

Unprotected file sharing results in unwanted litigation

By Jeremy Jennings
Staff Writer

Internet file sharing has come a long way since Napster first appeared on the Net in 1999. Since then, court cases have been heard and the rules have changed. Still, Internet users all over the world continue to "file share" and create a truly global community.

One of the popular file sharing programs currently on the Internet is eMule. Instead of a centralized server, eMule utilizes a system-to-system connection in which the user actually downloads the file needed from another user who could be on the other side of the world. The program, like any file sharing program, works best with a broadband Internet connection. For more information and to download the program, visit the eMule Web site at <http://www.emule-project.net/>.

Like many file sharing programs, eMule features a search engine to help users find the file they need. While this is useful, the search often returns "fakes" of files that have been purposely miss-titled in order to "terrorize" the network. Consequently, serious downloaders should visit

www.shareconnector.com to find the files they need. If you visit this site, be sure to check out the forums section where members of the file sharing community post messages as well as new links to those hard to find files. The links are often in ED2K format that works seamlessly with eMule. Simply find the file you want, click the link, and as long as you have eMule on your system with the ED2K option checked, the file will automatically begin downloading.

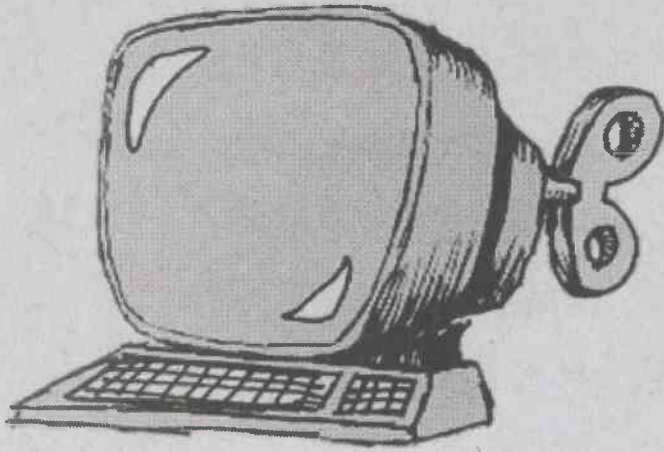
Naturally, there has been much debate over the legality of file sharing, especially copyright infringement. At the center of this debate is the Recording Industry Association of America (RIAA) whose members produce 90 percent of all the music made in America. The RIAA's members include Roc-A-Fella Records, Rockstar Games, RCA Records, Bad Boy Entertainment, MGM, Motown Records and Virgin Records, just to name a few.

On August 25, 2004, the RIAA brought copyright infringement lawsuits against 744 individuals using a variety of file transfer programs. "John Doe" lawsuits were filed in several cities including Atlanta, St. Louis, Oakland and New York. Even though the RIAA

does not know the names of defendants, they are able to find out once the suit reaches court and a subpoena is filed by using the Internet provider addresses of the users who are accused. An additional 152 lawsuits were filed against "named" defendants — individuals who were identified through the litigation process and then declined or

on the street and online. But without a strong measure of deterrence, piracy will overwhelm and choke the creation and distribution of music."

A fellow ECSU student who wishes to remain anonymous recently had his Internet subscription suspended when his service provider found



ignored an RIAA overture to settle the case before it proceeded any further.

"Just as enforcement strategies for street piracy adapt with changing circumstances, the same goes for combating piracy online," Cary Sherman, RIAA president, said. "We are adjusting and expanding our efforts to target illegal file sharing on additional platforms like eDonkey and others. There will always be a degree of piracy, both

a copy of the movie "The Exorcist" on his hard drive. A week after having his service suspended, the student received a letter in the mail — which he was forced to sign — stating that he was sorry and that he would discontinue the illegal practice. After signing the letter, he was reconnected to the Internet. Being a man of his word, the student now refuses to download anything that is not already in the public domain.

One important aspect of file sharing that this student ignored was protection. If you are connected to the Internet for any reason, it is important to protect your system from intrusion by using one of the many firewall programs currently available. Essentially, a firewall creates a boundary between your system and the Internet in order to "police" the data that flow back and forth. Without a firewall, it becomes simple for a computer-savvy techno-geek to sneak a peek at your system and the files you have saved.

A good program to use is Norton Internet Security, which is a bit pricey but features automatic updates to ensure that your firewall is one step ahead of the hackers. There are other options which are much cheaper (free) such as Kerio Firewall, which can be found at www.kerio.com.

Copyright law is a tedious subject requiring years of study to fully understand. If you are considering file sharing, here is a brief description of common copyright law as provided by the RIAA Web site.

{Title 17 U.S.C. Section 101 et seq., Title 18 U.S.C. Section 2319}

Federal law protects copyright owners from the unauthorized reproduction,

adaptation, performance, display or distribution of copyright protected works. Penalties for copyright infringement differ in civil and criminal cases. Civil remedies are generally available for any act of infringement without regard to the intention or knowledge of the defendant, or harm to the copyright owner. Criminal penalties are available for intentional acts undertaken for purposes of "commercial advantage" or "private financial gain." "Private financial gain" includes the possibility of financial loss to the copyright holder as well as traditional "gain" by the defendant.

Where the infringement activity is for commercial advantage or private financial gain, sound recording infringements can be punishable by up to five years in prison and \$250,000 in fines. Repeat offenders can be imprisoned for up to 10 years. Violators can also be held civilly liable for actual damages, lost profits, or statutory damages up to \$150,000 per work.

