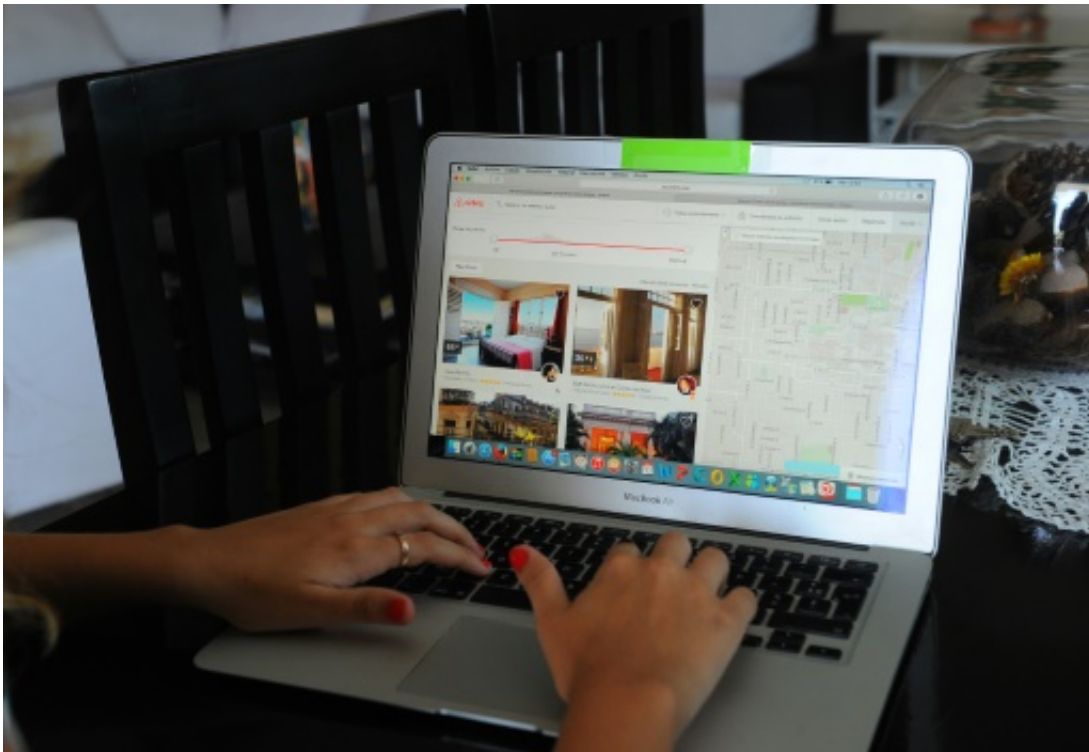


Australia court sides with Internet firms in piracy row

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Australians who illegally downloaded the movie "Dallas Buyers Club" will not be asked to pay for the film just yet, after the Federal Court on Friday decided not to release their names and addresses.

The Federal Court ruled in favour of Internet Service Providers (ISPs) who had argued that the release of their customers' details could lead to the practice of "speculative invoicing" in which web users are asked to pay large bills or face [legal action](#).

One of the ISPs, iiNet, said it was extremely pleased with the decision.

"From the outset, we've never supported online copyright infringement but we couldn't sit by and have our customers bullied by way of speculative invoicing," said chief executive David Buckingham.

Buckingham said iiNet believed [copyright infringement](#) was best addressed by studios making their content available in a more affordable and timely manner.

In April, the [court](#) ordered the six ISPs to hand over the names and physical addresses of the customers associated with 4,726 Internet protocol (IP) addresses allegedly used to share the film online using peer-to-peer file-sharing network BitTorrent.

But an immediate stay was put on the release of their details until Dallas Buyers Club (DBC), the company which owns the rights to the movie, explained exactly what it would be seeking in compensation.

Justice Nye Perram said he saw no difficulty in DBC suing those who illegally downloaded the film for the cost of an actual purchase of a single copy of the film for each copy downloaded and the costs associated with obtaining each infringer's name.

But he said other claims based on the uploads and downloads of a file of the movie on torrent sites were less tenable, including one in which DBC sought a one-off licence fee for each uploader.

"The idea that any court would assess DBC's damages on the basis that BitTorrent users who were going to share the film over the BitTorrent network would have avoided infringement by approaching DBC to negotiate a distribution arrangement in return for a licence fee is so surreal as not to be taken seriously," he said.

Perram said he would release names to DBC if it paid a Aus\$600,000 (US\$440,000) bond and met other conditions.

"Because DBC has no presence in Australia the court is unable to punish it for contempt if it fails to honour that undertaking," he said in his decision. "I will therefore require its undertaking to be secured by the lodging of a bond."

Australia is one of the world's top illegal downloaders of television shows such as "Game of Thrones".

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