

The Office of Judicial Affairs encourages students to use copyrighted materials appropriately as defined by U.S. Copyright Law. To learn more about fair use of copyrighted materials visit the US Copyright Office website at <http://www.copyright.gov/fls/fl102.html> .

The use of peer-to peer (P2P) file-sharing networks for the sole purpose of obtaining materials outside of the copyright owner's exclusive rights of reproduction and distribution is a violation of US federal law and will be subject to disciplinary action by the College. Violation of the College's Computer Use regulation may result in loss of access privileges, relocation or removal from campus housing, and or removal from the College. According to the US Copyright Office:

“Uploading or downloading works protected by copyright without the authority of the copyright owner is an infringement of the copyright owner's exclusive rights of reproduction and/or distribution. Anyone found to have infringed a copyrighted work may be liable for statutory damages up to \$30,000 for each work infringed and, if willful infringement is proven by the copyright owner, that amount may be increased up to \$150,000 for each work infringed. In addition, an infringer of a work may also be liable for the attorney's fees incurred by the copyright owner to enforce his or her rights.

Whether or not a particular work is being made available under the authority of the copyright owner is a question of fact. But since any original work of authorship fixed in a tangible medium (including a computer file) is protected by federal copyright law upon creation, in the absence of clear information to the contrary, most works may be assumed to be protected by federal copyright law.

Since the files distributed over peer-to-peer networks are primarily copyrighted works, there is a risk of liability for downloading material from these networks. To avoid these risks, there are currently many "authorized" services on the Internet that allow consumers to purchase copyrighted works online, whether music, eBooks, or motion pictures. By purchasing works through authorized services, consumers can avoid the risks of infringement liability and can limit their exposure.”

*Retrieved on Aug. 4, 2010 from US Copyright Website: <http://www.copyright.gov/help/faq/faq-digital.html>*

You may review specific information from SUNY Oneonta regarding copyright, DMCA, RIAA, and P2P networks by going to <http://www.oneonta.edu/technology/security/copyright.asp> . This information was put together by staff in our Networking and IT Security offices. You may also view the computer use policy via our Code of Student Conduct by visiting <http://www.oneonta.edu/development/judicial/> .

## Legal Alternatives

There are many authorized services on the Internet that allow consumers to purchase copyrighted works. Below is a list of authorized services available to all consumers. This is not an exhaustive list. If you would like to know more about the authorization of an online service to provide copyrighted material for purchase, please consult the Terms of Use of the service or seek legal advice.

Legal Purchase Options:

iTunes

Amazon.com

BuyMusic.com

Napster  
Rhapsody/Real  
Pandora

Additional Resources:

<http://www.riaa.org>

<http://www.mpaa.org>

<http://www.campusdownloading.com>

<http://www.copyright.gov>