The RIAA Web site (www.riaa.com) contains much more information on copyright law as well as the latest on the prosecution of file sharers.

Questions? Comments? Send an e-mail to: cheap_sci_fi@hotmail.com.

ECSU, NEA recognize educators during American Education Week

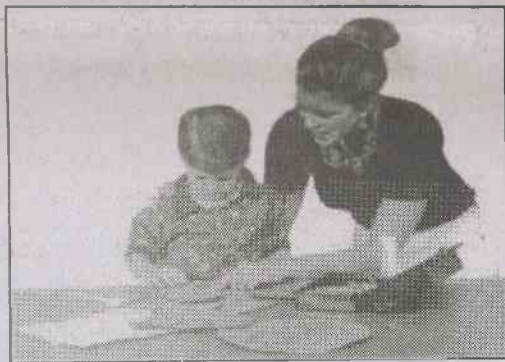
Staff members also being honored

Courtesy ECSU Public Relations

Elizabeth City State University and the National Education Association will celebrate American Education Week Sunday, November 14 through Saturday, November 20 to recognize the educators and staff members who keep America's children safe and healthy, as well as help them achieve.

National Education Support Professionals Day will be observed Wednesday, November 17 to acknowledge contributions made by school support staff. School bus drivers, cafeteria workers, teachers' aids and other education support professionals who positively impact our school communities will be honored.

Substitute Educators Day, Friday, November 19, will be a special day to recognize the



work of substitute teachers. SED is meant to encourage increased respect for substitute education employees; to advocate for all school substitutes to receive wage and health benefits for those who work most to all of a full school year; to receive genuine, continuous professional development in the art of substitute teaching; and to provide a reminder for school staff on effective practices to prepare for, welcome, and support substitute educators.

NEA and the American Legion created American Education Week to generate public support for education in 1919 after becoming distressed that 25 percent of the country's World War I draftees were

illiterate. American Education Week was first observed December 4-10, 1921 with NEA and the American Legion as co-sponsors. NEA celebrates AEW as "an education week... observed in all communities annually for the purpose of informing the public of the accomplishments and needs of the public school and to secure the cooperation and support of the public in meeting those needs." The U.S. Office of Education joined as a co-sponsor of AEW in 1922.

American Education Week is always celebrated the first full week before Thanksgiving, with this year's theme being "Celebrating the American Dream."

that by being a veteran teacher, I can offer valuable experience to the university. 3) The hours are flexible. 4) The working relationship with my peers is super."

WHY DID YOU CHOOSE ECSU?

My name is Tameika Evins. I am a senior majoring in math, with a minor in accounting. I chose ECSU because I have relatives and friends that graduated from ECSU. I also have relatives who are currently working at ECSU. Smaller colleges equal smaller classes and individual help from professors. I asked some other people why they chose ECSU. Here is what they said:

Kashara Collins, ECSU student



"I wanted independence from my parents. A school that's not too big allows to me to focus on my studies and get help from teachers.

Kindria Johnson-Wiggins
Office Assistant III
Student Life



"I was born and raised here, so I have a love for the university and this city. I also attended this school and would love to give back to the students here."

Joyce B. Cole
Education Advisor/Adjunct
Instructor
Education Department



"I choose to work at Elizabeth City State University because: 1) I am a 1965 graduate of ECSU. I was afforded an invaluable education; therefore, I want to give back. 2) I feel

Joanelle Baptiste, senior



It's a nurturing environment. Professors care and everyone is not just for themselves."

Danielle Graves, senior



"I received more financial assistance."

40th Annual International Week Festival November 1 - 5, 2004

Sponsored by the Office of International Programs

Monday, November 1

12:00 - 2:00 PM

Music & Entertainment with WRVS-FM host Greg Sampson

Venue: Waterfront, Elizabeth City

1:00 - 4:00 PM

Artifacts Display

Venue: G. R. Library - African Studies Center

Tuesday, November 2

4:00 - 5:30 PM

ECSU Choir Performance

Lecture: New Perspectives on Global Travel

Speaker: Lloyd W. Mitchell Ph.D., M.P.H., R.S.

Department of Geological, Environmental & Marine Sciences,
Elizabeth City State University

Respondent: Enoch Bond, Senior-Political Science Major, ECSU

Venue: Fine Arts Complex - Choir Room (Room 137)

6:00 PM

Venezuela: Best Kept Secrets (Slide Show)

Venue: The Little Theatre

Wednesday, November 3

1:00 - 4:00 PM

Artifacts Display

Venue: G.R. Little Library, Second Floor

6:00 PM

Dance Performance by The Healing Force (from Detroit)

Venue: Little Theatre

Thursday, November 4

11:00 AM

Panel Discussion Topic: "2004 Election Results"

Moderator: Dr. Emmanuel Ngwainmbi

Venue: Jenkins Science Center

6:00 PM

Movie: "The Last Stand of Apartheid: Africa 10 years of Democracy"

Venue: Little Theatre

Friday, November 5

4:00 - 5:30 PM

Official Opening Ceremony of the Office of International Programs

Venue: K.E. White Graduate Center

6:00 - 9:00 PM:

International Potluck Dinner & Fashion Show

Venue: K.E. White Graduate Center

For more information, please contact the Office of International Programs

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