



UNIVERSITY OF THE PHILIPPINES
Quezon City

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By: M. Prodyo

OFFICE OF THE PRESIDENT

27 February 2017

MEMORANDUM NO. TJH 2017-01

FOR : All UP Administrators
All UP Faculty, Staff, REPs

SUBJECT : Use of Unlicensed Software

This is to enjoin everyone to strictly observe the University's policy prohibiting the use, downloading or duplication of *unlicensed* commercial software and other copyrighted materials. These activities are illegal and can expose your office and the University to civil and criminal liabilities.

Software piracy is a violation of the copyright provisions of the Intellectual Property Code of the Philippines (RA 8293) and Optical Media Act (RA 9239), and carries with it penalties of up to nine years of imprisonment, a fine of up to P1.5 million, or both.

Section 5A-IV of the University of the Philippines Acceptable Use Policy (AUP) for IT (*approved by the Board of Regents at its 1165th Meeting on 31 October 2002*) which took effect on 01 February 2003, provides that respecting copyrights, licenses, and other intellectual property rights is the general responsibility of the users of the IT System.

Section 6C-I of the UP AUP further states as follows:

Infringement of protected material. Users must not infringe on the copyright and other property rights covering software, databases and all other copyrighted material such as text, images, icons, retrieved from or through the IT System. These acts shall include, but is not limited to, the unauthorized copying, reproduction, dissemination, distribution, importation, use, removal, alteration, substitution, modification, storage, unloading, downloading, communication, publication or broadcasting of such material. Users must properly attribute any material they copy from or through the IT System. Users are reminded that the infringement of intellectual property rights belonging to others through the use of telecommunications networks is a criminal offense under Section 33(b) of the Electronic Commerce Act. *Violators shall suffer a penalty ranging from suspension for one month to expulsion or dismissal. xxx*

The foregoing policy shall be strictly enforced to ensure that no office in the University may be subject to serious legal consequences.

For immediate compliance.

TEODORO J. HERBOSA
Executive Vice President

cc: The Vice Presidents
The Secretary of the University and of the Board of Regents