

Fall 2009

An Open Letter to the User Community on Digital Copyright Infringement:

The Recording Industry Association of America, Inc. (RIAA) and movie producers (Time Warner and Universal Studios) and others in the media industry have ramped up their campaign to stop the download and file-sharing of copyrighted materials produced by their members. Internet Service Providers (ISP) and organizations such as the universities who are pseudo-ISP providers are the targets of requests to stop the copyright infringement under section 512 of the Digital Millennium Copyright Act (DMCA). We at Mansfield University see a steady stream of requests to shut down users for copyright infringement, particularly those individuals who are sharing files with peer-to-peer software such as Bit Torrent. Not everyone agrees that downloading and file-sharing is copyright infringement. While this may be debatable, Mansfield University will comply with the law when we receive a request to shut down a user for copyright infringement or other internet abuse.

The infringement notification that we receive identifies the user by IP address on our network (the address attached to the computer port to which you are connected). We disconnect that port as a result of the notification. This results in your inability to access our computer network or the Internet to which we are connected until you have complied with the request to remove the infringing software from your computer system. We notify the requestor that we have removed you from the network (stopped the infringement). When the user notifies us that they do not have internet access, we will work with them through the TechConnect student service to remove the software and get them back on line. The case is referred to the Residence Life Judicial Board for disciplinary sanction. Two abuses of the download policy result in termination of internet service for the semester.

We are not singled out at Mansfield University as the RIAA and the movie entertainment providers exercise their copyright infringement rights. The following links provide access to a useful page from the Electronic Frontier Foundation that references links (mostly from Duke University) on ***how to disable file sharing and stay out of trouble and other information concerning the Digital Copyright Law and Mansfield's Acceptable Use Policies***. We provide this as a way to educate some of those who do not understand the risk of downloading songs and movies from the Internet, especially if you do not understand the software you are using. The software defaults are set to share information.

The Higher Education Opportunity Act requires colleges and universities to offer students alternatives to illegal downloading and file sharing. The best resource for legitimate links seems to be RIAA itself. Please see [http://www.riaa.com/toolsforparents.php?content\\_selector=legal\\_music\\_sites](http://www.riaa.com/toolsforparents.php?content_selector=legal_music_sites)

for a list of legal alternatives. You may also subscribe to fee-based services that provide you with legal downloads through your

subscription, such as I-tunes. Mansfield University does not subscribe to services of this nature on your behalf.

Downloads, gaming and other non-academic uses of the Mansfield network are also restricted. We want to be certain that our shared network bandwidth is available for the academic mission, hence our policy on high-bandwidth applications is also listed below.

Electronic Frontier Foundation (EFF) Links:

How not to get sued and links to turn off file-sharing:

<http://www.eff.org/wp/how-not-get-sued-file-sharing>

Digital Millennium Copyright Act:

[http://www.copyright.gov/reports/studies/dmca/dmca\\_executive.html](http://www.copyright.gov/reports/studies/dmca/dmca_executive.html)

Mansfield University Acceptable Use Policy and Policy on High Bandwidth Applications

<http://ct.mansfield.edu/media/files/policies/AcceptableUsePolicy.pdf>

<http://ct.mansfield.edu/media/files/policies/bandwidth-policy.pdf>

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