

Say goodbye to Hollywood?

We've previously reported on the iiNet case which has been doing the rounds in the Australian Courts. It's the one about whether ISPs can be held liable for copyright infringements by their account holders who are using programs such as Bit Torrent to download movies and TV shows.

In the final of the three part trilogy of cases, the High Court has found unanimously in favour of iiNet.

The big issue was whether iiNet in providing internet access to its customers, "authorised" those customers to infringe copyright. The High Court said that despite the fact that iiNet had received notices of alleged infringements and failed to take any action, iiNet had no direct power to prevent its customers from using BitTorrent and infringing copyright.

So iiNet is not authorising its customers' infringements and movie studios cannot rely on ISPs to do their dirty work.

For now ISPs are safe, and it will be next to impossible for movie studios to successfully bring another case against an ISP in Australia.

For movie and television studios, this was not the "Hollywood ending" they were hoping for. But it's not *fini* for Hollywood.

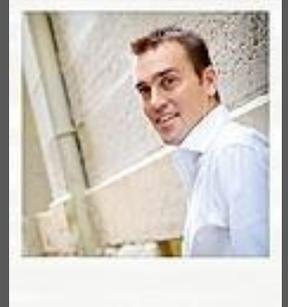
The High Court decision only gives further ammunition to the case for legislative reform to put ISPs squarely in the firing line for copyright infringements. There's also a code of conduct between content creators and owners and internet companies which is in the wings.

But in the balance of legislative and regulatory reform, we think the better solution is to tackle the direct infringements by users instead. One way to do this is to make online content more accessible and cheaper.

It's more "foreign film ending" than Hollywood ending, but we think it'll be more of a crowd pleaser.

Questions? Give us a call

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