



Copyright Infringement Policy

Upon formal notification or due to detection, and in accordance with WCMC policy 11.1 – Responsible Use of Information Technology Resources – WCMC will take all necessary means, including but not limited to temporary disconnection from internet access or the college network, to stop illegal sharing of copyrighted material by users of WCMC network services. 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.

Entities Affected By This Policy

The Weill Cornell Medical College and Graduate School of Medical Sciences

- **Responsible Executives:** WCMC Chief Information Officer
- **Responsible Department:** Information Technologies and Services
- **Dates:** *Issued:* Interim: 7/6/2009, *Final Issuance:* TBD
- **Contact:** Information Technologies and Services

Reason for Policy

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



Principles

1. Peer-to-peer (P2P) file sharing programs are useful tools for exchanging data 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, and video games. Upon notification, WCMC has a legal obligation to forward the notification to the user of the computer indicated in the notification, as well as quickly stop the illegal file sharing.
2. Users of P2P 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.
3. WCMC does not generally survey its network for illegal file sharing but retains the right to do so.
4. WCMC does not generate notices of illegal file sharing. It receives them from multiple groups that use the Digital Millennium Copyright Act (DCMA) as a way of stopping illegal file sharing. For more information on the DCMA and its use, see: <http://www.educause.edu/Resources/Browse/DMCA/31236>.
5. WCMC makes a distinction between computers on the WCMC network that are individually owned (usually these are computers brought to campus by students or visitors) and college-owned (purchased by the college or with college funds). Users of college-owned computers will be forwarded copyright violation notifications upon receipt, and will be disconnected from the network and/or internet access upon first receipt of such notifications. Users of individually owned computers will be forwarded copyright violation notifications upon receipt, but their computers will only be disconnected from the network or internet upon the receipt of a second violation *for the same material*. In each case, network and internet access will not be reactivated until the user has proved to an ITS technician that the offending material has been removed.



Procedures

1. Procedure for Responding to Copyright Infringement Claims
 - a. Upon receipt of a copyright infringement claim, ITS will:
 1. Amend to that claim one of three statements (see ‘Amendments to Copyright Infringement Notifications’ below)
 2. If necessary, temporarily disable internet access for the computer named in the claim
 3. Create a support ticket
 4. Assign a Support Technician to review the computer, remove the offending material, and remove any P2P programs
 5. If necessary, enable internet access for the computer named in the claim

Amendments to Copyright Infringement Notifications

A. For first-time recipients, individually owned computers:

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 outbound internet access.

B. For second-time recipients, individually owned computers:

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 inbound and outbound internet access 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.

C. For users of college-owned computers:

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 the machine indicated is a college asset, your inbound and outbound internet access has been suspended until such time as an ITS Support Technician verifies that all copies of the infringing material, as well as any P2P applications that you have installed, have been removed from the computer.