

Judge rules against RealNetworks DVD copy software

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(AP) -- A federal judge has barred RealNetworks Inc. from selling a device that allows consumers to copy DVDs to their computer hard drives, pending a full trial.

Walt Disney Co., [Sony](#) Corp. and Universal Studios, among others, filed suit against Seattle-based RealNetworks in 2008, saying its RealDVD device is an illegal pirating tool. The Hollywood studios contend that RealDVD would keep consumers from paying retail for movies on DVD that could be rented cheaply, copied and returned.

RealNetworks has said its product legally meets growing consumer demand to convert their DVDs to digital form for convenient storage and viewing. RealNetworks lawyers have argued that RealDVD is equipped with piracy protections that limit a DVD owner to making a single copy. They also said the device provides consumers with a legitimate way to back up copies of movies legally purchased.

On Tuesday, U.S. District Court Judge Marilyn Hall Patel ruled in favor of the movie studios in granting a preliminary injunction against RealDVD, declaring that the technology would allow consumers renting and buying DVDs to violate copyright laws.

In a 58-page document, Patel said RealNetworks failed to show that the RealDVD products are to be used by consumers primarily for legitimate purposes.

"The court appreciates Real's argument that a consumer has a right to make a backup copy of a DVD for their own personal use," Patel wrote, but noted that "a federal law has nonetheless made it illegal to manufacture or traffic in a device or tool that permits a consumer to make such copies."

Dan Glickman, chairman and CEO of Motion Picture Association of America Inc., said in a written statement Tuesday that the ruling "affirms what we have known all along: RealNetworks took a license to build a DVD-player and instead made an illegal DVD-copier."

"This is a victory for the creators and producers of motion pictures and television shows and for the rule of law in our digital economy," he said.

RealNetworks said it is "disappointed" in the decision.

"We have just received the Judge's detailed ruling and are reviewing it," the company said in a statement. "After we have done so fully, we'll determine our course of action and will have more to say at that time."

In October 2008, Patel temporarily barred sales of RealDVD after the \$29.99 product was on the market for a few days. At the time, the judge said it appeared the software violated federal law against digital piracy, and she ordered detailed court filings and the trial to better understand how RealDVD works.

The judge's ruling Tuesday did not set a date for a trial in the case.

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