

Peer-to-Peer File Sharing

Unauthorized Distribution of Copyrighted Material

United States copyright law (Title 17 of the United States Code) regulates the use and reproduction of copyrighted material. While copyright law gives a copyright owner exclusive rights with respect to that owner's work, these rights are subject, however, to certain "fair use" limitations and other specific limitations that address the use of copyrighted material by libraries and by faculty in the course of their teaching responsibilities.

Prohibition on Unauthorized Distribution of Copyrighted Material

Copyright law applies to authored works regardless of medium and applies to digital and digitized works as well as works prepared in more traditional media. Copyright laws, and the guidelines that have been developed to assist in their interpretation, generally restrict copying in terms of the number of copies that can be made and the length of the text that can be copied. Other provisions of copyright law cover the performance or display of copyrighted works in classrooms, the use and reproduction of videotapes, sound recordings, and computer software, the reproduction of sheet music for classroom use, and public performances of music for which admission is charged. There also are extensive provisions and guidelines that affect library copying, including reproduction for reserve use, interlibrary lending and borrowing, and preservation of library materials.

Peer-to-Peer File Sharing

In recent years, internet peer-to-peer file-sharing programs have made it easy to download and share music, movies, and software files. This has become a problem for institutions because it encourages behavior that violates copyright law and causes internet traffic congestion.

It is RRC's policy:

- To respect our community's rights to privacy and confidentiality, freedom of speech, and academic freedom while using computer networks on campus.
- To educate the network-user community on the technical, legal, and ethical aspects of copyright and intellectual property.
- To uphold copyright law as spelled out in the 1998 Digital Millennium Copyright Act and elsewhere.

RRC prohibits the use of systems or networks to copy, store, display or distribute copyrighted material in any medium or to prepare derivative works of such material without the express permission of the copyright owner, except as otherwise allowed under copyright law. Users who engage in the copying, downloading and sharing of files may be in violation of the law. Many of the widely utilized peer-to-peer file sharing programs have no provision to acquire permission. In practice, therefore, their use for downloading music and movies may put users in violation of College policy and the law.

The College's information technology system (ITS) does not block peer-to-peer file sharing programs, nor does it monitor the content of network traffic. ITS does monitor traffic patterns in order to guarantee acceptable network performance for all users. If RRC becomes aware of policy violations or illegal activities in the course of investigating network congestion or determining problems, these will be investigated by inspecting content stored or shared on the network.

The College prohibits activities that interfere with the ability of others to use computing resources or other network-connected services effectively. This may apply to peer-to-peer file sharing programs irrespective of copyright violations if users of such programs consume unreasonable amounts of network resources.

Penalties and Enforcement

Students and other members of the College community should be aware at all times that the illegal or unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, is a violation of College policy and may subject copyright infringers to civil and criminal liabilities. As described in Chapter 5 ("Copyright Infringement and Remedies") of Title 17, United States Code, these penalties include: injunctions, impoundment and disposal of infringing articles, civil damages (including attorneys' fees and court costs), civil fines, criminal fines and imprisonment.

Violators of copyright law as well as those impeding network access may be subject to disciplinary action. The ITS office will provide information on alleged violations to the vice president for academic affairs (if the matter involves students) or the vice president for administration (if usage violations involve employees). The College's computer networks are the property of RRC. Obstructing the network's ability to function or violating copyright standards may subject a violator to disciplinary action and/or referral to civil authorities.

Inquiries related to the reproduction of copyrighted materials or other matters related to copyright law may be referred to the vice president for administration.

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