

Copyright Infringement

Responsible Executive: Chief Information Officer, Weill Cornell Medicine

Original Issued: July 6, 2009

Last Updated: May 13, 2023

Last Reviewed: May 13, 2023

Contents

Policy Statement.....	2
Reason for Policy.....	2
Entities Affected by this Policy.....	2
Who Should Read this Policy.....	2
Web Address of this Policy.....	2
Contacts.....	2
1. Principles.....	3
2. Procedures.....	3
2.01 Responding to Copyright Infringement Claims.....	3



Policy Statement

Peer-to-peer (P2P) file sharing programs are useful tools for exchanging data and transferring files at high speeds. Perhaps due to this attribute, they are also the primary method for illegally sharing copyrighted material, such as movies, music, television shows, video games, and commercial software. Upon notification, Weill Cornell Medicine has a legal obligation to forward the notification to the user of the computer indicated in the notification as well as to quickly stop the illegal file sharing.

Upon formal notification or due to detection, and in accordance with ITS policy 11.01 - Responsible Use of Information Technology Resources, Weill Cornell Medicine will take all necessary means, including, but not limited to, temporary disconnection from the internet or the Weill Cornell Medicine network, to stop illegal sharing of copyrighted material by users of Weill Cornell Medicine network services. The Information Technologies & Services Department (ITS), as the recipient of formal notifications of illegal file sharing, will pass those notifications, along with an internal cease and desist notice, to any user whose computer has been identified by the claim of copyright violation. Upon receipt of notice, users must remove the named material from their computers.

Reason for Policy

It is illegal to share copyrighted material without express consent from the copyright owner. This policy addresses Weill Cornell Medicine's legal requirements to respond in a timely manner to electronic copyright infringement notifications.

Entities Affected by this Policy

All units of Weill Cornell Medicine, including Weill Cornell Medicine-Qatar.

Who Should Read this Policy

All members of the Weill Cornell Medicine community utilizing Weill Cornell Medicine information technology resources. All stewards and custodians of Weill Cornell Medicine data.

Web Address of this Policy

<https://its.weill.cornell.edu/policies>

Contacts

Direct any questions about this policy, 11.07 – Copyright Infringement, to Brian J. Tschinkel, Chief Information Security Officer, using one of the methods below:

- Office: (646) 962-2768
- Email: brt2008@med.cornell.edu



1. Principles

Users of peer-to-peer programs should be aware that those programs search the contents of the hard drive they are installed on and often start sharing files such as movies and music without explicit notice or prompt to the user.

Weill Cornell Medicine does not generally survey its network for illegal file sharing but retains the right to do so (in accordance with ITS policy 11.02 – Privacy of the Weill Cornell Medicine Network and Systems) and may take any relevant action to prohibit illegal file sharing as necessary.

Weill Cornell Medicine does not generate notices of illegal file sharing. ITS receives copyright infringement notifications from multiple groups that use the Digital Millennium Copyright Act (DMCA) as a way of stopping illegal file sharing. For more information on the DMCA and its use, visit the [U.S. Copyright Office website](#).

Weill Cornell Medicine does not make a distinction among ownership of computers on the Weill Cornell Medicine network. Regardless of whether the computer is owned by Weill Cornell Medicine, the Weill Cornell Medicine network shall not be used to illegally share files protected under copyright. Upon receipt of a copyright infringement notice, users will be forwarded copyright violation notifications and their computers will be disconnected from the network or internet. Network and internet access will only be reactivated once the user has demonstrated to an ITS technician that the offending material has been removed.

Repeat offenders of this policy may face corrective action up to and including termination.

2. Procedures

2.01 Responding to Copyright Infringement Claims

Upon receipt of a copyright infringement claim, ITS will:

1. Amend to that claim one statements similar to those below based on offense level:

- a. *For first-time offenders of this policy:*

We have been informed that you have been sharing copyrighted material. Please IMMEDIATELY cease and desist from sharing the material listed in the following email (below). In addition, please remove all copies of the infringing material, as well as any Peer-to-Peer (P2P) applications that you have installed. Failure to comply with this notice within 48 hours will result in the interruption of your internet access from the Weill Cornell Medicine network.

- b. *For repeat offenders of this policy:*

We have been informed that you have been sharing copyrighted material. Please IMMEDIATELY cease and desist from sharing the material listed in the following email (below). As this is the [second] notification we are sending regarding this material on this computer, your internet access from the Weill Cornell Medicine network has been suspended until such time as an ITS Support Technician can verify that all copies of the infringing material, as well as any Peer-to-Peer (P2P) applications that you have installed, have been removed.

2. If necessary, temporarily disable internet access for the computer named in the claim,
3. Create an ITS support ticket,
4. Assign an ITS Support Technician to review the computer, remove the offending material, and remove any P2P programs, and
5. If necessary, re-enable internet access for the computer named in the claim.



Revision History:

Date	Author	Revision
July 6, 2009		Initial draft completed
May 13, 2023	Brian J. Tschinkel	Updated policy template and language for branding

