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UCI Directory

[Home](#) [Help Desk](#) [Administrative Systems](#) [Services & Support](#) [Instruction & Research](#) [Network](#) [Telephone](#) [About OIT](#)

[OIT](#) > [Policies](#) > [Copyright](#) > **Fall 2009 Letter to Students**

Fall 2009 - Downloading & Copyright Memo to Students

October 2009

From: Manuel Gomez, Vice Chancellor Student Affairs

Subject: Downloading and copyright

Dear UCI Students:

The Internet is an essential tool for both academic and everyday pursuits expanding and enriching our lives. Along with these benefits come challenges and responsibilities. One of the most critical is conforming to copyright laws.

Trading of copyrighted music, movies, games and software over the Internet is generally not legal. You must have the consent of the copyright holder to make copies.

There are some limited exceptions; however, these generally do not apply to copyrighted materials used for entertainment purposes. Copyrighted material includes music, videos, games, movies, text, and software.

UCI abides by the provisions of the federal Digital Millennium Copyright Act (DMCA), which requires prompt response to claims of copyright infringement by copyright holders or their agents.

If the campus receives an allegation of copyright infringement based on your use of the UCI network via an IP address assigned to you, the matter is referred to Student Conduct in the Office of the Dean of Students for further investigation.

If you are found responsible after meeting with Student Conduct, you are subject to UCI disciplinary action including, but not limited to the following:

1. loss of network access
2. suspension or dismissal from the University
3. restitution or community service

The consequences of copyright infringement extends outside of the campus. Copyright holders may assess civil liability and even criminal prosecution. Universities, including several UC campuses, have been served with subpoenas demanding the identification of individuals who are alleged to have violated copyright. Over the past few years, the Recording Industry Association of America (RIAA) has adopted the practice of sending universities pre-litigation settlement letters to be forwarded to individuals offering them "the opportunity to resolve copyright infringement claims against them at a discounted rate". In 2008, UC Irvine received such RIAA settlement offer letters for forwarding to students/individuals. Published reports indicate that the minimum settlement is \$3,000 per case.

Another reason to be very careful with file sharing programs is that the installation procedures for most enable default open access worldwide to information on your system. Thus, the integrity of your computer and personal information can be compromised through illegal file sharing, including making you vulnerable to "identity theft." Your computer should be configured to share only those materials you have the right to share

and want to share, such as documents, photos, and music that you create.

To facilitate student access to legal sources of music on-line, UCI has created a web page listing some of the legal sources of music and video on-line.

Please review UCI computer and network policy as well as the other references included below.

Manuel N. Gomez

Vice Chancellor Student Affairs

[1] UCI Legal Music site

<http://www.vcsa.uci.edu/music/>

[2] UCI Computer and Network Use Policy

<http://www.policies.uci.edu/adm/pols/714-18.html>

[3] UCI Copyright Policy Resources

<http://www.oit.uci.edu/policy/copyright.html>

[4] UCI Residential Network Services Computer Use Policy and Connection Guidelines: Music, Movies, Software and other Copyrighted Files

http://resnet.uci.edu/policy/connection_policy.asp#copyright

[5] UCI Student Conduct: ST@P Illegal Downloads

<http://www.dos.uci.edu/judicial/downloadtips/index.php>

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<http://www.oit.uci.edu/policy/studentletter-copyright-F09.html>