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March 7, 2007

**MEMORANDUM**

**TO:** CSU Presidents  
**FROM:** Charles B. Reed  
Chancellor  
*Charles B. Reed*  
**SUBJECT:** Illegal Electronic File Sharing and Protection of  
Electronic Copyrighted Material – Executive Order No 999

Attached is a copy of Executive Order No. 999 relating to the prevention of illegal electronic file-sharing and the protection of electronic copyrighted material.

In accordance with policy of the California State University, the campus president has the responsibility for implementing executive orders where applicable and for maintaining the campus repository and index for all executive orders.

If you have questions regarding this executive order, please call Information Technology Services at 562-951-4252.

CBR/pmc

Attachment

cc: Executive Staff, Office of the Chancellor  
Vice Presidents, Academic Affairs  
Vice Presidents, Administration  
Vice Presidents, Student Affairs  
Chief Information Officers (ITAC)  
Deans/Directors of the Library  
Chancellors Office Staff

**THE CALIFORNIA STATE UNIVERSITY**  
**Office of the Chancellor**  
**401 Golden Shore**  
**Long Beach, California 90802-4210**  
**(562) 951-4252**

**Executive Order:** 999  
**Effective Date:** March 7, 2007  
**Supersedes:** No Prior Executive Order  
**Title:** Illegal Electronic File Sharing and Protection of Electronic Copyrighted Material

**BACKGROUND**

As a university system and creators of intellectual property, the California State University system has a significant interest in ensuring that all copyrighted material is protected and that the rights of copyright holders and creators of intellectual property are respected and maintained.

Technological advances and the advent of peer-to-peer file sharing applications have created an environment where illegal downloading of copyrighted materials, particularly, but not exclusively, music and entertainment videos has flourished. These violations have caused the recording and motion picture industries – two industries vital to the economic health of California –to suffer billions of dollars in lost revenue.

The Internet is now the preferred medium for dissemination of information resources. Abusive use of otherwise legitimate technologies have fostered a lack of respect for the intellectual property of others, particularly among young people. The university must act to ensure that the appropriate safeguards and policies are in place to discourage such abusive use.

On September 17, 2004 Governor Schwarzenegger issued State of California Executive Order S-16-04 prohibiting the use of state resources to illegally download copyrighted material. This executive order is issued to reinforce that resources of the California State University, including computer hardware and software and intra/inter-campus network connections, must not be used for the purpose of illegal downloading, copying or use of copyrighted materials, including, but not limited to music, videos, motion pictures, and Internet accessible content.

**POLICY**

It is the policy of the CSU to use any and all information technologies in a manner consistent with the federal laws governing copyright protection. These include, but are not limited to, the Digital Millennium Copyright Act of 1998, the Teach Act of 2002 and

all subsequent amendments. Updated information about such laws can be found at <http://www.copyright.gov/title17/>

Use of any university resource such as computers (hardware or software), network connections, servers, routers, facsimile machines, copy machines and other electronic equipment by any university constituent (faculty, student, staff or general public) to circumvent legitimate copyright protections or illegally access, copy or disseminate copyrighted material is unacceptable.

Each university president will ensure that the campus policy governing acceptable use of information technology resources makes explicit that illegal file-sharing and other copyright violations are a Violation of Title 5 of the California Code of Regulations.

In addition, each president will ensure that the existing campus processes and procedures for determining and penalizing copyright violations are detailed in the Student Handbook (printed or on-line).



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Charles B. Reed, Chancellor

Dated: March 7, 2007