

Downloading Copyrighted Music and Movies etc.

A long time ago, the only way to get songs without paying for them was to shoplift a physical vinyl record from the store yourself. There was no MP3 file or Limewire or Kazaa or BearShare! Shoplifting was and still is a crime which many times involves the police and sometimes court and fines and/or jail.

If you had a record and your friend wanted to listen, you had to loan the record to your friend who could play it on his record player but you couldn't play it at the same time on your record player.

Now, however, there is this digital copy of each and every song and many of them are just sitting out there on the web just asking to be copied. People would rather get something free than pay for it so these songs are being copied all over the world. Just like the vinyl record, it is against the law to copy most of these songs. The record/music industry is protecting its investment in each of these songs by prosecuting Internet service providers (ISP) who allow it. If a school/ cable company/ISP allows its users to copy these songs without consequences, it will be held liable. A school/institution could lose a very large sum of money, lose its ability to provide Internet access, and lose its federal funding. If that happens, it could effectively shut the doors of that institution or company.

By punishing the users who download copyrighted music, many institutions are saving the users from being punished by the recording industry itself. Just like the vinyl records, users could face police questioning, court, fines, and/or jail. Whatever punishment the institution levies is most likely much less than the court or fines or jail.

Some Questions

The music is out there and its free so why can't I do it?

This downloading of music etc. is similar to running a red light. If I run a red light and no one catches me, it is still breaking the law.

I paid for the software program that downloads music so downloading music should be ok.

I bought my car so I should be able to run red lights? It's still breaking the law.

I didn't know downloading music was against the law.

According to law, ignorance of the law is no excuse. It's still breaking the law.

All my friends do it what about them?

Not all users get caught but when someone gets caught, he/she has the problem, not someone else. Just like running a red light, there will always be those who don't get caught.

I didn't know the program would do that so I should not have to be punished.

Or

I told it to stop downloading but it didn't. I didn't know it would do that so I should not have to be punished for something I did not know.

Each individual is responsible for equipment/devices he/she owns. If someone uses a device belonging to that individual with that person's username and password, to break the law, it is that person's responsibility.

Note: When the software program was downloaded to the machine, it became the machine's owner's responsibility. We all click yes, yes, yes, next, next, next, and get tired of it but one of those answers accepted an agreement. The EULA (end user license agreement) should be read each time because it usually describes the agreement. Also, the manual/help files will describe how to operate the software.

The bottom line is, ignorance of the law, or of something you own, is no excuse. Once you own it, it is your responsibility.

How did I get caught?

Are the police going to tell you how they figured out it was you? The police will probably not tell someone how he/she was caught unless a case ends up in court, which is very expensive. People log on to most networks with their username and password. Your machine has a specific address which is traced to the time of the offense. Your username and password are also traceable to a specific machine.

I gave my password to my friend and he did it.

Or

I sold my computer to my friend and he did it.

Or

I just bought this computer from a friend and I didn't know this program was on it.

Or

I left my computer in my room and one of my roommates must have used it.

Your password/computer is yours and your responsibility. When you agreed to the terms of your Internet and email access at an institution/cable company, you agreed that everything done with your password is your responsibility.

Note: After being caught the first time, it is the user's responsibility to fix the computer so it won't do it again. This is usually accomplished by removing the software (usually control panel, add/remove software) or changing the settings. If the user does not know how or can't figure it out, it is the user's responsibility to take it somewhere and pay someone to fix it. This is expensive. Sometimes these programs are very hard to remove completely.

Many of these programs have a directory where downloaded files are stored that is open to the world. Not only can the person download from others but others may also download from the person owning the computer. In addition to removing the program which downloads files, it is also advisable to remove the directory/folder that has all the illegal files.