

# AT&T to start sending copyright warnings

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(AP) -- AT&T Inc., the nation's largest Internet service provider, will start sending warnings to its subscribers when music labels and movie studios allege that they are trafficking in pirated material, according to an executive.

The phone company thus joins other major ISPs that either go beyond legal requirements or interpret their duties under the law to mean that they have to forward such notices.

Jim Cicconi, AT&T's top executive in Washington, confirmed this week that the company is looking to expand a trial program it ran late last year with [movie studios](#). It is currently testing a system with the Recording Industry Association of America and will expand the program with other rights organizations.

Comcast Corp., Cox Communications Inc. and Verizon Communications Inc. already forward such notices, but the approaches differ, and the legal situation is muddled.

[Copyright holders](#) like movie studios can, in many cases, identify Internet users who download or provide pirated material by their numerical Internet address, but cannot match it up with a subscriber name without the cooperation of the Internet service provider.

ISPs have previously identified their customers to copyright holders who bring court orders. The copyright holders and their representatives, like the RIAA, have then been able to sue the customers.

But that strategy had been widely criticized, and the RIAA said late last year it was abandoning its policy of filing lawsuits, opting instead to work with ISPs to cut abusers' access if they ignore repeated warnings. At the time, the RIAA said it agreed with several leading ISPs, without naming which ones, to notify alleged illegal file-sharers and cut off service if they failed to stop.

Cicconi said AT&T's program was not the result of a deal with the RIAA, and the music industry organization was not part of the first trials the company conducted of the notification system last year.

Under the new system at AT&T, copyright holders would send a notice to the ISP that a certain numerical Internet address is associated with piracy. The ISP would then automatically forward the notice to the customer via e-mail, without telling the copyright holder who the customer is, Cicconi said.

AT&T and other participating ISPs are doing more for copyright owners than they are legally obliged to, according to Fred von Lohmann, a senior staff attorney at the Electronic Frontier Foundation. However, they do have an obligation to have a policy in place to kick off repeat offenders, he said.

AT&T will only forward the notice and won't threaten its customers with suspension of service or any other sanction, Cicconi said. If copyright holders want to go further, it's up to them to bring court orders, he said.

"It seems to engender a good response from customers, and we've seen a fairly dramatic drop-off in file-sharing activity once people receive a notice, so we feel this works," Cicconi said.

Cox, the fifth-largest ISP in the country with about 4 million Internet customers, forwards thousands of notices per month and has cut off a

few repeat offenders, spokesman David Grabert said. It interprets the law as requiring it to forward the notices.

There's confusion about the legal obligations of ISPs, von Lohmann said, because "nobody on either side has had the nerve to go to court over it, probably because the stakes are so high, neither side wants to gamble on what the ultimate answer might be."

In Ireland, the association representing RIAA members sued a local ISP, forcing it to disconnect a subscriber after three recorded copyright violations.

Internet lawyers and consumer advocates have pointed out that many reports of violations from copyright holders are inaccurate. Cox and AT&T said that in many cases, the notices have gone out to parents who didn't know that their children were pirating copyrighted material. In other cases, AT&T's Cicconi said, customers hadn't secured their wireless routers, and someone else near had been using them for downloading, so AT&T has helped customers secure their routers.

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AP Business Writer Deborah Yao contributed to this story from Philadelphia.

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