



Fall 2009 DMCA Notification to On Campus Students

You may have heard the comment: "Why pay for movies or music, when they are available for free via the Internet?" Yet, you would expect to be charged for them if you obtained them from a store.

Artists and studios own the copyrights and distribution rights to video games, audio books, digital photos, movies, or music they create. Agents for these artists direct copyright infringement complaints to the university in response to unauthorized uploading originating from Virginia Tech's network. In accordance with the Digital Millennium Copyright Act (DMCA), the university must curtail file sharing or uploading of copyrighted files at the source upon receipt of a notice.

The source of illegal file sharing is typically a student's computer, on which a file sharing or peer-to-peer (P2P) program has been installed (e.g. BitTorrent, Limewire, etc.). P2P software is very efficient at downloading digital copies of music or movies. The software is equally efficient at sharing or uploading copyrighted files without any action on the part of the user. This sharing or uploading is typically the basis for the complaints Virginia Tech receives, and results in Judicial Referrals for many students. Illegal downloads also may result in formal legal action by the recording industry.

In addition to monetary penalties that may be imposed under applicable federal laws, copyright infringement is also addressed in Virginia Tech's Policy 7000: Acceptable Use and Administration of Computer and Communication Systems (See the policy at <http://www.policies.vt.edu/7000.pdf>). Please familiarize yourself with this information. It is the violation of this policy that may be the basis of a Judicial Referral. In some cases, students must face the consequences of illegal file sharing in both the university forum and in a court of law.

Virginia Tech is obligated to comply with applicable laws for addressing copyright violations, but is not a party to these legal proceedings. If you receive one of these infringement complaints, it is your responsibility to decide how to respond to the allegations. You may wish to consult with Student Legal Services (<http://www.legal.sga.vt.edu>) or your private legal counsel before making a decision to ensure you understand your rights and responsibilities in this matter.

NOTE:

A copy of the memorandum about the Digital Millennium Copyright Act and copyright infringement from Virginia Tech's Dean of Students, Mr. Tom Brown, is available at <http://www.vtnews.vt.edu/statements/DMCA-Memorandum.pdf>.

Information on the topic of Internet copyright infringement and Virginia Tech's role is available at: <http://www.cns.vt.edu/docs/copyright.pdf>.

Should you have questions, please contact Jeff Kidd, DMCA Coordinator, by phone: 540-231-3932 or by sending an e-mail to kiddj@vt.edu.

This document is a public service announcement, in accord with applicable laws, and should not be construed as legal advice.