

Peer-2-Peer File Sharing Programs

The University of Hawaii Executive Policy E2.210 (Use and Management of Information Technology Resources), often referred to as the Acceptable Use Policy, contains some information of interest regarding Peer-2-Peer file sharing programs. Kazaa, Gnutella, Morpheus and eDonkey are examples of these programs. This document is intended to highlight areas of "Acceptable Use Policy" as it may relate to Peer-2-Peer file sharing programs. The "Acceptable Use Policy", can be viewed at in its entirety at <http://www.hawaii.edu/infotech/policies/itpolicy.html>

Section III.B.4 included below

Users must observe all laws relating to copyright, trademark, export and intellectual property rights

Intellectual property is the lifeblood of a university, and all members of the university community should respect the work of others inside and outside the academy. Software may not be duplicated or installed except in strict accordance with applicable licensing agreements. Software not eligible for export may not be freely stored on University systems or transmitted outside the U.S. And University servers and networks may not be used to house or distribute unauthorized software, music, video or other information resources. The University will actively participate in the prosecution of members of the community who violate the law, for example, by mounting illegal music or software distribution servers using University resources.

The distribution of computer files is the primary use of Peer-2-Peer file sharing programs. Music files, videos and software are some examples. However the majority of these types of files are copyrighted and are not freely distributable.

Section III.B.7 included below

The University administers its technology resources on a shared-use basis for the benefit of the entire community. This is only possible when all members of the community respect the need of others for services. In addition, portions of the Internet itself may be vulnerable to disruptions in service by malicious activities. As a whole, the Internet protects itself through an informal and evolving code of behavior among system administrators. The University of Hawaii is committed to be a good institutional citizen of the Internet, noting that non-cooperating institutions are sometimes blacklisted from certain services which could prevent members of the University community from achieving their legitimate academic requirements.

As a general rule, the University tries to be permissive rather than prohibitive in these matters, but certain behaviors by individuals can compromise the availability and reliability of services for the entire community. Examples of such activities include the unauthorized running of "server" programs on institutional systems or hosting non-educational web sites intended to do nothing more than generate high "hit counts." Nothing in this section is intended to discourage faculty or staff from operating authorized servers in a responsible manner in support of the mission of the University. While it attempts to manage resources on a content-neutral basis, the University does reserve the right to curtail specific uses of its technology infrastructure that unduly interfere with the institution's ability to provide the best possible service to the overall community.

Users may not engage in the transmission of unsolicited bulk email ("spamming"), regardless of how important it may seem to the sender. Email is a form of individual communication, not a public forum, and should not be used to express opinions or forward views to those who have not expressed a wish to engage in the dialog. This policy shall in no way limit the use of email as a legitimate means for the University community to share information and communication.

Under no circumstances may users create, transmit or forward electronic chain letters. Chain letters are often social notes, wishes of good fortune or most insidiously, bogus virus warnings which request the recipient to forward the message to friends and colleagues ad infinitum. Such notes can have a significant and consequential impact on institutional resources as they are forwarded around University systems. Users may not initiate or participate in the targeting of a particular person or system with mass quantities of email ("mail bombs"). In the paper world junk mailers bear the full costs of such activities when they choose to buy a stamp and envelope, but with University email the costs are borne by the entire community and the taxpayers of the State.

Activities such as spam, chain letters, and mail bombs degrade performance of networks and systems, may violate agreements with third parties such as the University's Internet Service Providers, and may even endanger the availability of the email services for the entire institution. Violations may be cause for the revocation of the offender's access to University resources.

Use of programs for peer-to-peer file sharing may violate the policies mentioned above. In addition, these programs also open up your computer to the outside world for unauthorized access as well as provide an avenue for viruses, worms and Trojan horse programs that may compromise your computer as well as others connected to our network.