

# DOWNLOADING MUSIC & MOVIES?



**UAA File Sharing Facts**



Information Technology  
Services  
*UNIVERSITY of ALASKA ANCHORAGE*

UAA File Sharing Facts

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## PIRATES GET CAUGHT

**Q:**

**How many UAA students are caught sharing illegal downloads every semester?**

**A:**

**Hundreds of UAA students are caught sharing illegal downloads every semester. These violators have their internet access shut off.**



# DON'T BE A PIRATE

**Watch and listen legally at:**



*Hulu*  
*Youtube*  
*Last.fm*  
*Pandora*  
*Imeem*  
*iTunes Store*  
*Rhapsody*  
*Zune Marketplace*



**University of Alaska Anchorage  
Information Technology Services**

**907-786-4646 Option 1**

**1-877-633-3888 Option 1** (Toll Free)

*web: [technology.uaa.alaska.edu](http://technology.uaa.alaska.edu)*

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# FILE SHARING FACTS

## **Who Monitors Peer-to-Peer File Sharing?**

Most complaints come from the Recording Industry Association of America (RIAA), the Motion Picture Association of America (MPAA), and their member companies. They monitor peer-to-peer file sharing networks like BitTorrent, Kazaa, Limewire, and eDonkey, to identify the network addresses of computers that send or receive copyrighted files. They are filing lawsuits against the users of those computers.

## **What is the Responsibility of UAA?**

Under the Digital Millennium Copyright Act (DMCA), university administrators are obligated to provide copyright holders with information about users of the university network who have violated the law. In other words: **if you are caught, the university, by law, must report you**. Also keep in mind that working together to address this problem is actually mutually beneficial: illegal file sharing drains bandwidth, costing schools money and slowing computer connections for students trying to use the network for legitimate academic purposes.

## **UAA Policies Governing P2P**

The University of Alaska Anchorage abides strictly by Federal laws overseeing illegal file sharing. Federal law (Title 17, United States Code, Sections 501 & 506) provides severe civil and criminal penalties for unauthorized reproduction, distribution, rental or digital transmission of copyrighted sound recordings. Essentially, the law says that you cannot have any files on your computer that you have not legally acquired. More importantly, you cannot share a file with others without authorization from the file's copyright owner. While it may appear that digital information is freely available on the Internet, the truth is that it's not free unless the copyright owner says so.

## UAA File Sharing Facts

# FAQs

**How do I know what's legal and what's not when it comes to copying music?**

Here's the bottom line: If you distribute copyrighted music without authorization from the copyright owner, you are breaking the law (distribution can mean anything from "sharing" music files on the Internet to burning multiple copies of copyrighted music onto blank CD-Rs and selling or giving them to others).

**Is it illegal to upload music onto the Internet even if I don't charge others for it?**

Yes, if the music is protected by copyright and you don't have the copyright holder's permission. U.S. copyright law prohibits the unauthorized distribution of copyrighted creative work whether or not you charge money for it.

**What will happen to me if I get caught illegally copying or distributing copyrighted music?**

Under federal law, first-time offenders who commit copyright violations that involve digital recordings can face criminal penalties of as much as five years in prison and/or \$250,000 in fines. You could also be sued by the copyright holder in civil court, which could cost you hundreds of thousands of dollars more in damages and legal fees.

**Is downloading and uploading music really stealing?**  
Yes, if the person or network you're downloading from doesn't have the copyright holder's permission.

**Can I use e-mail or instant messenger services to exchange songs with my friends?**

The use of e-mail or instant messenger services to exchange songs is governed by the same copyright laws that apply to any other form of reproduction or distribution.

**Am I breaking the law if I upload or download copyrighted music and leave it on my hard drive for less than 24 hours?**

Reproducing or distributing copyrighted music without the permission of the copyright holder is against the law regardless of how long you hold on to the music.

**What if I upload or download music to or from a server that is based outside of the U.S.?**

If you are in the United States, U.S. law applies to you regardless of where the server may be located.

