

Copyright & File-Sharing

FREQUENTLY ASKED QUESTIONS

WHAT IS COPYRIGHT?

Copyright refers to the legal rights creators have over the use, distribution, and reproduction of original work (music, movies, software, etc.). Copyright infringement is the unlawful use of any material protected under copyright law. Common violations include downloading 'pirated' copies of copyrighted materials or sharing files not intended for distribution.

HOW DO I KNOW IT'S COPYRIGHTED?

Assume all materials are copyright-protected unless you created them or you have received the author's explicit permission to distribute them. Under federal law, copyright protection lasts for the life of the author plus 70 years for any work published after 1978.

WHAT ARE THE CONSEQUENCES OF COPYRIGHT INFRINGEMENT?

If you are suspected of a copyright violation, you face **disciplinary action** from the university (your network connection will be disabled and your name may be forwarded to the Dean of Students Office) and possible **settlement fees** (the minimum damage is \$750 per file; out-of-court settlements are over \$3000). Remember: even one unauthorized download or upload can put you at risk for a lawsuit.

BUT I BOUGHT IT. WHY CAN'T I SHARE IT?

There is a difference between using and distributing copyrighted materials. Purchasing songs, movies, or software from legitimate sources does not give you the right to share these materials over the Internet or make copies for others. When you purchase a Peer-to-Peer (P2P) program (e.g., MP3 Rocket Pro), you only buy the software, not any files you download or share using this software.

DOES UMASS IT MONITOR MY INTERNET CONNECTION?

No. We do not monitor the contents of your computer or issue copyright complaints. However, if the Recording Industry Association of America (RIAA) or other copyright holder files a complaint against you, we are required to disable your Internet connection and notify you of the alleged violation.

WHAT IF SOMEONE ELSE USED MY COMPUTER TO DOWNLOAD COPYRIGHTED MATERIALS?

You are responsible for all activities originating from your computing devices. Do not share your NetID and password with anyone and do not set up eduroam on shared devices or devices you do not own.

I LIVE OFF-CAMPUS. AM I STILL AT RISK?

Yes. If your computer is identified as distributing copyrighted materials on a different network, your Internet Service Provider (ISP) will notify you directly.

WHAT CAN I DO TO AVOID COPYRIGHT INFRINGEMENT?

Download content from legitimate sources and do not share copyrighted materials online. Uninstall P2P applications (e.g., Frostwire, BitTorrent, Vuze), which may be sharing your files without your knowledge. Do not share your NetID and password with anyone. Keep your computer up-to-date with the latest security patches and anti-virus definitions.

HOW CAN I LEGALLY DOWNLOAD CONTENT?

Services like Amazon, iTunes, and eMusic offer licensed downloads of movies and music. Other options include streaming services, such as Netflix or Pandora, and ebook repositories, such as Feedbooks or Project Gutenberg.

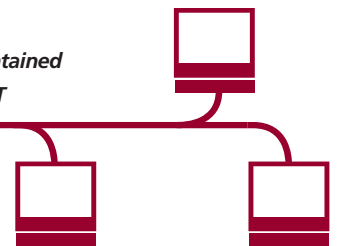
I HAVE OTHER QUESTIONS. WHERE CAN I GO? IT Help Center

- Fill out an online help request form or chat with a consultant at www.it.umass.edu/support
- Call 413-545-9400
- Stop by A109 LGRC Lowrise (M-F, 8:30 a.m. - 4:45 p.m.) or visit the Learning Commons, Lower Level, W.E.B. Du Bois Library

Student Legal Services

Request an appointment at 413-545-1995 or stop by the Campus Center, room 922.

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LEGAL ALTERNATIVES TO P2P SOFTWARE

Netflix Movies & TV
www.netflix.com

Apple iTunes Store
www.itunes.com

Hulu Movies & TV
www.hulu.com

Pandora
www.pandora.com

Feedbooks (eBooks)
www.feedbooks.com

More options....
www.educause.edu/legalcontent

TERMS YOU SHOULD KNOW

DIGITAL MILLENNIUM COPYRIGHT ACT (DMCA)

The DMCA limits an Internet Service Provider's (ISP) liability if the ISP notifies the alleged infringer and suspends access to illegal copies of copyrighted materials. As an ISP, UMass Amherst IT is required to comply with the DMCA.

PEER-TO-PEER (P2P) SOFTWARE

P2P refers to file-sharing applications (e.g., Frostwire, BitTorrent, Vuze) that enable users to share content with other computers in the same P2P network. You are responsible for all content shared or downloaded by the P2P software on your computer.

Disclaimer: This guide is intended for reference only and does not constitute legal advice. If you have received a copyright violation notice, we recommend that you seek legal assistance as soon as possible.

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