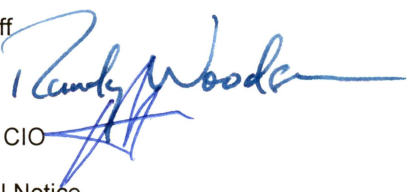


MEMORANDUM

TO: All NC State University Faculty and Staff

FROM: W. Randolph Woodson, Chancellor 
Marc I. Hoit, Vice Chancellor for IT and CIO

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

DATE: September 15, 2017

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. It is usually illegal to share them via peer-to-peer applications. NC State University faculty and staff are expected to respect the intellectual property rights of others and refrain from copyright infringement.

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)). Violating a copyright while using any university network or equipment may:

- Result in a permanent record at the university,
- Serve as evidence in court, and/or
- Adversely affect your employment, up to and including separation.

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 logging an 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: <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: <https://www.ncsu.edu/copyright/>
- NC State Associate 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 919.515.HELP (4357).