

Continental School of Beauty Culture

Peer-to-Peer File Sharing and Copyright Infringement

What is Peer-to-Peer?

Peer-to-Peer (“P2P”) file sharing is a way of exchanging or transferring files over the Internet. Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

What is the risk?

Every day, millions of computer users share files online. Whether it is music, games, or software, file-sharing can give people access to a wealth of information. You simply download special software that connects your computer to an informal network of other computers running the same software. Millions of users could be connected to each other through this software at one time. The software often is free and easily accessible.

Sounds promising, right? Maybe, but make sure that you consider the trade-offs. File-sharing can have a number of risks. For example, when you are connected to file-sharing programs, you may unknowingly allow others to copy private files you never intended to share. You may download material that is protected by the copyright laws and find yourself mired in legal issues. You may download a virus or facilitate a security breach.

What is the Copyright issue?

Under copyright law, it is illegal to download or share copyrighted materials such as music or movies without the permission of the copyright owner. The record and movie industry in recent years has taken an aggressive approach to stopping illegal downloading and file sharing. This has put many students at the nation's colleges and universities at some legal risk.

Your actions when downloading or sharing files are traceable and could result in a significant financial penalty to you.

Copyright Infringement

Unauthorized distribution of copyrighted material using Continental School of Beauty’s information technology resources — including sharing copyrighted music, movies, and software through peer-to-peer applications like LimeWire, BitTorrent, etc. using Internet access provided by Continental Schools — is against the law and institution policy. Unlawful file sharing may subject you to legal penalties, which can include any or all of the following:

- Having to pay money to the copyright holder in a lawsuit — between \$750 and \$30,000 for each file, and up to \$150,000 for each file if the infringement was willful.

- Having to pay the copyright holder's costs and attorney fees to bring the lawsuit.
- Criminal fines of up to \$250,000, and up to 10 years' jail time — even if someone sharing files doesn't sell or charge for them.
- Additionally the school may impose sanctions, including loss of network access and disciplinary action.

Continental's policy on Peer- to-Peer file sharing

Most, if not all, P2P programs threaten or disrupt the integrity of the school's computing services and its network. The school respects the intellectual property of others, regardless of the medium in which the material is transmitted. Access to the school's technology resources is a privilege granted to students, faculty, staff, and guests. Everyone using these resources is responsible for using them in an effective, ethical and lawful manner. We prohibit the use of unauthorized distribution of copyrighted material.

Because there are legitimate academic, research, and personal uses of P2P file sharing applications, Continental School of Beauty does not ban them from its network. However, the school recognizes that most P2P activity consists of copying music and video files for personal enjoyment, often violating Copyright law and/or using a disproportionate amount of network resources. Therefore, before participating in any P2P file sharing activity, users of school computing and electronic communication resources should ensure that such activity is in compliance with this regulation and other related school policies.

Regulation

Use of P2P applications in violation of the law, school policies, or in ways that interfere with the school's network integrity or security is prohibited. Use of P2P applications for legitimate academic or research purposes, or for a personal purpose that does not violate the law or school policy, is permitted and, when possible, should be communicated to Information & Technology Services (ITS). Such communication will help to ensure that ITS security measures employed to control impermissible uses will not interfere with those consistent with school policies.

IT Policies

All school-owned computers, servers, and networks are to be used in a manner consistent with this Regulation.

Enforcement

Upon discovery of an apparent violation of this regulation, ITS will notify the user and require that the user immediately cease the prohibited activity and delete files that violate copyright law. Failure of the user to comply with this notification immediately or to otherwise provide ITS with evidence that the use is for legitimate academic or research purposes, or is for a legitimate personal purpose that does not violate the law or school policy, may result in the immediate disconnection of the offending device from the School's computing network. Furthermore, violation of this regulation may result in disciplinary action under appropriate school disciplinary procedures.