

Peer to Peer File Sharing (P2P) and Copyright Infringement

In August of 2008, Congress amended the Higher Education Act (HEA). The amended HEA requires all colleges and universities that receive federal financial aid funding to provide students with notice of university policies and other information about copyright infringement and illegal file sharing.

- Copyrights are granted in order to give an artist an incentive to be able to profit from their work. A copyright gives an artist the sole right to distribute their creative work, and only the copyright holder has the legal right to control the distribution of a copyrighted file.
- Peer-to-Peer (P2P) applications work by sharing out files to others and at the same time allowing you to download files from others.
- If a P2P file is copyrighted and the copyright owner prohibits free downloading, P2P sharing of the copyrighted work is a violation of federal copyright law.
- In addition, P2P file sharing software that you install on your PC may share out more than you intend, such as personal documents found on your hard drive or may even contain backdoors into your system giving control of your PC to others.
- **Unauthorized sharing of copyrighted materials is a violation of Clayton State's and the Georgia Board of Regents' Acceptable Usage Policies:**
[www.clayton.edu/Portals/25/docs/Appropriate Use Policy.pdf](http://www.clayton.edu/Portals/25/docs/Appropriate%20Use%20Policy.pdf)
<http://www.usg.edu/cybersecurity/>
- **Also unauthorized distribution of copyrighted material, such as through peer-to-peer networks, may subject users to civil and criminal penalties.** An infringer may be levied a fine of anywhere from \$200 to \$150,000 PER infringement, and legal costs to fight such a case can also be expensive. More information about the copyright law and damages can be found at:
[The US Copyright Office Website](#)
Clayton State University routinely receives notifications of infringement of the Digital Millennium Copyright Act (DMCA) originating from computers on the Clayton State network. Clayton State is required to investigate each complaint and takes these notifications very seriously.
- The University has tools to track down the computer and user that caused the alleged infringement.
- If an infraction is found, Clayton State is required to remove the illegal material. The user will have their network access suspended until they meet with a representative of OITS, sign a letter indicating their understanding of copyright policies and that they will not continue to infringe.
- If a second offense occurs from the same user, network access will be suspended and the student will be referred to the Office of Community Standards for violation of the Student Code.

File sharing can easily consume all of Clayton State's Internet bandwidth, and to prevent an abuse of limited bandwidth, the University uses automated tools to limit the impact of P2P traffic upon the legitimate educational uses of Peachnet and the Internet.

Clayton State has other tools to monitor for violations, and if the University receives proper legal demand to identify a particular user for a copyright offense, Clayton State will comply and provide the copyright owner with the required information. If you are identified, you could be subject to legal action from the copyright holder, which could result in fines or a costly legal case.

There are many sources of cheap and free legal music available online. And if all else fails, get out in the community and support local artists or create your own works.

The following is a short list of websites providing legitimate online music and movies, for either now

TV

- [Hulu](#)
- Most networks offer their shows with limited commercials free online
 - www.abc.com
 - www.cbs.com
 - www.nbc.com

MOVIES

- [Redbox Instant](#) (includes some free rentals of new movies from kiosks)
- www.cinemanow.com
- www.movieflix.com
- www.blockbuster.com
- [Netflix](#)

MUSIC

- www.musicunited.org/6_legalsites.aspx
- [Pandora](#)
- [Last.FM](#)
- [Spotify](#)
- [Finetune](#)

OTHER

- [Amazon](#) Amazon Prime customers can stream some content for free.
- [iTunes](#)