

# **The University Of Toledo Peer-to-Peer Copyright Infringement Program**

## **Introduction**

Copyright infringement is a serious matter that can subject offenders to significant civil and criminal penalties. The University of Toledo receives notice from copyright holders concerning suspected copyright infringement. These notices are primarily related to peer-to-peer file sharing through applications such as BitTorrent and Ares.

This program identifies the steps the University will take to make students aware of the copyright infringement issue as it specifically relates to peer-to-peer file sharing, the potential civil and criminal penalties.

This program identifies The University of Toledo's procedures for responding to reported incidents of copyright infringement.

## **Program Elements**

### **Annual Disclosure to Students**

The University of Toledo will provide an annual disclosure to students that explicitly informs students that unauthorized distribution of copyrighted materials, including unauthorized peer-to-peer file sharing, may subject the students to civil or criminal liabilities. Additionally, this disclosure will contain information concerning the University's response to reported offenses, alternatives to illegal peer-to-peer downloading, and reference to applicable University policies. Student Affairs will coordinate annual disclosure materials with the University Legal Department and Information Technology.

### **Awareness Efforts**

Copyright infringement awareness information will be maintained on the Information Technology website. At a minimum these materials will consist of information concerning software piracy, sound and video recording piracy, and potential penalties.

### **Alternatives to Illegal Downloading**

It is not currently practical for the University to offer cost-based alternatives to provide downloadable music and video recordings. However, streaming music and video alternatives are identified via the Information Technology web page.

### **Technology Based Deterrents**

The University of Toledo blocks peer-to-peer access on public wireless networks. Deterrent actions for suspected offenders on networks allowing peer-to-peer traffic consist of blocking network access until such time as they have acknowledged their suspected copyright infringement and agree to cease such activities in the future.

## **The University Of Toledo Peer-to-Peer Copyright Infringement Program**

### **University Response to Reported Offenses**

In response to reports of suspected copyright infringement, the University will block the offender's access to the University network until completion of appropriate notification and acknowledgment by the suspected individual.

The following procedure will be employed in response to notification of suspected copyright infringement. Records of action taken will be maintained within functional areas that facilitate this procedure.

1. The Information Security Office will identify suspected offenders based on supplied information and block access to the University network.
2. The University of Toledo Student Conduct system will be informed of all copyright infringement notices associated with students.
3. The Office of Student conduct will meet with the associated students and advise them on the copyright infringements. They will be advised that any further notifications received by the office on infringement violations will result in disciplinary action that will be recorded in a permanent file.
4. Information Technology will re-enable University network access for suspected offenders when directed to by the Student Judicial office following the student notification and acknowledgement process.
5. Copyright infringement notices associated with University personnel other than students will be relayed to the University Compliance Office. Notification and denied access will be directed by Compliance and Human Resources as deemed necessary.

### **Related Policies**

[http://www.utoledo.edu/policies/administration/info\\_tech/pdfs/3364\\_65\\_05.pdf](http://www.utoledo.edu/policies/administration/info_tech/pdfs/3364_65_05.pdf)

## The University Of Toledo Peer-to-Peer Copyright Infringement Program

### Example Documentation:

*As a student of The University of Toledo you are granted access to University computer resources for academic endeavors. We realize that students may, from time to time, use computer resources for recreational uses; however, students are not permitted to use computer resources for conducting illegal activities, for-profit activities, or any activities which may hinder other people from using these resources.*

On <date>:

I, <student name>, was found to be in possession of infringing material per RIAA Case #<number>. This is my first offense this semester and as such my machine will be allowed back on the network provided it is free of peer to peer software and any copyrighted files.

As part of an agreement I made with The University of Toledo, I hereby agree to discontinue any such activities not in keeping with the University's usage agreement for computer services. Further non-compliance will be considered cause for referral to the University's student judicial processes and/or law enforcement agencies.

Sincerely,

---

Student (Signature)

---

Office of Student Conduct Representative