

29.01.02 Use of Licensed Software

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Regulation ~~Summary~~Statement

This regulation supplements System Policy 29.01, *Information Resources*, and provides members of The Texas A&M University System (system) with the governance to protect against unlawful use of copyrighted electronic information resources (software, programs or productivity tools).

~~Reason for Regulation~~

~~This regulation defines the responsibilities of system employees with regard to the use of computer software protected under the Copyright Act.~~

~~Regulation Procedures and Responsibilities~~

1. GENERAL

- 1.1 Computer software is protected by federal copyright laws. Only appropriately licensed software may be placed on computing resources and/or used by employees in the conduct of business. Users ~~must~~should not assume that software ~~that is~~ not marked with a copyright notice is in the public domain and can be duplicated and used without restriction.
- 1.2 Software is usually accompanied by a license to which the user must agree in order to download or install the software. The terms of these license agreements vary significantly. Most commercial software licenses restrict the duplication of the software and the use to a specific number of devices. Some limit how the software may be used, such as for academic purposes only. ~~Even s~~Software that is made available free of charge is typically subject to some restrictions. In addition, free software may impose conditions that allow the software company to use data collected by the customer. Free software imposing such conditions should be evaluated carefully and avoided if possible.
- 1.3 Each user is responsible for reading, understanding, and adhering to the license agreement for software that ~~the user~~he or she acquires, copies, transmits or uses.

2. PROHIBITED ACTS

2.1 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:

- (a) making extra copies of software for use on other computers unless specifically allowed through a licensing agreement;
- (b) putting copies on a network or the internet so that they may be copied by others;
- (c) obtaining copies of software from others without paying the appropriate licensing fees; and
- (d) unauthorized distribution of software by electronic mail.

2.2 It ~~must~~ 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 ~~must~~ not assume that this provision is in place but ~~must~~ check with the license agreement before making copies for other machines.

3. IMPLEMENTATION

System employees ~~will~~ be provided appropriately licensed copies of software necessary to perform their assigned tasks. Employees must not be asked nor tacitly expected to perform tasks for which appropriately licensed software ~~is~~ not ~~been~~ provided.

Related Statutes, Policies, or Requirements

[Copyright Law of the United States](#)

[System Policy 29.01, Information Resources](#)

Prior to the October 2009 version, this regulation was published as Regulation 21.99.10.

Member Rule Requirements

A rule is not required to supplement this regulation.

Contact Office

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