

Peer-to-Peer File-Sharing and Copyright Infringement: Are You Vulnerable?

1. Peer-to-Peer File-Sharing: What is the risk?

Every day, millions of computer users share files online. Whether it is music, games, or software, file-sharing can give people access to a wealth of information. You simply download special software that connects your computer to an informal network of other computers running the same software. Millions of users could be connected to each other through this software at one time. The software often is free and easily accessible.

Sounds promising, right? Maybe, but make sure that you consider the trade-offs. File-sharing can have a number of risks. For example, when you are connected to file-sharing programs, you may unknowingly allow others to copy private files you never intended to share. You may download material that is protected by the copyright laws and find yourself mired in legal issues. You may download a virus or facilitate a security breach.

2. What is the copyright issue?

Under copyright law, it is illegal to download or share copyrighted materials such as music or movies without the permission of the copyright owner. The record and movie industry in recent years has taken an aggressive approach to stopping illegal downloading and file sharing. This has put many students at the nation's colleges and universities at some legal risk.

Your actions when downloading or sharing files are traceable and could result in a significant financial penalty to you.

3. What is the record and music industry doing about illegal downloads?

There are many initiatives that address illegal file sharing. For instance, the RIAA is now sending colleges and universities letters pointing to specific alleged instances of illegal file sharing and requesting the university to forward the letter to the person the university identifies as being associated with the activity. The letter, called an "Early Settlement Letter" (or pre-settlement letter) notifies the student that he or she has a specified number of days to settle with the RIAA by going to a designated website, entering identifying information, and paying a set amount, usually between \$3,000 and \$5,000, but sometimes considerably more. If the recipient chooses not to settle, the RIAA will file a lawsuit and the offer to settle for the amount stipulated may no longer be an option.

4. How does the UW respond to Pre-Settlement Letters?

The University will forward pre-settlement letters to the alleged copyright violators. The University of Washington will not forward pre-settlement letters when such individuals are not reasonably identifiable. Notwithstanding, email notification may be provided to individuals for whom identifying information appears in logs that could potentially be subject to a subpoena at a later point in time. Pre-settlement letters are forwarded to identified individuals so that they know the letters exist and can make their own decision about how to proceed. Not forwarding the RIAA letter to students could result in their being served with a lawsuit, with no chance to settle it beforehand. **Under no circumstances will the UW release any identifiable student information unless required to do so by a subpoena.**

5. What resources are available for students?

Help can be obtained from help@u.washington.edu for students with technical questions such as:

- How did the University determine to whom to send the pre-settlement letter?
- How do I check my computer for offending software or files?

The University is unable to provide legal services to students who have violated copyright law through illegal downloading or sharing. If you receive an RIAA letter, we encourage you to:

- Contact [Student Legal Services](#)
- Engage a personal attorney

6. What options exist for obtaining music and movies legally over the Internet?

As tempting as it may be, it is illegal to download music or movies and share files with your friends it is illegal to do so and that the consequences can be severe. Please inform yourself of the requirements of the law and please obey it. Otherwise, it may prove costly for you and your family.

A growing number of secure, RIAA-approved options are available for downloading music files. A few of the services that have emerged include:

Napster

<http://www.napster.com/>

Apple™ iTunes

<http://www.itunes.com/>

MusicMatch™

<http://www.musicmatch.com/>

Rhapsody™

<http://www.listen.com/>