[GB] Copyright Infringement Action Leads to Order against ISPs

IRIS 2004-10:1/23

David Goldberg
deeJgee Research/Consultancy

The global legal battle by international and national bodies representing the phonographic industry against allegedly illegal file-sharers has moved to the UK.

So far, actions against P2P file-sharing networks sharers have been pursued in the USA by the RIAA and in Denmark, Germany, and Italy by the IFPI or its affiliates. Networks involved include KaZaA, WinMX, eMule and iMesh.

At the beginning of October, British Phonographic Industry (the IFPI's UK affiliate) announced it was taking legal action against 28 UK-based files-sharers using e.g., the KaZaA, Imesh, Grokster, Bearshare and WinMX networks. BPI argues that the users are "engaged in copying and making available large numbers of music tracks on the internet in breach of copyright. They will face civil action for an injunction and damages."

In an interesting development on 14 October, Mr. Justice Blackburne in the High Court ordered UK ISPs (e.g., AOL, Wanadoo and BT) to disclose the identities (names and addresses) of the 28 unknown persons. It has been noted that some of these might be children or young persons. The ISPs have 14 days to comply with the order.

The BPI has said that once the identities have been revealed, it will write to each person offering the opportunity of an out-of-court settlement.

Justifying his order, the judge said, "On the face of it this appears to be a powerful case of copyright infringement."

High Court, order issued by Mr Justice Blackburne, 14 October 2004

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026