



FILE-SHARING AND COPYRIGHT INFRINGEMENT POLICY

September 3, 2003

We are alerting the campus community – student, faculty and staff – to the personal risks involved with illegal file-sharing. It is important that you understand these risks not only because of the possibility of disciplinary action, but also to protect against criminal prosecution and the initiation of civil litigation by copyright holders. We would like you to be very aware that initiation of legal action by copyright holders is becoming more of a reality every day.

Though trading of copyright music, movies, games and software over the Internet has become commonplace using file-sharing programs such as KaZaa, Morpheus, BearShare, and WinMX, it is often not legal to do so. Most material is copyrighted and obtaining or offering such material without appropriate permission is a violation of US copyright law and may be punishable with civil and criminal penalties, including prison time and money damages. When copyright holders resort to legal actions, there is little the College will be able to do to protect copyright infringers.

Some believe that "recreational file-sharing" is unlikely to be noticed. This is not the case. The reality is that copyright holders are significantly intensifying enforcement using automated scanning software to identify infringements, no matter how small. The Recording Industry Association of America, on April 4, 2003, filed suit against four students at three universities for copyright infringement. Settlements ranged from \$12,000 to \$17,000.

As the Internet Service Provider to the campus community, Mount Mary College has the potential to receive infringement claims should a Mount Mary Internet user download copyrighted material. In compliance with the 1998 Digital Millennium Copyright Act, Mount Mary College will expeditiously take action when notified of infringing sites located on the campus network. All of these incidents will be referred to the appropriate campus officials and appropriate disciplinary actions will be levied against those who are downloading or serving copyrighted materials without appropriate permission

For additional information, see the following sites:

<http://www.loc.gov/copyright/legislation/dmca.pdf>

<http://www.educause.edu/issues/dmca.html>

<http://www.cnn.com/2003/TECH/internet/07/19/downloading.music.ap/index.html>

Please submit any questions you might have to helpdesk@mtmary.edu.