

University of Houston – Downtown

Illegal File Sharing Information

as Required by the Digital Millennium Copyright Act (DMCA)

June 2010

Overview

The University of Houston System has been engaged and actively addressing the issues of illegal file sharing and copyright infringement since 1998 when the Digital Millennium Copyright Act (DMCA) was enacted by Congress. UHS and the University of Houston – Downtown have both taken an aggressive approach to illegal file sharing as copyright violations are not only a legal matter, but also an academic/social issue for both the University and System, entities that value the intellectual property of individuals and organizations. In addition, illegal file sharing impacts the technology infrastructure of the university from both a performance as well as a security perspective.

A Multi-Faceted Approach

Recognizing the need and adopting best practices, the UH System enacted four strategies in 2001 to address illegal file sharing:

1. Implemented technology solutions to block illegal file sharing;
2. Created of awareness through education;
3. Began investigating and disciplining copyright violators; and
4. Provided legal alternatives.

Effectiveness

Over the past decade, the System program has been successful as measured by number of verified copyright infringement reports received. In addition, UH System Universities – unlike other universities and university systems – have not been sued by the industry groups that monitor illegal file sharing activity. As the sophistication of illegal file sharing software has increased, the UH System has seen increases in attempts to share files and reported violations of copyrights, but the System and its component universities have been able to keep abreast of technological improvements to detection and blocking tools to keep pace with and address each new generation of illegal file sharing.

Current Developments – The Higher Education Opportunity Act (HEOA)

The Higher Education Opportunity Act (HEOA) of 2008 introduced new requirements to address the issue of unauthorized distribution of copyrighted material.

In summary, the Act stipulates that each institution must:

- Use technology-based deterrents;
- Have procedures in place to periodically review the effectiveness of the approaches being used;
- Conduct Educational Programs; and
- Provide information regarding legal alternatives for students to use.

Specific information on how the University of Houston – Downtown addresses each of these requirements can be found in UHD's *Institutional Plan for Addressing Illegal File Sharing and Copyright Infringement as Required by the Digital Millennium Copyright Act* on the UHD Website at the following address:

http://www.uhd.edu/policies/documents/UHD_Institutional_Plan.pdf

Additional Information

The following links are provided for your information:

System Administrative Memoranda Number: 07.A.04

University of Houston System

Digital Millennium Copyright Act

www.uhsa.uh.edu/sam/7InfoServices/7A4.pdf

Reporting Copyright Infringements

<http://www.uhsa.uh.edu/common/infringements.html>

Information on Copyright Compliance

<http://www.uhsa.uh.edu/common/copyright.html>

UHD Compliance with the Digital Millennium Copyright Act

<http://www.uhd.edu/policies/dmca.html>

UHD Site Policies, Standards and Guidelines

<http://www.uhd.edu/policies/>

If you have questions regarding this information, please contact Grace Davila, UHD IT Security Manager at davilag@uhd.edu or Ginger Pearson, UHD IT Compliance Administrator at pearsong@uhd.edu.

The strategies implemented by the University of Houston System and the University of Houston – Downtown over the past decade make the System and UHD in full compliance with the Act.