

Hollywood lodges appeal in Internet piracy case

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The 450-foot-long Hollywood sign seen February 10, 2010 in Los Angeles, California. Hollywood film studios Thursday lodged an appeal against a landmark legal judgment which found an Australian Internet provider was not responsible for illegal movie downloads by its customers.

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The Australian Federation Against Copyright Theft (AFACT), representing a consortium of 34 studios, said the Federal Court's ruling was out of step with well-established copyright law.

"The court found large scale copyright infringements (proven), that iiNet knew they were occurring, that iiNet had the contractual and technical

capacity to stop them and iiNet did nothing about them," said Neil Gane, executive director of AFACT.

"In line with previous case law, this would have amounted to authorisation of [copyright infringement](#)."

Gane said AFACT had filed an appeal with the Federal Court arguing it had erred on 15 grounds, setting a dangerous precedent that allowed Internet companies to turn a blind eye to [copyright](#) theft.

"The decision harms not just the studios that produce and distribute movies, but also Australia's creative community and all those whose livelihoods depend on a vibrant entertainment industry," he said.

iiNet chief executive Michael Malone said he regretted AFACT's decision to prolong the legal battle.

"It is more than disappointing and frustrating that the studios have chosen this unproductive path," Malone said.

"This [legal case](#) has not stopped one illegal download and further legal appeals will not stop piracy."

The closely-watched case, which involved major studios such as Warner Bros, Disney, Paramount, Columbia and Twentieth Century Fox, was seen as an ambitious attempt to force ISPs to act against piracy.

It hinged on thousands of downloads over the Perth-based iiNet network, Australia's third-largest ISP, over 59 weeks from June 2008 involving nearly 90 films and TV series including "Batman Begins", "Transformers" and "Heroes".

The movie studios hoped to set a worldwide precedent forcing ISPs to

act against offenders, while Internet rights groups feared it would compel the firms to cut customers' web access without having to take them to court.

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