Peer-to-Peer File Sharing Policy

The primary purpose of this policy is to inform, educate and set expectations for the members of the university community of their individual and corporate responsibilities towards the use of Peer-to-Peer applications using the University's network. While the definition itself is controversial, generally a peer-to-peer (often referred to as P2P) computer network refers to any network that does not have fixed clients and servers, but a number of peer nodes that function as both clients and servers to the other nodes on the network. This model of network arrangement is contrasted with the client-server model. Any node is able to initiate or complete any supported transaction. Peer nodes may differ in local configuration, processing speed, network bandwidth, and storage quantity. Put simply, peer-to-peer computing is the sharing of computer resources and services by direct exchange between systems.

This policy intends to make it clear that P2P architecture, itself, is not in question. What is a concern, however, is one of the most prevalent uses of this technology, P2P File Sharing applications used for the distribution of copyrighted content. Morpheus, KaZaA, Aimster, Madster, AudioGalaxy and Gnutella, are examples of the kinds of P2P File Sharing software which can be used inappropriately to share copyrighted content. Note, that some of these applications are not pure peer-too-peer architectures, further reinforcing that the issues with File Sharing applications have more to do with risk of abuses, than in the technology itself. Along with copyright infringement, other concerns of P2P File Sharing applications include network resource utilization, security, and inappropriate content. For the purposes of this policy, a Peer-to-peer file sharing application is any application that transforms a personal computer into a server that distributes data simultaneously to other computers.

Downloading or distributing copyrighted material, e.g. documents, music, movies,videos, text, etc., without permission from the rightful owner violates the United States Copyright Act and several university policies. While it is true that a number of artists have allowed their creative works to be freely copied, those artists remain very much the exception. It is best to assume that all works are copyright protected except those that explicitly state otherwise. Copyright laws were enacted to protect the original expression of an idea, whether it is expressed in the form of music, art or written material. A number of rights are given copyright owners by Federal law.

These rights include the right to control the reproduction, distribution and adaptation of their work, as well as the public performance or display of their work.

Those who obtain or distribute copyrighted material should be aware that if found liable for copyright infringement, the penalties can be severe, depending upon the amount and the willfulness of the infringing activity. In the most serious and widespread cases of copyright infringement, criminal prosecution is possible. Additionally, students, faculty and staff who may be in violation of copyright law place not only themselves at risk - they may be exposing University of Arkansas at Pine Bluff to liability as an institution, for contributory or vicarious infringement, e.g., using the University network resources to obtain the material and/or to store the material on University computers and/or servers.

The impact to UAPB's Network with Peer-to-peer file sharing applications typically allow a user to set up their computer so that other people can access specific files on their computer. This process, in effect, converts the user's computer into a server. While this might seem like a nice service to offer, there are some serious drawbacks. First, running an unauthorized server from a university building is a violation of the University of Arkansas at Pine Bluff Network Use Policy. Also, when a user's computer is acting as a server, it can place an enormous burden on UAPB's network. If the computer/server is popular and does excessive, high-volume transfers of files, this single computer/server can severely impact the performance of UAPB's network. Transferring large movie or music files may overload the network and degrade services. Transferring large files can slow the network making it less responsive or even unavailable to users. Excessive network traffic can be generated, adversely affecting performance for other users. In addition, P2P traffic-along with the various worms that infect the Windows OS – consume a huge proportion of network bandwidth. It is the policy of UAPB that the university's network connections may not be used to violate copyright laws. The unauthorized reproduction of copyrighted materials is a serious violation of UAPB's Code of Computing Policy, as well as the U.S. Copyright Laws, as discussed above. UAPB has placed into effect a limit on the inbound and outbound traffic generated by Peer-to-Peer file-sharing applications. This restriction is necessary to support the primary usage of the network: academic and enterprise computing. The data network must be available for UAPB's students, faculty, and staff to use for academic research and essential daily operations.

UAPB realizes this can result in the delay of downloading files from the internet; however, Peer-to-Peer applications are an incredible consumer of bandwidth and will take as much bandwidth as available, constricting available bandwidth for other applications.

If an artist, author, publisher, the Recording Industry Association of America (RIAA), the Motion Picture Association of America (MPAA), or a law enforcement agency notifies the University that a Faculty/Staff member or Student is violating copyright laws, Technical Services will provide to the relevant offices within the University information in the form of Internet Protocol (IP) address information and any information from logs to assist in the investigation of the complaint. If appropriate, action will be taken against the violator in accordance with University policy.

UAPB takes a strong stand against unlawful distribution of copyrighted music, movies and software. If a student is found to be distributing copyrighted material using any University computing resources, that person's network connection will be terminated. If the user* provides or obtains copyrighted files (music, videos, text, etc.) without permission from the copyright owner or their representative, the user is in violation of federal and state copyright laws and the University of Arkansas at Pine Bluff Code of Computing Policy.

(revised March 2010)