

Copyright Infringement Lawsuits Regarding Illegal Online File Sharing

Is your school district potentially the target of copyright infringement lawsuits regarding illegal online file sharing? At first glance, you might think not. However, in the last few years, the Recording Industry Association of America (RIAA) has started an aggressive campaign to stop such activity, which has included the filing of lawsuits against individuals for illegal online music file sharing and against other entities for permitting the illegal activity to take place on their computer networks. For instance, according to the National School Boards Association and eSchool News, RIAA recently filed 261 federal lawsuits against individuals, including a lawsuit against a 12-year-old girl. An April 3, 2003 article in CNET News.com also reported that four of the recent lawsuits were against students at three different universities to increase pressure on universities to block campus online music file trading.

Also of concern is that the RIAA lawsuits have not been limited to individuals. According to an August 12, 2003 article in Yahoo Financial News, a company, Integrated Information Systems (IIS), was forced to pay RIAA one million dollars plus associated legal costs as a result of ISS' employees illegally sharing online music files on the company's computer system, despite the fact that the illegal activity was in violation of the company's policies.

As a result of the RIAA lawsuits and other concerns regarding illegal online file sharing, school districts need to ensure that they have adequate protective measures in place to help prevent employees and/or students from using school district computers and/or networks to illegally share online copyrighted material. The potential liability for illegal online sharing of copyrighted material can range from \$750 to \$50,000 for each copyrighted song found on a network or on an individual's computer.

The best way to prevent illegal online file sharing is to have in place the proper policies/procedures, technology use agreements, and blocking/monitoring software.

Clients who need assistance with drafting or revising their policies or agreements regarding computer use, or who have questions regarding any education law matter, should feel free to call us at 215-345-9111.