

BAY:TSP

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Questions about Copyright Infringement Notices

BayTSP receives many calls from internet users who have received infringement notices. This document may help answer the most common questions.

Information is included for parents about how a notice may relate to the use of the computer by their children. Please remember that infringements can be generated by anyone on your computer or network downloading copyrighted materials, even friends who have access to your system or network for as little as 15 minutes. Regardless, you are responsible for any copyright violations that occur through your Internet access account.

I have received an email (or letter in the mail) from my Internet provider and I don't know what it's about?

How do I take care of this and what do I need to do?

When did this occur and what is GMT?

Who is BayTSP in this process?

Am I or my son/daughter being sued?

How do I find the file on our computer?

Do I still need to reply if we don't find the file on our computer?

Has BayTSP invaded our privacy? Do you know what else is on my personal computer?

We paid for downloading by subscribing to a peer-to-peer website. Why did I get a notice if I've paid for it?

My internet service is down because of this.

I still need more help

Where can I find more information about copyright laws pertaining to the internet?

I have received an email (or letter) from my Internet provider and I don't know what its about.

You have received an "unauthorized use of copyrighted material" notice. These notices are sent when copyrighted material has been illegally downloaded from and/or uploaded to the Internet. The information on your notice provides you with details, including the name of the file, the time that the file was seen and the file size.

How do I take care of this and what do I need to do?

Getting this resolved is easy. Find and remove the file from your computer and use the link or email address provided in the notice to reply to BayTSP that the infringing file is removed. Replying to the notice is essential in resolving the issue. If you have problems please use the contact information at the end of this FAQ.

When did this occur and what is GMT?

The time stamp in the notice reflects the time that BayTSP detected the file on your computer, not necessarily when it was downloaded. The time listed is Greenwich Mean Time (GMT). To find your local time for the time of detection, use the following guidelines (be sure to factor in Daylight Savings Time, if appropriate):

Eastern Time: Subtract 4 hours from the time stated in the notice

Central Time: Subtract 5 hours from the time stated in the notice

Mountain Time: Subtract 6 hours from the time stated in the notice

Pacific Time: Subtract 7 hours from the time stated in the notice

Who is BayTSP?

BayTSP is a service company retained by copyright owners to identify individuals who are making their copyrighted works available for download on the Internet. BayTSP sends infringement notices on behalf of the clients and monitors for compliance. BayTSP does not own the copyrighted file; the company named in the notice is the copyright holder. BayTSP is the company's assigned agent to take care of these matters. In most cases you are asked in the notice to reply with your compliance directly to BayTSP and not the copyright holder. BayTSP reports who has complied and who has not to the copyright holders weekly.

Am I or my son/daughter being sued?

This notice is not initiating a lawsuit against you. BayTSP is requesting that

What we do at BayTSP

"Tracking-Security-Protection" for your digital assets.



Access BayTSP white paper and document library



Request A Demo

[Click here >](#)



Read the 2006 Internet Piracy Review

[Click here >](#)



you delete the file listed in the notice and reply to BayTSP confirming that you did so. BayTSP will notify the copyright holder that you are no longer violating copyright laws. BayTSP does not initiate lawsuits on behalf of its clients. BayTSP cannot say what the copyright holder will do, but if this is your first notice, chances are that you will not be sued.

How do I find the file on our computer?

If you are using Microsoft Windows, click on your start button, scroll to search, then select "for files or folders." You can choose to search by exact file name or with key words. You'll want to look on your hard drive for this file. Once your computer finds the file, it will list possible matches. You must determine which file corresponds to the one listed in the notice.

Do I still need to reply if we don't find the file on our computer?

Yes. Respond stating that the file is not on your computer. BayTSP will notify the copyright holder that you do not believe you violated copyright laws. If you have problems please use the contact information at the end of this FAQ.

Has BayTSP invaded our privacy? Do you know what else is on my personal computer?

BayTSP does not scan your computer or invade your privacy. BayTSP collected the information identifying your computer through the file sharing network or public internet site that your computer was connected to. Most peer-to-peer file sharing programs require that you share files (allow others to download from you) even as you are downloading from others using the network. By using a file sharing program, you are potentially allowing strangers to download files from your computer. File Sharing programs are not illegal themselves – it's what is shared over them that can cause problems. Sharing your personal pictures, home movies, and other things you own is legal.

It is possible for you to receive a notice for material that you did not download, but legitimately purchased.

The most likely cause of this would be that the file sharing application on your computer scanned your entire hard drive and is making available music, software or movie files other than those in the shared folder of the file sharing application. This is a violation of copyright holder's rights and you must take steps to stop it. Deleting the file sharing application is the best way to stop your files from being made available to others on the Internet. A few popular file sharing programs you may find on your system are eDonkey2000, eMule, Limewire, BearShare, FastTrack, Overnet, WinMX, Ares, DC++, Shareaza, Soulseek, KaZaA, and BitTorrent clients such as Azureus, BitTomado, BT++, and BitComet.

You are responsible for what your PC is doing and what network it is sharing with – So these are our recommendations

Know whether any computer in your home has file sharing software installed on it.

If you continue to use a file sharing program, turn off file sharing so that others don't have access to your computer.

Do not download files you know or suspect to be copyrighted material. In general – if you pay money to see, run, or listen to it normally, then it is most likely copyrighted.

We have paid for permission to download by subscribing to a peer-to-peer website. Why did I still get a notice?

Your subscription is limited to the use of these companies' websites and file sharing software. Sharing your personal pictures, home movies, and the like are legal. But sharing or downloading copyrighted material from the network is not legal. Some companies may lead people to believe that a subscription authorizes you to download copyrighted material (software programs, music or movies). BayTSP recommends you read all the information regarding the subscription and agreement to clearly understand what they are offering.

My Internet service is disconnected because of this.

Your Internet Service Provider (ISP) controls your access to the Internet. Nearly all ISPs have Terms of Service agreements that customers must abide by and most of these address issues relating to copyright infringement. Depending on the ISP, your Internet connectivity can be suspended upon your receiving one or more infringement notices. If your connectivity has been suspended, you should contact your ISP to determine what you must do to have it reinstated.

I still need more help

Contact our infringement resolution team at 408-341-2300 or email to compliance@baytsp.com

Where can I find more information about Copyright laws pertaining to the Internet?

United States Copyright Office Main Page:

<http://www.copyright.gov>

Help prevent online piracy at home:

<http://www.microsoft.com/athome/security/children/kidspracy.mspx>

World Legal Resource Center, Internet Law Library:
<http://www.lawmoose.com/Internetlawlib/325.htm>
World Intellectual Property Organization (for International violations):
<http://www.copyright.gov/wipo/treaty1.html>

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