



UNIVERSITY OF MARYLAND

OFFICE OF THE SENIOR VICE PRESIDENT FOR
ACADEMIC AFFAIRS AND PROVOST

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December 2010

To All Students, Faculty, and Staff:

This academic year, copyright agents have filed more than twice as many copyright infringement complaints with the university as they did during the fall of 2009. We are writing to emphasize the ever-present personal risks to individuals who engage in illegal file sharing using peer-to-peer (P2P) technology on the university network. 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. The University of Maryland will not be able to protect or assist individual members of the university community who are sued for illegal uses of P2P technology. If properly subpoenaed to provide the identity of an individual alleged to be using P2P technology for infringing purposes, the university will provide information in conformance with the law.

Although downloading and trading copyrighted music, movies, games, and software over the Internet has become commonplace with file sharing programs such as BitTorrent, Gnutella, and Direct Connect or DC++, 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. Violators face civil and criminal penalties, including prison time and monetary damages. Copyright infringement via P2P file sharing networks, e-mail, instant messaging, or other methods while using the university network also violates the university's "Policy on the Acceptable Use of Information Technology Resources" (www.umd.edu/aup).

It would be unwise to rely on the myth that the sharing of copyrighted materials is unlikely to be noticed. Copyright holders and their agents use automated methods to identify infringements. Even modest sharing may be detected. Legal downloads are available from many sources. A selected list is maintained on the Office of Information Technology's Project NETHics website at www.nethics.umd.edu/resources/factsheets/musicoptions.htm.

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 allegedly infringing materials or directing individual users to do so. In appropriate circumstances, incidents may be referred for disciplinary review and additional actions may be taken, including blocking Internet connectivity and terminating computer accounts.

It is important to emphasize that copyright-infringing activity 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 with a fundamental purpose to pursue and respect the creation of new knowledge, we expect community members to act in congruence with that purpose. 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. It is not uncommon for file sharing users to share, accidentally and unintentionally, documents from their computer that they would have preferred to have kept private (e.g., financial information, personal photographs, etc.). There is also the risk of importing files that might contain a computer virus. We advise you to remove from your computer all P2P file-sharing applications and related materials unless you have permission to possess and use them. We also recommend limiting your use of those applications and materials to lawful purposes. Contact your departmental computer support professionals or the Office of Information Technology Help Desk at 301.405.1500 (faculty/staff) or 301.405.1400 (students) if you require assistance with the removal; no penalties will be imposed.

Thank you for your consideration of this information.

Sincerely,

Nariman Farvardin
Senior Vice President for Academic Affairs and Provost

Joseph JaJa
Interim Vice President and Chief Information Office