

April 10, 2007

Dear WCSU Student:

The Connecticut State University System has asked each of the University campuses to make sure that students are aware of the risks they take when downloading and sharing music files on-line. In fact, students should be aware that the legal risks of such file sharing are growing.

As you may be aware, the Recording Industry Association of America (the "RIAA"), on behalf of its member labels, has recently announced plans to commence *a new wave of legal action against individuals who engage in allegedly illegal peer-to-peer file sharing of copyrighted materials*. The RIAA intends to send "settlement letters," containing the Internet Protocol addresses of alleged offenders to various colleges and universities, requesting that the college or university forward the letters to those offenders. In addition, the RIAA intends to issue "preservation notices" to those colleges and universities, requesting that they maintain log files pertaining to the alleged offender. *The purpose of this notice is to advise you of the actions the University intends to take upon receipt of a "settlement letter" or "preservation notice" from the RIAA.*

"Settlement Letter"

If the University receives a "settlement letter" from the RIAA, the University will internally identify the allegedly offending user and will forward the settlement letter, along with a copy of the University's computer use policy, to that user. Unless served with a proper subpoena, the University will not disclose the name of, or other identifying information pertaining to, the user to the RIAA or the holder of the copyright.

Please be aware that the University will not be a party to any legal action instituted by the copyright holder against the user, and will not provide legal assistance to that user. If you receive a settlement letter from the RIAA, it is your responsibility alone to determine the manner in which you will respond. You may wish to consult with legal counsel of your choosing before responding to the settlement letter.

If you do not respond to the settlement letter, the holder of the copyright may commence suit against you as a "John Doe" or "Jane Doe," then serve the University with a subpoena to obtain information revealing your identity. If served with a legally issued subpoena, the University may

have no option but to comply with the subpoena and supply the information requested therein, which will undoubtedly include the identity of the user of the infringing IP address. The Family and Education Rights and Privacy Act (“FERPA”) affords you limited protection with regard to a subpoena. FERPA provides that an institution served with a lawfully issued subpoena must notify the student of its receipt of the subpoena in advance of compliance, so that the student may seek a protective court order. If the student does not seek a protective order, or is unsuccessful in obtaining such an order, the institution must respond to the subpoena.

“Preservation Notice”

If the University receives a “preservation notice” from the RIAA, the University will preserve identifying information relating to the allegedly offending user. The University will also forward a copy of the notice to the allegedly offending user, so that he or she may know that the copyright holder has identified his or her network activity as potentially infringing of the copyright. Again, you may wish to consult with legal counsel of your choosing upon receiving a copy of a preservation notice.

You should be aware that it is not only the music industry which is concerned about copyright infringement. Owners of copyrights in movies, videos, software, and games monitor peer-to-peer activity as well, and many universities have received notices pursuant to the Digital Millennium Copyright Act, requesting that they remove or disable access to the infringing files. If you engage in peer-to-peer file sharing activity, which infringes the copyright in any of these media, the University strongly urges you to discontinue that activity immediately.

In essence, students should avoid sharing copyrighted matters with others on-line.

Sincerely yours,

A handwritten signature in cursive script that reads "Walter B. Bernstein". The signature is written in black ink and is positioned above the typed name and title.

Walter B. Bernstein, EdD.
Vice President for Student Affairs