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Mount Mary College

File-Sharing and Copyright Infringement Policy

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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, BitTorrent, BearShare, and LimeWire it is often not legal to do so. In general, copyright infringement occurs whenever someone makes a copy of any copyrighted work, such as songs, videos, software, cartoons, photographs, stories, or novels, without permission (i.e., a license) from the copyright owner and without falling within the specific exceptions provided for under the copyright laws.

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.

Although some artists and smaller labels release music under "generous" licenses, such as Creative Commons licenses, **all of the major labels consider sharing MP3 files of their music over P2P networks as copyright infringement.**

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.

You are responsible for all activity that transpires through your computing account and the devices that are registered to you.

For additional information, see the following site:

<http://www.copyright.gov/>

There are many legal sources for copyrighted material such as music and movies. They have a wide range of business models; some are free and some charge a nominal fee. The Motion Picture Association of America (<http://www.mpa.org/>) maintains an up-to-date and comprehensive compendia of legal sources. Cornell University also maintains a list of legal sources for online music and videos: <http://www.cit.cornell.edu/policies/copyright/music.cfm>.

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