

College of Chemistry P2P File Sharing Policy

Purpose

To prohibit the use of Peer-to-Peer (P2P) file sharing applications by all computers connected to the College of Chemistry's network. The primary purpose of this policy is to educate and set expectations for the members of the College of Chemistry of their individual and corporate responsibilities towards the use of P2P applications using the University's network.

Scope

This policy addresses the issues, impacts and concerns with file sharing aspects of Peer-to-Peer networking applications using the University's network. This policy applies to all computers that are connected to the College of Chemistry's network. This includes, but is not limited to, desktop computers, laptop computers, file/ftp/tftp/proxy servers, and any lab based equipment.

Background

A Peer-to-Peer 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. 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. P2P 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. File sharing applications such as eDonkey, KaZaA, and Gnutella are examples of the kinds of P2P file sharing software, which can be used inappropriately to share copyrighted content. Along with copyright infringement, other concerns of P2P file sharing applications include network resource utilization, security, and inappropriate content.

Issues

Copyright Infringement

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.

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 a civil lawsuit, one found liable for copyright infringement can be ordered to pay damages of as much as \$30,000 per copyrighted work infringed. This penalty can be increased to \$150,000 per infringed work in cases of particularly flagrant infringement. 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 UC Berkeley 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.

Impact to Chemistry's network

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. A user's computer acting as a server can place an enormous burden on the network. Network performance can degrade significantly when P2P file-sharing applications are used, especially when large files are being downloaded.

Security

P2P networks can introduce serious gaps in an otherwise secure network. Threats such as worms and viruses can easily be introduced into the network. P2P applications, if modified, can also allow users outside the college to gain access to data on the user's computer or even the network. Some P2P applications will also allow third parties to see the user's IP address. The installation of spyware is also common with many P2P applications.

Policy

Users of the College of Chemistry's network may not use peer-to-peer file sharing programs, including, but not limited to, eDonkey, KaZaA, Gnutella, Morpheus, Audiogalaxy, WinMX and BitTorrent. 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. Please note that copyrighted materials cannot be shared by any means without proper permission. This includes sharing via network file shares, the web, or any other means and is not limited to peer-to-peer programs.

Uninstalling Peer-To-Peer Applications

If you have installed a peer-to-peer file sharing application on your computer that connects to the University network you must reinstall your operating system in order to remove all traces of the file sharing software as well as any material that you have downloaded.

If you need assistance you can contact the College of Chemistry's Desktop Support at extension 2-4838 or send an e-mail message to support@cchem.berkeley.edu

Enforcement of Policy

Any user who violates this policy risks having their computer censured from the college's network. Additionally, if found liable for copyright infringement legal actions may be taken. The computer containing the peer-to-peer software will be rebuilt at the PI's expense. Repeat offenses will be escalated for review by the PI and the Dean for further disciplinary action.

