

i-Legal

Staying in Tune with Your Music Downloads

So What's the Big Deal?

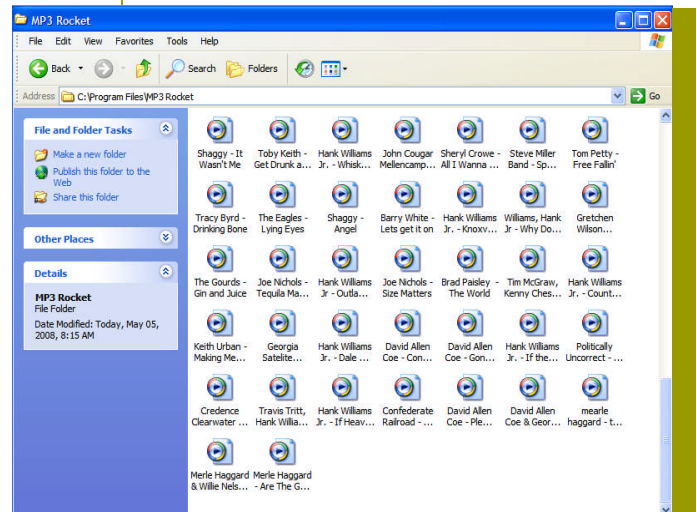
The big deal is that downloading and sharing illegally obtained music is against the law. It is a crime that is punishable not only in criminal courts but civil courts as well—bottom line, it's stealing.

Consider this, your favorite singer has just released a brand new album and you are desperate to get a copy, unfortunately it's still a few days until payday. Would you stop by the store on the way home from work, pick up the CD and stuff it in your jacket or purse and head home? Hopefully not! You would be arrested for shoplifting and end up in big trouble.

Downloading music without paying for it is the same thing, it's shoplifting. It's stealing, and it's against the law. Many see downloading music from the Internet as a "victimless crime"

because nobody gets hurt. In reality by downloading music illegally you are in essence stealing from the artist and recording companies. Additionally, many

of these illegal music websites use peer to peer file sharing software that leaves your computer exposed to viruses and spyware. You can in turn transmit these



The RIAA is actively scanning file sharing websites like MP3 Rocket looking for persons that are downloading music illegally.

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problems to others in your office, making you guilty of sabotaging the network infrastructure - a violation of the MSU security policy (OP 01.12).

Can You Live with the Consequences?

Downloading music illegally is a big deal. Not only is it a big deal, it has big consequences as well. Before you download music illegally, be sure you understand that:

- ♪ Each illegal music download can cost you \$250 per song in criminal courts
- ♪ You can be sued and taken to court (the average is \$3,000 per person plus court fees) but you can be sued for up to \$250,000
- ♪ You can be imprisoned for up to 5 years
- ♪ If you are sued in civil courts, you can be fined a minimum of \$750 per song
- ♪ Having illegal music or file sharing software on your computer is a violation of MSU-ES policy

Peer to Peer Networks (P2P) - How do They Work?

Downloading illegal music works because of something called peer to peer networking. Peer to peer networking (also called P2P) works based on a concept called "nodes." In order to download music (illegally) you have to download a piece of software (like one from the sidebar on the left) to your computer which in turn connects your computer to every other computer in the world that is using that same network. Each computer on the network is a node and all of the nodes put together make up the file sharing network. Once you have the software downloaded all of the music files that you have loaded onto your personal computer become available to everyone else on your network for download. In

essence, people can come directly into your computer and copy files from your computer or download files to your computer. This is what makes peer to peer networking so dangerous, you may want the latest country single but you may very well end up with porn, spyware, or viruses. By using the P2P network you are opening up your computer to the world. P2P networks need bandwidth (bandwidth refers to how much music can be downloaded in a given time period) to work successfully. By downloading music you are consuming valuable bandwidth that can prevent your computer or others in your office from being productive.



Illegal Music Websites:

- ♪ Gnutella
- ♪ Limewire
- ♪ Bearshare
- ♪ Aimster
- ♪ Morpheus
- ♪ Kazaa
- ♪ Grokster
- ♪ BitTorrent
- ♪ eDonkey
- ♪ eMule
- ♪ Azureus
- ♪ Gnucleus
- ♪ WinMX
- ♪ XoloX

How Does the RIAA Know the Music Downloaded on My Computer is Illegal?

One of the primary reasons people download music illegally is that it is "free," and they can operate under the cloak of anonymity—they think that nobody will ever know they just downloaded hundreds of music files illegally. Unfortunately, that is simply not true. So how does the RIAA know you are downloading music illegally?

The RIAA maintains a list of all of the songs created by their recording artist. Each song is imprinted with a digital "hash mark" or electronic fingerprint so that the RIAA can decipher whether or not the song is legitimate. Now that the song has been catalogued, the RIAA hires a security firm to search for illegal file sharers online. This company in turn scans the music networks looking for illegal music. When they find a song being illegally downloaded they obtain the IP address of the computer that is hosting the music and the computer that is downloading the music. Once they know the IP address, they can then determine who the IP address is registered to (for example: if you have the IP address 192.208.123.456 that IP address tells the RIAA that someone at Mississippi State University Extension Service is downloading music illegally). Remember, when you installed the P2P software you also made your IP address available. The IP address is a unique number that identifies your computer on the network; below is a break down of how your IP address identifies you on the network.

192 = Type of Network	} — 192.208.123.255 — {	123 = Identifies the County/Department
208 = MSU-ES Network		255 = Identifies the Individuals' Computer

Once they know the Internet Service Provider (ISP), in this example MSU-ES, the RIAA sends a notice to the ISP asking that the song be removed from the computer. At this point the RIAA does not know the name of the person that is downloading the music, they only know the IP address. If they decide to sue the individual they must first subpoena the ISP (in our example MSU-ES) requesting the disclosure of the individual's name.

