[GB] Operator of File-Sharing Site Found Not Guilty of Conspiracy to Defraud

IRIS 2010-3:1/26

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In the first trial of its kind in the UK, Alan Ellis, the owner of www.oink.me.uk (later, www.oink.cd) was found not guilty, by a unanimous jury verdict at Teesside Crown Court, notwithstanding the fact that "[t]he Court of Appeal has twice ruled that complicated matters of copyright should not be heard in the crown court but the in Chancery Division of the High Court."

The charge was "conspiring with others unknown to defraud such persons as have an interest in musical works, sound recordings and in the rights and performance of music."

As the Judge, Tony Briggs, said, "Put very simply it is suggested he was involved in a website that was used to distribute sound recordings and things of that nature in breach of copyright."

Oink held no music itself, but allowed users to find each other and share music files, using peer to peer bit torrent file-sharing.

By the time of its closure, the website had about 200,000 members. Users had downloaded 21 million files and paid USD 288,545 to Mr Ellis in donations.

It ran from 2004 till October 2007, initially in Norway and then on servers at Schiphol Airport, Amsterdam, before being closed down in Interpol-led raids.

However, music industry representatives have indicated they may launch a civil lawsuit against Alan Ellis.

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