[IE] Renewed Efforts to Block File-Sharing Websites

IRIS 2013-3:1/19

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On 6 December 2012 four music companies (EMI, Sony, Warner and Universal) launched a fresh legal bid aimed at blocking access on the part of Irish Internet users to the file-sharing website The Pirate Bay. This is the first legal action taken under the controversial copyright injunction law that was introduced in February 2012 (see IRIS 2012-4/31).

The European Union (Copyright and Related Rights) Regulations 2012 permit the owner of the copyright or a related right in a work to apply to the High Court for an injunction against an intermediary whose services are used by a third party to infringe a copyright or related right in respect of that work. The Pirate Bay is already blocked by another Internet service provider (ISP), Eircom, without a court order. The music companies are seeking orders against five ISPs (UPC, Vodafone, Imagine, Digiweb and Hutchinson 3G) who have not voluntarily blocked The Pirate Bay.

The application by the music companies was initially adjourned to allow the parties to meet in order to narrow down technical and other differences. It was subsequently reported in the media that the music companies had indicated that a further 260 websites have been identified by them as being objectionable and that they also intend to seek to have access to those sites blocked.

When the matter returned to the court, on 29 January 2013, Digital Rights Ireland Limited -an organisation established to defend civil, human and legal rights in the digital age - applied to intervene in these proceedings as an Amicus Curiae - a friend of the court. While no party to the proceedings objected to the application by Digital Rights Ireland Limited, the court set a date of 25 February 2013 to deal with their application.

European Union (Copyright and Related Rights) Regulations 2012 (S.I. No. 59/2012)

http://www.irishstatutebook.ie/2012/en/si/0059.html

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