If it's on My Computer, How do I Get it Off?

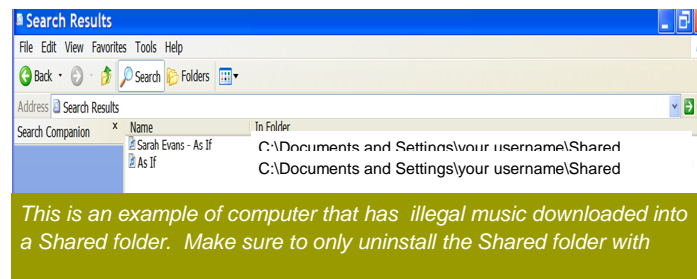
Many people are under the impression that if they delete the file sharing software from their computer the RIAA will no longer target them; this is not the case. Most P2P file sharing networks create a folder on your hard drive under your profile called Shared. It is this shared folder that contains all of the illegal music that can get you in trouble with the RIAA. Even if you uninstall the software the shared folder remains.

There are three step steps to removing file sharing software and music:

1. Uninstall the file sharing software
2. Delete the shared folder

3. Delete any of the illegal music files from your playlist and/or iPod

If you discover that you have illegal music on your computer it would be wise to remove the computer from the network until the offending files have been removed. It is strongly suggested that you remove the files and have the computer reloaded.



“Simply uninstalling the file sharing software does not remove the offensive content which leaves you vulnerable to action by the RIAA.”

What About My Kids, Can They be Held Responsible?

Yes, if your child downloads music, they will face the same punishments as any other user. There is no distinction between a child and an adult when it comes to the downloading and sharing of illegal music. Usually the RIAA will file a lawsuit against the parents first. If the case is dismissed because the parents are not actively downloading music, the RIAA will re-file against the child. If you think your child might be the target of legal action, you can check out www.eff.org to see if a subpoena has been issued for you or your child. Should you become involved in litigation with the RIAA, the Subpoena Defense Organization has compiled a list of resources that will walk you through the process on their website, www.subpoenadefense.org. It is unlikely that your child would be sued but it is possible (remember the more songs they have downloaded the higher the risk; the RIAA usually starts getting serious when 100 or more songs have been downloaded). The greatest risk to children occurs when the music they think they are downloading turns out to be pornography.



So...Where Can I Download Music, Legally?

Downloading music legally is a great way to compile all of your favorite music without having to buy a lot of CD's and music you don't want. However, when it comes to downloading music you need to be careful. Some sites ask that you pay a fee to use the site before you download the music. Sites such as this leave you exposed because you are paying only to use the software—you're not paying for the music. Other sites, such as Usenet, are equally murky since you pay a monthly fee to download content. While use of such sites is still up for debate it should be noted that the RIAA has begun filing lawsuits against such websites.

Here are a few legal websites from which to download music:

AllofMP3	Audio Candy	Lifeway	Rhapsody	SonyConnect
Amazon.com	BestBuy	LiquidAudio	Rolling Stone	Wal-Mart
Apple iTunes	iMesh	MP3.com	SamGoody	Windows Media

Legal or Illegal, Do You Know the Difference?

For Each of the questions below mark 'L' for Legal or 'I' for Illegal.

- 1.) ____ Your co-worker emails you a song from their iPod for you to play during your end of year banquet slide show—legal or not?
- 2.) ____ The people that were at the banquet want a copy of the slide show, can you burn a CD of the slideshow (with music) for them—legal or not?
- 3.) ____ You buy the latest CD from your favorite artist and download three of the songs from the CD to your iPod to have something to listen to as you workout - legal or not?
- 4.) ____ Having downloaded a lot of great songs to your mp3 player you decide it's time for the rest of the family to appreciate your love of Gregorian chants. You upload all of your music to a file sharing network so they can more easily download the music—legal or not?
- 5.) ____ You're listening to some great music when all of a sudden, your co-worker IM's (or emails) and says that it's really quiet in the office, do you have any music they can listen to? You immediately IM (or email) them back with a couple of songs—legal or not?
- 6.) ____ The children's choir at church is practicing for their upcoming musical (let's pretend you bought the original CD). Funds are limited so you decide to burn a copy of the music to CD for each of the 15 kids. That way, they can practice in the car—legal or not?
- 7.) ____ You decide to download a couple of songs from a website. You are not asked to pay for the songs and you will not be sharing the songs with anyone else—legal or not?
- 8.) ____ Using an online service such as Usenet you pay \$9.95 a month to download as much as you want since you paid for it, you go ahead and download 1,000 songs and a dozens of movies—legal or not?

So, What's the Bottom Line?

If you are an employee of Mississippi State University Extension Service, you need to know the following:

- ♪ Pursuant to the MSU Security Policy that you completed online, you are responsible for all activity conducted on your computer—whether you did it or not.
- ♪ You are solely responsible for any penalties levied against you (both criminally and civilly) as a result of action taken against you by the RIAA
- ♪ It is required that you remove all illegal music from your computer or your port will be shut down.
- ♪ If CAS is notified by the RIAA that they have found you in violation, we are required to refer the incident to Human Resources
- ♪ Under no circumstances will CAS reveal the identity of an Extension employee who has been named as an offender by the RIAA unless subpoenaed to so by the courts. In the event that this happens, you will be notified in writing that your name is being released.

Want to know more?

Check out the i-Legal video found on our website: cas.ext.msstate.edu

ResourceCenter
COMPUTER APPLICATIONS AND SERVICES