## UAA File Sharing Facts

**What if I share poor-quality recordings?**

The law prohibits unauthorized copying and/or distribution of digital recordings that are recognizable copies of copyrighted work. The quality of the recordings doesn't matter.

**How do I know if something is copyrighted?**

When you buy music legally, there is usually a copyright mark somewhere on the product. Stolen music generally doesn't bear a copyright mark or warning. Either way, the copyright law still applies. A copyrighted creative work does not have to be marked as such to be protected by law.

**Doesn't the First Amendment give me the right to download and upload anything I want, including copyrighted music?**

No, it does not. What copyright law prohibits is theft, not free expression.

**Doesn't the "Fair Use Doctrine" give me the right to download and upload copies of music I've purchased?**

No, it doesn't. In certain instances, the use of a copyrighted work for purposes such as criticism, comment, news reporting, teaching, scholarship or research might not constitute infringement, depending on (1) the purpose and character of the use, (2) the nature of the copyrighted work, (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole, and (4) the effect of the use on the potential market for or value of the copyrighted work. However, courts have rejected the notion that uploading and downloading copyrighted sound recordings without permission constitutes "fair use."

**Besides the record companies, whom does copying music actually hurt?**

First and foremost, illegal copying hurts the songwriters and recording artists who make the music. These people depend on the royalties they get from the authorized sales of their recordings to make a living. Many recording artists receive most of their income from royalties. For many young artists, income from royalties means survival. In the end, illegal downloading means that artists won't be fully rewarded for their hard work and devotion to their craft.

## Resources

[www.campusdownloading.com](http://www.campusdownloading.com)  
[www.riaa.com](http://www.riaa.com)  
[www.mpaa.org](http://www.mpaa.org)

## UAA File Sharing Facts

# VIOLATOR CONSEQUENCES

## **UAA Violator Consequences**

UAA is adopting a firm **3 Strikes Policy**.

- **First time offenders** will have their internet access shut off. First time offenders will also be required to come to the main campus, take a short computer course and pass an online proctored quiz with a 90% or higher score. Once all these things are completed, first time offenders will have internet access fully reactivated within 3 days.

- **Second time offenders** will have their internet access shut off for the second time and they will be required to come to the main campus for a 3 hour face-to-face lecture course. The course is offered once per semester, meaning their internet could be shut off for a substantial amount of time.

- **Third time offenders** will have their internet access shut down indefinitely.

## **Federal Violator Consequences**

The RIAA, MPAA, and similar organizations are becoming more and more aggressive in finding and prosecuting alleged offenders in criminal court. **Penalties for first time offenders could result in fines up to \$250,000 plus 5 years in jail.** There may also be civil damages up to \$150,000 per illegally downloaded or shared song or movie.



## **Downloading Music Legally**

The music industry has advanced with the technology and has made it legal to download copyrighted music as long as the music is paid for. The website below lists several sites where students can go to legally download music:  
[www.campusdownloading.com/legal.htm](http://www.campusdownloading.com/legal.htm)



# CLEAN COMPUTER, CLEAR CONSCIENCE

## Problem Program Removal

### Potential Problem Programs

#### Windows

- BitComent
- BitTorrent
- FrostWire
- Kazaa
- LimeWire
- Shareaza
- uTorrent
- Vuze (formerly Azureus)

#### Mac OS X

- Acquisition
- BitTorrent
- FrostWire
- LimeWire
- Transmission
- uTorrent
- Vuze (fomerly Azureus)

*File sharing is not bad or against the law. It is only the content which may or may not be illegal depending on copyright or other legal requirements. To be on the safe side, however, make sure to remove these programs from your computer.*



### How to Remove Problem Programs

#### Windows Vista/7

- Go to Start > Control Panel > Programs and Features
- Select items from the "Windows" list (above)
- Click **Uninstall**
- Repeat as necessary

#### Windows XP

- Go to Start > Control Panel > Add or Remove Programs
- Select items from the "Windows" list (above)
- Click **Uninstall**
- Repeat as necessary

#### Mac OS X

- Open the Applications folder
- Drag items from the Mac OS X list (above) **into the Trash**
- Repeat as necessary
- Empty the Trash

