

Daniel M. Mandil
Senior Executive Vice President
General Counsel
Chief Content Protection Officer

Dear [PRESIDENT ___:]

As you know, the Higher Education Opportunity Act ("HEOA") and its implementing regulations require institutions of higher education, as a condition for receiving student aid, to develop and implement a written plan to effectively combat the unauthorized distribution of copyrighted material by users of the institution's network, without unduly interfering with the educational and research use of the network.

The Act was passed in recognition of the fact that more than 2.4 million workers in all 50 states depend on the entertainment industry for their jobs. For these workers and their families, online theft means declining incomes, lost jobs, reduced health and retirement benefits, and a lessened ability to provide their children with an education at institutions like yours.

In addition, online theft is a job-killer that also reduces the number of opportunities for graduates of your institution to make a living in the creative sectors.

Beyond the negative economic consequences for both the current workforce and future employment, the downloading and distribution of copyrighted works are serious offenses that carry with them the risk of substantial monetary damages and, in some cases, criminal prosecution.

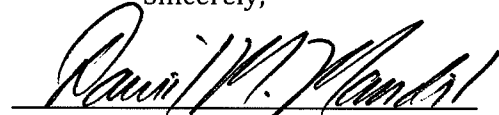
We can help you to ensure that your institution is abiding by the law. As a start, the Motion Picture Association of America, Inc. ("MPAA"), which represents the six major film and television-producing studios in the United States, has created a web site (<http://www.respectcopyrights.org/highered.html>) that summarizes the relevant provisions of the HEOA in more detail and offers a comprehensive directory of ways to get audio-visual content legally.

There are several creative ways to deal with this issue, and excellent examples of measures which have proved to be effective in educating users and reducing illegal behavior. These include educational seminars for notice recipients, monitored "opt in" programs for users who wish to use peer to peer protocols, deploying school-specific customized legal content portals and presenting warnings or actually blocking access when users attempt to visit rogue web sites. You may find it helpful also to review a list (<http://www.educause.edu/HEOARolemodels>) published by Educause which profiles "role model" institutions whose plans and policies can help inform peer institutions that are looking for guidance for their implementation.

We will also be forwarding you notices related to our members' movie and television content, in order to make you aware of specific instances of illegal activity on your campus' network.

Please view the MPAA as a resource in dealing with the theft of creative materials, and in educating your constituents. Please do not hesitate to contact me at University.Outreach@mpaa.org if there is anything that the MPAA team can do to assist your school's efforts to promote good online network practices among your student and faculty communities and to enhance your understanding of the HEOA legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel M. Mandil", written over a horizontal line.

Daniel M. Mandil

Cc: University's CIO