

## **Copyright, Filesharing, and the Digital Millennium Copyright Act (DMCA)**

Most music, video, and other media available online is protected by copyright. Just because you can download a song or video for free does not mean it is legal to do so. To ensure you are legal, make sure you have the permission of the copyright owner to download the file or that you have purchased the file you intend to download.

You are infringing on copyright when you make a copyrighted file available for other people to download by making it available over the Internet, sending it through email, chat, or other service, or otherwise reproducing or distributing copies without authorization of the copyright holder.

**Please note that making files available for copying using peer-to-peer (P2P) applications such as BitTorrent, Frostwire, Transmission, etc., without permission of the copyright holder is illegal.** It IS okay to download music or movies that have been legally purchased.

Legislation has been enacted that seeks to impose harsher penalties for illegal downloading and filesharing. People violating copyright legislation can face criminal fines of up to \$250,000 and a five-year jail sentence with stiffer penalties for repeat offenders. Civil fines of \$200 to \$150,000 per copyrighted work can also be imposed.

### **Effect on the College Network**

Internet bandwidth on the Lake Forest College network is a limited resource. Filesharing using P2P applications can be bandwidth intensive. Each time a song or movie is shared, bandwidth is consumed. Excessive filesharing adversely affects network performance for everyone.

### **What you can do to be legal**

- Don't illegally share copyrighted material. Be sure programs you are using to manage your music and other files are not set to share your music. The default for many programs is to automatically share files. Understand how your software works!
- Confirm that the distributor of a file you are interested in downloading has permission from the copyright holder to distribute it.

Educate yourself about:

- The DMCA (<http://www.copyright.gov/legislation/dmca.pdf>),
- NET Act (<http://www.gpo.gov/fdsys/pkg/PLAW-105publ147/pdf/PLAW-105publ147.pdf>)

- Copyright laws (<http://www.copyright.gov/title17/>)

### **Some Legal Download Sites**

Amazon.com ([www.amazon.com](http://www.amazon.com))

Apple iTunes ([www.apple.com/itunes/store/](http://www.apple.com/itunes/store/))

Cinemanow ([www.cinemanow.com](http://www.cinemanow.com))

Free Music Archive ([freemusicarchive.org/](http://freemusicarchive.org/))

Hulu ([www.hulu.com](http://www.hulu.com))

MovieFlix ([www.movieflix.com](http://www.movieflix.com))

MP3.com ([www.mp3.com](http://www.mp3.com))

Rakuten.com ([www.rakuten.com](http://www.rakuten.com))

Real Player and Rhapsody ([www.real.com](http://www.real.com))

Rhapsody ([www.rhapsody.com/](http://www.rhapsody.com/))

SoundCloud ([soundcloud.com/](http://soundcloud.com/))

Windows Media Services ([www.windowsmedia.com/radioui/home.aspx](http://www.windowsmedia.com/radioui/home.aspx))

Yahoo! Music ([www.yahoo.com/music/](http://www.yahoo.com/music/))

### **Additional Information**

For more information on the Digital Millennium Copyright Act, please refer to [en.wikipedia.org/wiki/Digital\\_Millennium\\_Copyright\\_Act](http://en.wikipedia.org/wiki/Digital_Millennium_Copyright_Act)

For some insight into how some copyright holders view the issue of filesharing and copyright, visit the sites of the **Recording Industry Association of America** or the **Motion Picture Association of America**.

The **Electronic Frontier Foundation** offers another perspective on filesharing.