FAQ's About Conduct Regulation 10.1*
Office of Student Conduct at the University of Georgia

Why am I here?
The Office of Student Condcut has received a formal complaint from Enterprise Information Technology Systems (EITS) that you may have violated the Code of Conduct by having music/movie/software/etc. in a peer-to-peer folder on your computer, which made the product available for distribution. The copyright owner did not give permission for the distribution.

I paid a fee to download the music legally. However, I have been charged with allegedly violating Conduct Regulation 10.1 based on file sharing. How is that possible if I purchased the music legally?
The music was in a peer-to-peer sharable folder, which made it available to others for distribution. It is similar to purchasing a CD in a record store (legally) but then taking it home, burning it (making copies), and distributing it to your friends and family. You purchased the CD legally; however you distributed the CD without the copyright owners' permission.

What is a peer-to-peer folder?
Peer-to-peer folders (or technologies) are systems created to share files online. The most popular types of distribution include music, movies, and other digital media. When you download a song, movie, or other digital media, you make the information available for other users to view and copy from your folder without the permission of the copyright owner. The most common peer-to-peer systems are Kazaa, Limewire, eDonkey, ARES, and BitTorrent.

How do I remove the peer-to-peer folder from my computer?
You may prevent file sharing by uninstalling peer-to-peer software and by running antivirus and spyware scanning software. If you are unsure if all peer-to- peer systems have been removed, please contact EITS for additional assistance at http://infosec.uga.edu/guidelines/dmca.php or (706) 542-3106.

Is UGA monitoring my computer? How did the copyright company know I had their product in a peer-to-peer folder?
No, the university is not monitoring your computer or your peer-to-peer folder. When you download peer-to-peer software, the software automatically creates a shareable folder. Each time you download a product off the internet, it is placed in this folder. Once a music/movie/software product is established in a peer-to-peer folder, the "folder" sends out an advertisement to the network stating new material is available in your folder. Most copyright owners of music, movies, or other digital media monitor these advertisements and report unauthorized distribution of their products.

What happens after a copyright owner finds music/movie/software products in a peer-to-peer folder? Why do I have to meet with The Office of Student Conduct?
The copyright owners will send a notice to the Internet Service Provider (ISP), which in your case is the University of Georgia, and state there has been a violation of the copyright act. They will ask the ISP to stop the violation. On behalf of UGA, Enterprise Information Technology Systems (EITS) investigates the complaint letter, locates what UGA MyID the IP address was assigned to, and informs the MyID owner (the student) and Office of Student Conduct that the computer owner needs to halt distribution of material in compliance with the copyright act. If you have a technical question regarding how the IP address is matched up to your UGA MyID, you may call Rayid Tartir in EITS at (706) 614-0749.

I didn't know file sharing was a violation of the Code of Conduct. Where in the code does it state that file sharing is a violation?
Section 10.1 of the Code of Conduct states the following:
> No one shall copy, install, or use any software or data files in violation of applicable copyrights or license agreements, including but not limited to downloading and/or distribution of music, movies, or any other electronic media via the internet.

You may view the Code of Conduct online at www.uga.edu/judicialprograms/code.html.

What is the most common sanction for this violation?
The student conduct process does not rely on precedent and sanctions can vary from case to case; however, the sanction for first time violators is usually a reprimand, a written warning. You must agree to comply with the University Conduct regulations, specifically those related to computer use policies. If you have questions about copyright and distribution issues, please refer to the EITS website at: http://infosec.uga.edu/guidelines/dmca.php. For second violations, students could face probation or lose personal computer connection privileges on campus. Any additional sanctions are left to the discretion of the hearing officer or the hearing panel.

I have received a letter from the RIAA claiming a lawsuit has been filed against me for illegal distribution. What should I do?
The University of Georgia cannot offer any legal advice to its students. The Office of Student Conduct only addresses alleged violations of the Student Code of Conduct. If you have questions about the notification process, you may contact the University of Georgia Office of Legal Affairs at (706) 542-0006. If you want to know what you should do next regarding the lawsuit, you will need to hire your own attorney.

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*_Peer-to-Peer Primer_. (2007). Retrieved October 22, 2007, from http://infosec.uga.edu/guidelines/dmca.php