



DEPARTMENT OF THE ARMY  
PACIFIC OCEAN DIVISION, CORPS OF ENGINEERS  
FT. SHAFTER, HAWAII 96858-5440

REPLY TO  
ATTENTION OF

CEPOD-IM (25-1)

19 October 2001

COMMANDER'S POLICY MEMORANDUM #4

SUBJECT: Copyrighted Commercial Software and Intellectual Property

1. References:

- a. AR 25-1, The Information Resource Management Program.
- b. AR 27-60, Intellectual Property.
- c. DoD Federal Acquisition Regulation Supplement, SubPart 27.70
- d. Titles 17 and 18 of the United States Code.

2. Policy:

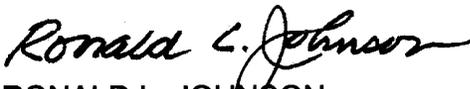
a. References 1a, 1b, and 1c require strict compliance with copyright laws and software licensing agreements. This includes material found on the World Wide Web and the Internet. Reference 1d establishes civil and criminal penalties in case of copyright infringement.

b. In general, commercial software licensing agreements and copyrights prohibit reproducing software, except for archival or backup purposes. The government may simultaneously use up to the maximum number of authorized licensed software. Owners of commercial software copyrights or other copyrighted material have the right to obtain reimbursement for any unauthorized reproduction.

c. The Directorate of Information Management will maintain accountability of microcomputer software. Unannounced inspections may be conducted to ascertain that no one is using unauthorized software or copyrighted materials.

d. Employees who reproduce software and copyrighted material without authorization and supervisors who have knowledge of the copyright violations and fail to take appropriate actions are subject to disciplinary action.

3. Points of contact for this matter is the Directorate of Information Management and the Office of Counsel.

  
RONALD L. JOHNSON  
Brigadier General, U. S. Army  
Commanding

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