[SE] Implementation of the Enforcement Directive in Sweden

IRIS 2009-5:1/32

Helene H. Miksche
Com advokatbyrå, Stockholm

Finally the Enforcement Directive 2004/48/EC has been implemented in Sweden. The introduction of amendments to inter alia the Copyright Act on the 1 April 2009 has been highly debated by the Swedish public, while the Commission has complained on the late implementation.

The implementation has been commonly named the “IPRED law”, when in fact it introduces several amendments and changes to inter alia the Copyright Act. Rightsholders have demanded the implementation in order to enable their protection against illegal distribution, criticising the problems with attempts to hinder illegitimate file sharing in Sweden. The lack of enforcement instruments in Swedish civil law has forced some rightsholders to pursue the famous Pirate Bay case through the public prosecutor. The decision of the Stockholm District Court on the case was issued on the 17 April 2009.

The implementation of the Enforcement Directive has introduced the possibility of hunting down information on infringers, such as their IP addresses. The balance between rightsholder interests and the integrity of the public has however necessitated that the order claiming IP addresses from an Internet Service Provider (ISP) be issued by a competent court.

Lag om ändring i lagen (1960:729) om upphovsrätt till litterära och konstnärliga verk

http://www.notisum.se/rnp/sls/sfs/20090109.PDF

Law amending the Act (1960:729) on copyright to literary and artistic works, Swedish Official Journal (SFS 2009:109)

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