[NL] Scientology Raises Question of Status Internet Service Providers

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A recent move by the Church of Scientology to impound computer servers operated by Dutch Internet access provider XS4ALL ('access for all') has sent shockwaves through the Internet community. Several XS4ALL subscribers had posted a legal document (the so-called Fishman affidavit) on their WWW home pages, containing copyrighted Scientology information. According to the Church, this amounted to copyright infringement for which XS4ALL was to be held liable. Scientology's action raises crucial questions as to the liability and legal status of Internet service providers. Should a service provider be equated with a publisher and held responsible for all content passing through the net, or should it be treated as a telecom operator and given common carrier status? The Court of Amsterdam will eventually have to decide.

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