

The University of North Texas at Dallas Policy Manual	Chapter 14.000
14.004 Use of Licensed Commercial Software	Information Technology

Policy Statement. It is the policy of the University of North Texas at Dallas to manage the University’s use of licensed commercial software. The purpose of this policy is to prohibit the unlawful use of copyright protected electronic information resources (software, programs or productivity tools).

Application of Policy. This policy applies to all University Users.

Definitions.

1. **Commercial Software.** “Commercial Software” means software distributed under a licensing agreement. Typically, this means that a fee or agreement is arranged between the purchaser or licensee. The only legal way to obtain the right to use such software is through a purchase agreement or license with the owner of the copyright or with a licensed distributor. Site license agreements are available for some commercial software. Such agreements allow distribution of software to multiple information resources upon payment of a specific site license fee.
2. **End-User License Agreements.** “End-User License Agreements” mean agreements used by software and other information technology companies to protect their valuable intellectual assets and to advise technology users of their rights and responsibilities under intellectual property and other applicable laws.
3. **Shareware.** “Shareware” means software that is available for use on a trial basis at no cost. A university user who decides to continue using the software typically will send a registration fee to the author or distributor of the software. There is usually a licensing agreement associated with the software and it usually appears on the screen during the login process.
4. **Public Domain.** “Public Domain” means software is made available with no restrictions on its distribution or copying. Unless there is a statement to the effect that the software is in the public domain, the user should assume the author retains the copyright to the software.
5. **University Users.** “University Users” mean all faculty, staff, students, contractors, volunteers, and individuals that maintain a business relationship with the University and that make use of University’s software. Information resources may also be included in this category.

Procedures and Responsibilities.

1. **General Provisions.** Commercial computer software is protected by federal copyright laws.
 - 1.01. All software installed on University owned or operated computer systems used by University users, while conducting University business, must be appropriately licensed.
 - 1.02. For software covered by a licensing agreement, persons installing or authorizing the installation of software should be familiar with the terms of the agreement.
 - 1.03. The licensing agreement and other sufficient documentation (e.g., end user license agreements, purchase receipts) shall be maintained by the Information Technology Department to validate that the software is appropriately licensed.
 - 1.04. No software may be installed by any University user without prior approval from the Director of Information Technology.
 - 1.05. No software in the possession of the University will be copied unless copying is approved by the Director of Information Technology and is consistent with relevant license agreements.
 - 1.06. For instances in which the department is the owner-custodian of the system, the department is responsible for ensuring compliance with this policy.

Responsible Party: All University Users/Information Technology

2. **Implementation.** The University will provide a sufficient number of licensed copies of software such that University users can work in an expedient and effective manner. The Information Technology Department will make appropriate arrangements with the involved vendor(s) for additional copies that are needed for business activities.

Responsible Party: All University Users/Information Technology

3. **Prohibited Acts.**

- 3.01. The unauthorized use, copying, or distribution of copyrighted software is a violation of the U.S. Copyright Act. These illegal acts are commonly referred

to as “software piracy.” Violations include, but are not limited to, the following:

- i. Making extra copies of microcomputer-based software for use on other microcomputers unless specifically allowed through a licensing agreement;
- ii. Putting copies on a network so that they may be used or copied by others;
- iii. Obtaining copies of software from others without paying the appropriate licensing fees; and,
- iv. Unauthorized distribution of software by electronic means.

- 3.02. It should be noted that some software is licensed so that it is allowable for the user to make a copy for home use in conjunction with the business use of the software. A user of licensed software should not assume that this provision is in place but should ensure that such use is permitted by contacting the Information Technology Department before making copies.

Responsible Party: All University Users/Information Technology

References and Cross-references. None.

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Revised: