

share and beware

File sharing lawsuits give students pause



BY RACHEL JACKSON

From Barnhart to Carson to Hamilton Hall, the word got out: *Beware of Shareware*. In September, hundreds of students hauled computers into dorm rooms and untangled cords. As they went to plug into their university-supplied Internet, they were forced to pause. A bright yellow flier covered their Ethernet port. *Beware of Shareware*, it read. *The University of Oregon respects copyright laws*.

That same month, the controversy over music file sharing increased a decibel when the Recording Industry Association of America (RIAA) sued 261 people. While no UO students were involved, the message was clear: the stakes are higher. For students who once partook in file sharing with abandon, autumn has brought caution to campus.

"People are more afraid to download," says freshman **Jake Schumacher** during lunch at a residence hall eatery. "An eight-year-old was sued for a million dollars."

While that may not be true, software programs do target music junkies of all

ages. College students, who like nothing more than to study with the Beatles or unleash with Nirvana, are particularly enamored. Add a fast computer to the mix, open a website, click a file, and zip! a song is yours for free. It's irresistible and somehow classically collegiate, like free pizza.

Since the late nineties, students everywhere have amassed enviable collections of downloaded music. The UO was no different. Then one morning in 1999, **Jeff Levy '01** a planning and public policy major with a university Internet connection, woke up to FBI agents and a federal felony charge. Levy became the first person in America convicted of illegally distributing music across the Internet.

After that, the recording industry peppered the UO with warning letters. Campus officials, eager to avoid federal intervention, cut off Internet connections, ordered students to purge files, and disciplined them. Offending students, some with a list of swapped songs forty pages long, had to write essays on the law and sign letters promising to stop. The UO pioneered these strategies, officials say, and helped other universities cope.

Still, the practice persisted. By the first week of fall term 2002, so many students were trading music that the university's computer network slowed to an unbearable crawl.

So **Norm Myers**, the residence hall computing services coordinator, bought a \$42,000 software program that proactively monitors student usage. The program has been worth every penny, he says. He gets a regular report of top offenders who use the most computer space. Then his staff calls each student and warns them to stop.

Myers says his job is not to police students or spy on them. He just wants to keep them out of trouble.

The rules, says Myers, are fairly simple. The university permits users to download songs, but not share them with other users; the latter is the industry's beef. The tricky thing, Myers says, is that file sharing programs like Kazaa and Morpheus automatically volunteer your computer for sharing. You have to go in and turn off the function yourself in order to download songs without getting in trouble. Myers's staff posts disabling instructions on their website and happily walks students through the process.

Between monitoring and education efforts like the yellow flier, student offenses are down. So far this year, no students have incurred official violations, compared to thirty-two last year, and 252 the year before that. The RIAA lawsuits have also created awareness, students and university officials say.

That makes **Chris Loschiavo's** job easier. Students who share egregiously end up in Loschiavo's student judicial affairs office. Yet despite the drop, Loschiavo says he expects to see more violators and practices his lecture:

"If you want to share, you can share, but you can't do it on the university server. Move off campus, get an apartment, and do it on your own time. Be aware, though, the penalties are extremely steep. And don't start complaining when you find yourself in jail and are paying potentially hundreds of thousands of dollars. Is [file sharing] worth that?"

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face the reality

Karl Payne, manager at the independent music shop, Face the Music, on 13th Street across from the UO Bookstore, is the first to admit that buying a CD is expensive. "You shouldn't have to pay more than ten dollars for a CD," Payne says.

Still, his shop's success hinges on the very thing. In 2001, Face the Music was forced to move into a smaller, cheaper space when it could no longer pay \$6,000 in rent. Payne cites file sharing as the major cause. Sales have continued to fall, he says, but he sees signs that it's slowing.