Software

1. PURPOSE

1.1. The purpose of this administrative memorandum is to establish a policy for the legal use of micro/personal computer software.

2. DEFINITION

2.1. Educational institutions are not exempt from the copyright laws concerning computer software. Unauthorized duplication of software is a federal crime. Title 17, Section 106 of the US code states, "It is illegal to make or distribute copies of copyrighted material without authorization." The only exception to this rule is the user's right to make a backup copy for archival purposes if the manufacturer does not provide one.

3. POLICY

3.1. The University of Houston System licenses the use of computer software from a variety of outside companies. The University does not own this software or its related documentation and, unless authorized by the software developer, does not have the right to reproduce it.

3.2. A software license must be purchased for each computer it will be used on, unless there is a site license with the software publisher or the software is purchased for a local area network. University employees shall only use the software in accordance with the license agreement purchased with that software. Software licensed to the university may be copied to an employee's home or portable computer only if the software license purchased with the copy/version of the software makes provisions to do so. The publisher's policy on this subject matter must be followed.

3.3. According to the US Copyright Law, illegal reproduction of software can be subject to civil damages of up to \$100,000 and criminal penalties which include fines and imprisonment. University employees who make, acquire or use unauthorized copies of computer software shall be disciplined as appropriate under the circumstances. Any employee giving software to anyone, including but not limited to, faculty, staff, students, suppliers or contractors, may be subject to disciplinary action. Such actions may include termination. The University does not condone nor willingly allow the illegal duplication or distribution of any intellectual property.

4. REVIEW AND RESPONSIBILITIES

Responsible Party: Vice Chancellor for Administration and Finance

Review: Even-numbered years on or before May 1

5. APPROVAL

Approved: Alexander Schilt
Chancellor

Date: August 24, 1992

6. INDEXING TERMS

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