

# Copyright Violations

## Self Help - Copyright Violations

### Violation of Copyright is a Federal Offense

Using a computer to copy or store any copyrighted material (text, images, music, movies, computer programs, etc.) is a violation of state and federal law, and leaves you liable, on conviction, to heavy fines and possibly imprisonment.

We block peer-to-peer file sharing on the Geneseo campus for three reasons:

- The federal government will withhold all financial aid from Geneseo students if the college doesn't block peer-to-peer transmissions of copyright-protected material.
- Most peer-to-peer traffic is copyright-protected.
- All peer-to-peer traffic slows Internet speeds for everyone.

### What kinds of activities are probably violations of copyright law?

Copying and sharing most MP3s, images, movies, or other copyrighted material by using "peer to peer" programs like BitTorrent, KaZaA, LimeWire, BearShare, and Morpheus or setting up file shares with copyrighted material. Unauthorized downloading anything of which you don't already own a copy (software, MP3s, movies, etc.).

### Are MP3s illegal?

Some MP3s can be legally obtained through online subscription services or from sites officially permitted by the copyright holders to offer certain MP3 downloads. Some are copyright free. Most MP3s don't fall into either category. MP3 files are completely legal, but it's illegal to have MP3s of music recordings that you don't already own, or to which you haven't obtained the rights. In most cases, sharing MP3s over the Geneseo campus network is also illegal. Copyright laws allow you to create MP3s only for your personal use and only of songs to which you already have rights. You can make MP3s only of songs for which you already own the CD or tape, known as a "transfer of copy". And personal use means for you alone - you can't make copies and give or sell them to other people.

### How could I get caught if I violate copyright law?

Geneseo uses multiple network appliances to police our network for illegal activity, and we must respond to formal legal complaints we receive. Organizations like the Recording Industry Association of America (RIAA) frequently police file-sharing programs for copyrighted material belonging to the artists they represent. Under the Digital Millennium Copyright Act, Geneseo has responded to several RIAA complaints of copyright violations for sharing music from ResNet computers on the Geneseo network. In addition to civil action, local campus disciplinary action may be taken against offenders.

Some students are under the impression that their activity on the Internet is largely anonymous or untraceable, but this is untrue. In fact, almost all your activity on the Internet is logged on many of the computer systems you use, and while these logs usually are not inspected, they can be used to confirm or implicate you in illegal activity.

### What will happen if I get caught?

If a complaint of copyright infringement is made against you, we follow this procedure:

1: The complaint is checked for accuracy. It must contain enough information for us to fully validate the complaint when checked against our server logs.

2: The responsible individual is identified.

3a: If this is a first offense, the Campus DMCA Copyright Agent meets privately with the individual. Federal and state laws and college policies are clearly explained. The individual is directed to remove any unauthorized material from their devices and to cease any behaviors that violate copyright law. The issue is now considered closed and no further action is taken.

3b: If this is not a first offense, the Campus DMCA Copyright Agent forwards the new complaint and notes and details from the first meeting to the office of Student Conduct and Community Standards or Human Resources for disciplinary action.

### What if the file sharing I am doing is actually legal?

There are some legitimate uses of peer-to-peer software. Unfortunately, technology does not exist today for us to exempt these legal uses of the technology from our monitoring system. If you are wrongly identified, explain it to us, and we will understand. We will work with you to find a compromise situation that allows you to do what you need to do while we meet our legal obligations. This may include [registering your system with us](#), so that we can modify how your computer connects to the Internet. This may also mean changing settings in your programs and applications. For example, World of Warcraft and Spyware Eliminator, both legitimate applications, download updates using BitTorrent by default - but they don't need to - they can both be configured to download updates directly. WoW players should keep this url handy: <http://us.blizzard.com/support/article/21079>.

### DMCA Copyright Agent Contact Information

Enrico Coloccia  
SUNY Geneseo  
1 College Circle  
South Hall Room 124  
Geneseo, NY 14454  
Phone: 585-245-5577  
Email: [coloccia@geneseo.edu](mailto:coloccia@geneseo.edu)

### For more information...

US Code Title 17 (actual law) <http://www4.law.cornell.edu/uscode/17>  
Music United <http://www.musicunited.org/>  
Respect Copyrights <http://www.respectcopyrights.org>  
Electronic Frontier Foundation <http://www.eff.org/share>

**More Help**

For questions about Copyright Violations or other computer related problems, contact the CIT HelpDesk. Stop by Milne Library, send an email to [helpdesk@geneseo.edu](mailto:helpdesk@geneseo.edu) or call 245-5588.