

FiberNet DMCA FAQ

What is the DMCA?

DMCA stands for Digital Millennium Copyright Act. It is a federal law that protects all forms of copyrighted material (music, movies, television programs, software, etc.) from unlawful reproduction online.

Why have I received a notice from FiberNet, Delivered by Arvig®?

When you use a “peer-to-peer” file sharing program to upload or download a file, the IP address associated with your account is stored on the file sharing program’s website. Entities that represent copyright owners search these registries to determine if any of their copyrighted works may have been illegally shared. When these entities determine that one of their copyrighted works may have been illegally shared, using the IP address stored by the peer-to-peer site, they contact FiberNet as the internet service provider, or ISP, who maintains the IP address advising us that one of our users may have illegally shared a copyrighted work. Under the DMCA, FiberNet is required to pass along this notice of alleged infringement to you.

In accordance with our Acceptable Use Policy, we then send you a notice that FiberNet has received a notice of violation and request that you, the subscriber, remove the infringing material from your computer. You have received a notice because we have been alerted by one of the aforementioned copyright-policing entities that your IP address is connected with a DMCA violation, the specifics of which may be found in the letter you received. We do not provide them with your name or address unless we have received a subpoena.

What is the next step?

If you have received a notice from FiberNet alleging copyright infringement, please remove the infringing material from your computer and refrain from future unauthorized downloading and/or sharing of copyrighted files. If you continue to engage in copyright infringement online, your account will be suspended.

I have not engaged in unlawful downloading or sharing of copyrighted material. What should I do?

Check your computer to make sure that the material referenced in the letter is not there. If you find that it is, but you do not know how it got there, delete the material, notify FiberNet that you have deleted the material by sending an email to dmca@FiberNet.com, and make sure your antivirus and/or anti-spyware software is working properly.

Also, check with anyone who you may have authorized to use your computer and/or wireless connection to make sure they are not engaging in unauthorized downloading and/or sharing of copyrighted material.

I have the alleged material on my computer, but I obtained it legally. Why have I been linked to a DMCA violation?

If you have peer-to-peer file sharing software on your computer, it may be automatically adding your legally-obtained files to its server, making them available illegally to other users. Most file-sharing programs, when they are installed, automatically scan your hard drive for files to share with the rest of the world. You need to disable this feature. If you are unable to keep the software from offering your files for download, you may want to consider removing the software from your computer.

There are other reasons why you may wish to disable file-sharing. Some file-sharing sites will download spyware to your computer giving others, including hackers, access to your personal files and programs. If you have used a peer-to-peer service, you should be running anti-spyware and antivirus programs. Additionally, since file-sharing uses a lot of network bandwidth, letting file-sharing programs run in the background will cause your connection to appear to run slowly.

If your DMCA violation involves a piece of software that you purchased online, make sure that the provider of the software is legitimate. Some websites offering software for purchase are actually “Warez” sites, offering pirated software for purchase at discounted prices.

I am using a fee-based service to download the files. Since I pay the fee, doesn’t that allow me to download the copyrighted material legally?

In some cases, when you pay a fee for upgraded peer-to-peer services, that fee only pays for the license for that software—not for the content you are downloading. If you have purchased an upgraded version of a peer-to-peer program, be sure to read the End User License Agreement (“EULA”). The EULA should tell you whether or not paying the fee for the software will allow you to legally download copyrighted material.

I have checked my computer and I am not running any file-sharing programs and I do not have the content on my PC. Is there another way that it can look like I am sharing files?

If you are running a wireless router on your internet connection, then it is possible that someone else is using your access to share files. This is because the IP address that is assigned to you actually resides on the router and not on your PC. In order to stop unwanted sharing on your wireless network, please consider taking the following precautions:

- When you first activate your wireless router, log onto your router with the directions given in the manual and change the admin password.
- Enable security on your router (normally WPA2) so that users need to be authenticated on your wireless network with a “key” that is either defined by the router or a pass-phrase that you can define.
- Some routers allow users to set up access tables that will only accept certain MAC IDs (the physical networking address of a PC) and this ensures that nobody except people you want to can access your wireless network.

I am unable to access my account. Has it been suspended due to a DMCA violation?

FiberNet will not suspend your account without additional notice to you specifically stating that your account is being suspended. If you are unable to access your account and you have not received any prior notice of suspension, please contact Technical Support by calling 763.314.0100.