

Peer to Peer File Sharing

The College expects students to be aware of current laws and applicable college policies with respect to computer, network, and Internet activities. It should be especially noted that it is illegal to use the College of Saint Mary network to use file sharing programs to share copyrighted material. Industry organizations (e.g. Recording Industry Association of America: RIAA) have filed copyright infringement lawsuits against individual college students who have used file sharing programs to share copyrighted material. Lawsuits are expected to continue.

To avoid the risk of potential lawsuits due to copyright infringement, the college is advising students to not engage in peer-to-peer file sharing.

Violation of copyright law can have serious consequences in the areas of:

Civil Liability: Persons found to have infringed may be held liable for substantial damages and attorney's fees. The law entitles a plaintiff to seek statutory damages of \$150,000 for each act of willful infringement. In the cases filed by the RIAA against students at Princeton, RPI, and Michigan Tech, the recording industry sued for damages of \$150,000 for each recording infringed.

Criminal Liability: Copyright infringement also carries criminal penalties under the federal "No Electronic Theft Act." Depending on the number and value of the products exchanged, penalties for a first offense may be as high as three years in prison and a fine of \$250,000.

The college supports a climate of trust and respect and does not ordinarily read, monitor, or screen electronic mail, Internet access, or the computer activities of individuals. The college does however take the unauthorized distribution of copyrighted material seriously and will periodically monitor the bandwidth to determine if there are violations. If it is determined that you have engaged in infringing activity and have violated copyright law by engaging in unauthorized file sharing, you may be subject to discipline under the College's Copyright Policy, Computer Use Policy, and other applicable College policies. Violations of copyright law may also subject you to civil and criminal prosecution.