

MEMORANDUM

TO: All NC State University Faculty and Staff

FROM: W. Randolph Woodson, Chancellor

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

DATE: September 17, 2012

NC State University 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. Music, movies, videos, games and other online media are protected by (or subject to) copyright laws and are usually illegal to share through peer-to-peer file applications.

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 could 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 while using any university network or equipment may result in a permanent record at the university, may serve as evidence in court and may adversely affect your employment, up to and including discharge.

Illegal file sharing on campus is increasing, particularly across the 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 Association 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 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 <http://policies.ncsu.edu/regulation/reg-01-25-02>.
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://www.provost.ncsu.edu/copyright>
NC State Assistant General Counsel: Shawn Troxler, (919) 515-1527

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