

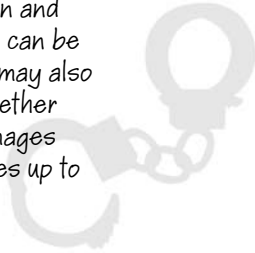


Has the University been contacted by RIAA regarding downloading incidents?

Yes.

What are the legal penalties?

Online infringement of copyrighted music can be punished by up to 3 years in prison and \$250,000 in fines. Repeat offenders can be imprisoned up to 6 years. Individuals may also be held civilly liable, regardless of whether the activity is for profit, for actual damages or lost profits, or for statutory damages up to \$150,000 per infringed copyright.



Where can I legally download music files?

There are many great music subscription sites that allow students and others to pay for and legally download music. Here are just a few:

- www.apple.com
- www.burnitfirst.com
- www.listen.com
- www.musicnet.com
- www.pressplay.com
- www.real.com
- www.streamwaves.com/higherwaves/ie4/framesetie.htm

Where can I find more information about what's legal and what's not when copying music?

Valuable information is available at the MUSIC Coalition's website at www.musicunited.org.

DOWNLOADING MUSIC



WHAT STUDENTS NEED TO KNOW!



What is the RIAA?

The Recording Industry Association of America, Inc. (RIAA) is a trade association whose member companies create, manufacture, and distribute approximately 90 percent of all legitimate sound recordings sold in the United States. The RIAA is authorized to act on behalf of its member companies in matters involving the infringement of sound recordings, including enforcing their copyrights and common law rights on the Internet.



What does "piracy" mean?

Piracy generally refers to the illegal duplication and distribution of sound recordings. There are four specific categories of music piracy.



- **Pirate recordings** are the unauthorized duplication of only the sound of legitimate recordings, as opposed to all the packaging, i.e., the original art, label, title, sequencing, combination of titles, etc. This includes mixed tapes and compilation CDs featuring one or more artists.
- **Counterfeit recordings** are unauthorized recordings of the prerecorded sound as well as the unauthorized duplication of original artwork, label, trademark, and packaging.
- **Bootleg recordings** (or underground recordings) are the unauthorized recordings of live concerts, or musical broadcasts on radio or television.

- Online piracy is the unauthorized uploading of a copyrighted sound recording and making it available to the public, or downloading a sound recording from an Internet site, even if the recording isn't resold. Online piracy may also include certain uses of "streaming" technologies from the Internet.

Why is piracy such a big deal – it's only music?

According to RIAA, many people don't understand the significant negative impact of piracy on the music industry. Though it would appear that record companies are still making their money and that artists are still getting rich, these impressions are fallacies. RIAA states that consumers lose because pirating drives up the costs of legitimate products for everyone. Honest retailers lose because they can't compete with the prices offered by illegal vendors. Creative artists lose royalties and fees, and sometimes their reputations due to inferior quality of pirated copies. Even music pirates lose because the RIAA and law enforcement are cracking down; those who do the crime now do the time.

How will the University know if I download music?

To protect both our students and network resources, the University constantly utilizes tools designed to detect and deter the transmission of large files. If these files were allowed to traverse the campus network, it would not



only impact network traffic but also interrupt instructional programs and represent a misuse of scarce State-provided network bandwidth.

What action will the University take against me if I'm caught downloading music?

Cal State L.A. takes copyright violations seriously. When the University receives a RIAA notification of Unauthorized Sound Recordings, immediate action is taken. The



notification includes specific information about the date, time, IP address, and port where the violation occurred. Information Technology Services (ITS) checks the usage logs for the user name signed on to that port during the violation time period.

The student's e-mail account is immediately locked. When the student reports to the ITS Help Desk to request unlocking the account, they meet with the Director, IT Security and Compliance. The purpose is to primarily counsel them about RIAA and prevent further occurrences and possible personal liabilities. Then the student's account is unlocked.

If a second violation occurs, the account is locked and the matter is turned over to the Judicial Affairs Officer in the Division of Student Affairs for review and possible disciplinary action.