



UNIVERSITY OF MARYLAND

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OFFICE OF THE SENIOR VICE PRESIDENT FOR
ACADEMIC AFFAIRS AND PROVOST

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To all Students, Faculty and Staff:

We are writing to emphasize to you the increasing personal risks individuals face who engage in illegal file sharing. These personal risks involve not only the possibility of campus disciplinary or personnel action, but also the possibility of criminal prosecution and the initiation of civil litigation by copyright holders. Pursuit of legal actions by copyright holders is becoming more of a reality every day. The Recording Industry Association of America (RIAA), which represents the recording industry, has filed almost 3,000 civil actions (including 158 involving students from 35 universities) since last September against individuals using peer-to-peer (P2P) file sharing applications. The average cost of settling those actions is \$3,000. The university will not be able to protect or assist individual members of the University community if they are sued for illegal uses of P2P technology.

Although downloading and trading copyrighted music, movies, games and software over the Internet has become commonplace with the advent of file sharing programs such as KaZaa and Morpheus, those activities are frequently illegal. U.S. copyright law makes it illegal to reproduce and distribute copyrighted material without permission of the copyright owner except in limited circumstances. Violations may be punishable with civil and criminal penalties, including prison time and monetary damages. Copyright infringement via P2P file sharing networks also violates the university's "Guidelines for the Acceptable Use of Computing Resources" (www.umd.edu/aug) as well as federal law.

It would be unwise to rely on the myth that sharing of copyrighted materials is unlikely to be noticed. Copyright holders and their agents, including the RIAA, use automated methods to identify infringements. Even modest sharing may be detected.

In compliance with the Digital Millennium Copyright Act (DMCA), the University of Maryland expeditiously responds to complaints it receives of copyright infringement on the campus network by deleting or disabling access to materials or directing individual users to do so. In appropriate circumstances, incidents may be referred for disciplinary review and additional actions may be taken such as blocking Internet connectivity and terminating computer accounts.

It is important to emphasize that copyright-infringing activity on P2P networks not only violates federal law and university policy but also undermines the creation of intellectual property and the rights of persons who create original works. In a university environment where the fundamental purpose is the pursuit of and respect for the creation of knowledge, we expect community members to act in congruence with the mission. In keeping with the academic mission, legitimate uses of P2P file sharing software and networks will be preserved.

We also encourage you to consider the information security risk associated with the use of P2P file sharing applications. Growth in the number of computer viruses increasingly has been associated with file sharing applications. Additionally, by default, many P2P programs allow users to search and share information residing on other users' computers.

Members of the university community should refrain from illegal uses of P2P technology, thereby avoiding the ever-increasing risk of personal legal liability and disciplinary action and supporting the academic mission of the university. For assistance with removing from your computer any P2P file sharing applications or materials you do not have permission to possess or distribute, contact your departmental computer support professionals or the Office of Information Technology Help Desk, 301.405.1500.

Sincerely,

William W. Destler
Senior Vice President for Academic Affairs and Provost

Jeffrey C. Huskamp
Vice President and Chief Information Officer