MEMORANDUM

TO: All NC State University Students
FROM: Warwick A. Arden, Provost and Executive Vice Chancellor
SUBJECT: Illegal Peer-to-Peer File Sharing Annual Notice
DATE: September 24, 2012

NC State University students are reminded of the personal risks and legal consequences of unauthorized distribution of copyrighted materials, including illegal peer-to-peer file sharing.

Music, movies, videos, games, and other online media are protected by (or subject to) copyright law and are usually illegal to share through peer-to-peer applications, unless direct permission through license, purchase, the copyright owner, or a legal exception, such as the Fair Use doctrine (http://www.copyright.gov/fls/fl102.html), applies. While peer-to-peer file sharing software, itself, may be lawful, sharing copyrighted files without permission is not. In most situations, downloading or uploading even one small portion of a copyrighted work without permission constitutes a copyright infringement. File sharing also creates a substantial risk that others can gain access to confidential data on your computer or install destructive computer viruses that can spread across the university’s network.

If you illegally download, upload, copy, or distribute copyrighted content, even unintentionally, you are at risk for legal action and criminal prosecution, which could result in severe fines, personal financial loss or even imprisonment. For example, The Chronicle of Higher Education reported on August 24, 2012 that a federal court upheld a jury’s $675,000 fine against a former Boston University graduate student for illegally sharing music. Violating a copyright may result in university disciplinary actions under the Code of Student Conduct, may result in a permanent record at the university, may serve as evidence in court, and may adversely affect your current status at NC State, as well as future employment or educational opportunities.

Incidents of illegal file sharing among students are increasing, particularly across the campus Nomad wireless network. From June 2011 to May 2012, the university received a total of 2,551 notices of copyright infringement related to illegal file sharing on university networks and computers.

You should be aware that copyright holders such as the Recording Industry Association of America (RIAA) and the Motion Picture Industry of America (MPAA) are now using automated methods that can detect even small amounts of file sharing, and they are aggressively identifying infringements. In addition, the university is increasing its logging and analysis of its network use to include monitoring of peer-to-peer file sharing on the Nomad network. The university acts quickly when notified of alleged copyright infringements. It refers incidents to appropriate campus officials and takes steps to stop the unauthorized download or distribution of copyrighted materials.

The following resources can help you become better informed about copyright and copyright violation.
- Peer-to-peer (P2P) file sharing and a list of legal alternatives: http://oit.ncsu.edu/p2p
- U.S. Copyright Office: http://www.copyright.gov
- Office of the Provost, Copyright Administration: http://wwwprovost.ncsu.edu/copyright

For assistance with removing P2P file sharing applications and copyright infringing materials, contact the NC State Help Desk at 515-HELP (4357).