

**MEMORANDUM**

TO: All NC State University Students, Faculty and Staff

FROM: W. Randolph Woodson, Chancellor *wrw*  
Warwick A. Arden, Executive Vice Chancellor and Provost *WA*  
Marc I. Hoit, Vice Chancellor for IT and CIO

SUBJECT: Illegal Peer-to-Peer File Sharing Annual Notice

DATE: September 12, 2018

NC State University students, faculty and staff are reminded of the personal risks and legal consequences of unauthorized distribution of copyrighted materials, including illegal peer-to-peer file sharing. Students, faculty and staff are expected to respect the intellectual property rights of others and refrain from copyright infringement.

Federal copyright law protects online media such as music, movies, videos, and games. Unless you have permission, it is illegal to use peer-to-peer applications to share copyrighted media online. You may obtain permission in several ways, including:

- Copyright owner
- Software license
- Purchase of the media
- An exception under copyright laws, such as the [U.S. Copyright Office Fair Use Index](#)

In many situations, downloading or uploading even one small portion of a copyrighted work without permission constitutes copyright infringement. File sharing also increases the likelihood that others could gain access to confidential data on your computer or install destructive computer viruses that could spread across the university's network.

If you illegally download, upload, copy or distribute copyrighted content, even unintentionally, you risk legal action and criminal prosecution, which could result in severe fines, personal financial loss or even imprisonment. For example, a former Boston University graduate student was fined \$675,000 for illegally downloading and sharing 30 digital songs online. See *Sony BMG Music Entertainment, et al. v. Joel Tenenbaum*, 719 F.3d 67 (1st Cir. 2013). Further, your choice to infringe on someone's copyright could subject you to discipline by the university in accordance with procedural safeguards of the applicable student or employee discipline procedures. The permanent record of such discipline could affect your academic and professional careers adversely, including impacting your academic standing or current or future employment. In addition, violating a copyright while using any university network or equipment may also result in this evidence being used against you by the copyright owner in court.

Be aware that copyright holders such as the Recording Industry Association of America (RIAA) and the Motion Picture Association of America (MPAA) use automated systems to detect even small amounts of file sharing, and they aggressively pursue infringements. In addition, the university is increasing the logging and analysis of its wireless network activity to include monitoring of peer-to-peer file sharing.

The university acts quickly when notified of alleged copyright infringements. It refers incidents to appropriate university administrators and takes steps to stop any unauthorized download or distribution of copyrighted materials. The following resources can help you become better informed about copyright and copyright law:

- NCSU REG 01.25.02: [Copyright Infringement-Policy Statement](#)
- [Peer-to-Peer \(P2P\) File Sharing and a list of legal alternatives](#)
- [U.S. Copyright Office](#)
- Office of the Provost, [Copyright Administration](#)

Resources Specifically for Students:

- NC State [Student Legal Services](#): (919) 515-7091
- NC State [Office of Student Conduct](#): 919.515.2963
- NC State [POL 11.35.01: Code of Student Conduct](#), Section 10.2: Computer and Network Abuse

For assistance with removing P2P file sharing applications and copyright infringing materials, contact the NC State Help Desk at 919.515.HELP (4357).