[SE] Inquiry Commission Proposes Heightened Responsibility for Internet Providers with Regard to Illicit File-Sharing

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Cecilia Renfors (former Director of the Swedish Broadcasting Commission) was appointed to head a commission to examine certain issues regarding copyright on the Internet, and on 3 September 2007 her investigation was published.

The Commissioner has come to the conclusion that the existing online services for obtaining music and film do not meet users' demand for consumer friendly legal alternatives. Current online services, for example, often offer an insufficient range, are statically modelled and use partial (non-consumer friendly) contractual terms and technical protection (DRM protection). Also, the information provided on these websites is insufficient. According to the Commissioner, these factors have a negative effect on the willingness of the consumers to use the legal alternatives.

The Commissioner has considered measures to stimulate the development of consumer friendly legal options for obtaining copyright-protected material on the Internet, and to make sure that copyright holders are paid accordingly for use of their work.

According to the Commissioner the extensive copyright infringements committed through illicit file-sharing is a significant hindrance to the incentive to invest in, and the development of, legal alternatives for such services. The Commissioner therefore *inter alia* proposes that Internet providers should, under penalty of a fine, be obliged to terminate user subscription agreements when their service is frequently being used to infringe copyright and when it is likely that the infringement will continue. This should occur, provided, however, that such termination of a subscription is not unreasonable considering the circumstances.

Pressmeddelande 3 september 2007 - Justitiedepartementet - Upphovsrätten på Internet Cecilia Renfors, Justitiedepartementets utredare av vissa upphovsrättsliga frågor på Internet, lämnar i dag över promemorian "Musik och film på Internet - hot eller möjlighet?" till justitieminister Beatrice Ask.

http://www.regeringen.se/sb/d/9429/a/86945;jsessionid=aVJM1s4oSlzc

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Government press release, 3 September 2007

Musik och film på Internet - hot eller möjlighet? - Ds 2007:29

http://www.regeringen.se/sb/d/8588/a/86944

Summary of the Investigation, 3 September 2007

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