

## Peer-to-peer file sharing still affecting music sales

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The issue of peer-to-peer (P2P) file sharing seems to be cooling off somewhat as a hot news topic, but it is still a problem. And universities and colleges will be the first to attest to that.

"We're still fighting it," said Joe Zalik, network administrator for Edinboro University. "P2P has proliferated from the early 2000s."

P2P, according to EUP's illegal file sharing Web page, is a technology that allows individual users to connect to each other directly and trade files with each other. Using a computer program, users can share their hard drive and search the hard drives of others using the same computer program.

Last December, the Recording Industry Association of America (RIAA), according to the Chronicle of Higher Education, changed its strategy and stated that it would stop suing groups of college students for illegally sharing copyright music on college networks.

The new strategy could give students the illusion that they can now use P2P freely, but the reality is: the responsibility for cracking down on students illegally sharing music has just changed and that responsibility now lies with universities and colleges.

"Buried in the Higher Education Opportunity Act of 2008," said Ellen Messmer in the Oct. 23, 2008 issue of ComputerWorld Canada "are requirements that campuses inform students that illegal distribution of copyrighted materials, such as music and movies, is subject to criminal and civil penalties. The law requires college and university management to certify to the U.S. Secretary of Education that they have developed plans to 'effectively combat' illegal P2P."

One way, EUP has complied with this ruling, according to Karen Murdzak, director of networks and telecommunications, is the development of a Web page on illegal file sharing (found on the EUP Web page search: illegal file sharing).

According to the Web site, EUP's policy on illegal file sharing prohibits students, faculty and staff from using the university's network to illegally share copyrighted materials including music, movies and software. The site goes on to inform that, consistent with the university's Computing, Networks & Telecommunications Policy and in order to comply with copyright infringement legislation, Technology & Communications will address all RIAA complaints.

The RIAA, true to their word, has been sending complaints of illegal filing sharing. EUP is

receiving and expected to take action on two to three RIAA complaints a week, according to Zalik.

EUP first began receiving warning letters in fall 2002 when the RIAA and other associations representing the music and motion picture industries issued a warning to universities that copyrighted work being uploaded and downloaded with P2P technology was a violation of federal copyright law.

According to a statement on the RIAA's Web site, "The [lawsuit] program was designed to educate fans about the law, the consequences of breaking the law, and raise awareness about all the great legal sites in the music marketplace. Like any tough decision, there are tradeoffs."

Lawsuits, according to an article by Michael Guist, Internet law columnist for the Toronto Star, "targeted more than 35,000 alleged file sharers in the US."

Guist is relieved. "The decision to drop the lawsuit strategy was long overdue as it did little more than engender significant animosity toward the industry," he said.

The RIAA remains upbeat. According to their Web site, they are aware that college students are some of the most avid music fans and believe that's great news. Therefore, the RIAA feels it is especially important for students to be educated about the law; the harm suffered by musicians, labels and retailers alike when music is stolen; and legal ways to enjoy music online.

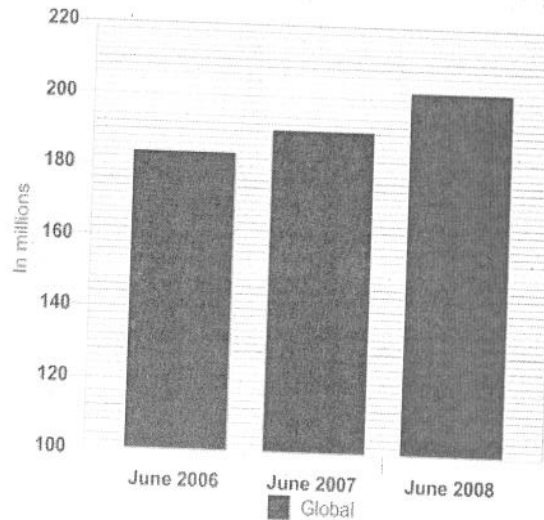
So the questions remains and is also answered on the RIAA Web site, "Is it still illegal to download music on P2P sites like LimeWire, BitTorrent and Ares?" The RIAA answers, "Absolutely. We will continue to monitor these and others and send notices to ISPs [Internet service providers] upon detection of illegal file-sharing activity. Additionally, we will continue to hold file-trafficking services responsible. That is and always has been our number one preference. We are not out of the anti-piracy business and will continue to focus and invest time and resources in going after the illegal services that facilitate and encourage theft."

File sharing is not only illegal; it is "dangerous," according to Zalik. The files are "full of viruses" and "pollute machines," he said.

"Ninety percent of the machines that come into the [Technology] Help Center are running P2P," according to Mark Lilly, Studentnet coordinator. "One hundred percent [of those machines] have virus problems."

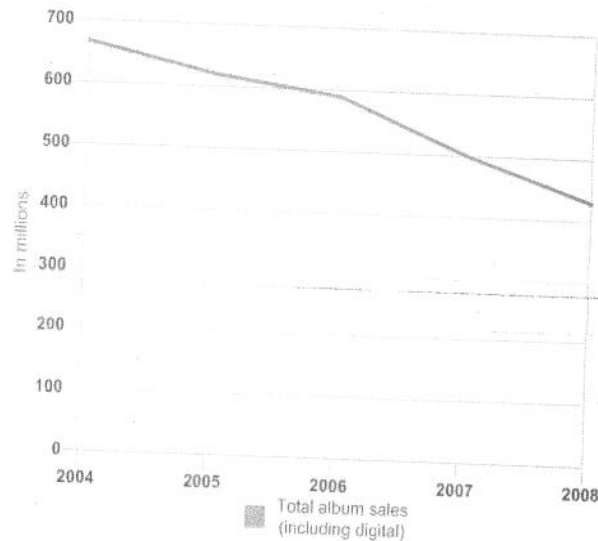
Despite their educational initiatives and efforts, the RIAA states that global music piracy still causes \$12.5 billion of economic losses every year.

### Number of PCs with One or More P2P Applications Installed



Source: PC Pitstop and BigChampagne Media Measurement

### Decline in U.S. Album Sales Over Time



Source: Nielsen Soundscan

#### Some legal music sites on the Web:

Artist Direct  
Napster  
Youtube

Myspace Music  
Zune  
Last.fm