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Individuals Caught in Sites: New Target in Fight Against Piracy

The Recording Industry Association of America (RIAA) started sending warnings to individuals who allegedly offer unauthorized copyrighted songs on peer-to-peer (P2P) networks in May 2003. Such Internet sites gained fame when the notorious P2P site, Napster went under due to copyright infringement lawsuits. The RIAA has taken the fight against piracy directly to these P2P sites, and those who use them to engage in the illegal selling or swapping of unauthorized material. The RIAA plans to send up to one million copyright-infringement warnings per month via P2P networks' instant messaging functions. According to the RIAA's warning, infringers are told:

"It appears that you are offering copyrighted music to others from your computer. When you offer music on these sites you are not anonymous and can be easily identified."

Representative Howard Berman of the House Subcommittee on Courts, Intellectual Property applauds the RIAA's effort as "an excellent way of using technology to deal with high-tech piracy." The data-gathering effort to identify file-sharing infringers who continue to illegally offer music to millions has already been launched by the RIAA. The RIAA expects to use the data collected as the basis for filing what could ultimately be thousands of lawsuits charging individual P2P music distributors with copyright infringement.

Concerned with bandwidth, broadband companies such as Optimum Online have initiated public relations campaigns to discourage subscribers from clogging their networks with music and video files available on the illicit P2P sites.

File-swapping networks, which are also notorious pornography havens, are an issue to parents whose children surf the Internet. In addition to being offered illegal music downloads, children are routinely exposed to an inordinate amount of pornographic material on P2P sites. These sites flourish on college campuses as well.

In April 2003, the RIAA filed four civil lawsuits against operators of other Napster-like internal campus networks, claiming these sites illegally distributed millions of copyrighted tracks.

The fight against the illegal practices synonymous with P2P networks has become a main focus of the RIAA which continues to gather information and file lawsuits against copyright infringers and music pirates.

RIAA.com, June 25, 2003; Read the press release: <http://www.riaa.com/news/newsletter/062503.asp>

Los Angeles Times, April 30, 2003 (Jon Healey); <http://www.latimes.com/technology/la-fi-pirates30apr30001423.1.6287958.story?> (requires free registration)

[Top](#)**Artist's
Corner****Led Zeppelin Beat The Boots With New Release**

On May 27, 2003 Led Zeppelin released what fans and collectors alike call "the mother lode of Led Zeppelin live recordings." Simultaneously released were Led Zeppelin DVD, a two-disc set, and How The West Was Won, a three-CD set marking the first official release of long sought after legendary live performances. The DVD set draws from four eras, represented by the concerts: Royal Albert Hall 1970, Madison Square Garden 1973, Earls Court 1975 and Knebworth 1979. Bonus tracks from various international TV shows and interviews are also included. The live CDs combine two classic 1972 California Zeppelin shows from Los Angeles and Long Beach. Over the years "Zep-heads" have had limited access to these performances, swapping countless bootlegs of varying grades. While DVDs have not always been a success for the music industry, Led Zeppelin DVD had a record-breaking first sales week, while the three-CD set debuted at No. 1 on the charts. In an era where artists are experimenting with new ways to thwart bootleggers, Led Zeppelin has made an amazing stride in claiming profits that are rightfully theirs. Several artists now cleverly provide fans with an opportunity to purchase CDs of their performances immediately after they take place. This is a win-win situation for the artists and their fans.

ICE, May, 2003 (Mark Brown)

Atlantic-records.com, April 10, 2003; <http://www.atlantic-records.com/ledzeppelin>**Door-To-Door Delivery of Digital Dylan**

Fans seeking rare Bob Dylan tracks are now in luck. The singer's hard-to-find tracks will become a lot easier to access now that Sony Music has launched its new website. CustomMixCD.com allows fans to compile their own unique CD of Dylan songs. Fans are able to choose the songs they want, the sequence, and cover art. The finished disc arrives at the buyer's door within about three to five days. Sony hopes that access to its deep vaults will attract fans seeking rare music gems. Commenting on CustomMixCD.com's potential to offer a legitimate way for fans to collect Dylan cuts previously found only on bootlegs, Columbia Records Group VP, Mark Ghuneim said, "Its not the most comprehensive greatest-hits collection available, but it's certainly the most comprehensive legitimate source of rarities." Sony plans to add more artists with large repertoires to the site in the near future.

ICE, May, 2003 (Ric Dube)

More Artists Catch On To The Web

Artists have continued to use the Internet as a tool to engage music downloaders and encourage sales. Beyonce' Knowles offered a free download of a previously unreleased song, "I Can't Take It No More," to fans that pre-ordered her album, Dangerously in Love, released June 24. WILCO has recently added six new tracks to its highly touted album Yankee Hotel Foxtrot. Access to these six high-quality MP3 downloads is available at the band's website when a five-digit code from the CD is entered. In an effort to beat the boots, PEARL JAM has authorized two CD bootlegs from its Riot Act Tour to be sold through the group's official website pearljam.com.

ICE, June, 2003 (Ric Dube); Rollingstone.com, June 16, April 23, April 1, 2003>**Raw Radiohead Tracks Thieved**

Last April, unreleased Radiohead songs started circulating in cyberspace. According to guitarist Jonny Greenwood the music was "a stolen copy of early, unmixed edits and roughs" of the band's upcoming sixth album, Hail to the Thief, released June 10. Though Radiohead's previous two albums -- Kid A and Amnesiac -- were also leaked, both still sold well, debuting

3Q Busts

at the top of the charts.

Rollingstone.com, April 4, 2003

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U.S. Busts

Be sure to peruse the Recording Industry Association of America's (RIAA) monthly newsletter "RIAA Anti-Piracy Seizure Information," which covers numerous bootleg, piracy and counterfeit raids across the United States. Read about the recent busts at our website: <http://www.grayzone.com/usabusts.htm>

Successful Busts By IFPI

Industry anti-piracy teams spearheaded by IFPI are helping to bring down illegal activity around the globe. There were a number of spectacular enforcement successes, including two huge CD seizures in Mexico, the dismantling of a major piracy ring in the Philippines and an action in Luxembourg that netted 1 million CDs, the biggest ever CD seizure in Europe. A total of 71 CD production lines were decommissioned (up from 42 in 2001), with a production capacity of 300 million discs.

IFPI.org, July 10, 2003 Read the Press Release: <http://www.ifpi.org/site-content/press/20030710.html>

Australians Arrested For Internet Piracy

Three people were arrested in Sydney on April 23 for using the website MP3 WMA Land. Authorities claim the Australia-based website delivered unauthorized music worth \$43.4 million. General manager of the Australian music industry's piracy investigations unit, Michael Speck called the bust "a clear message to Internet pirates that they can no longer hide behind the mythology of the Internet. It's now revealed as nothing more than another form of theft."

Sydney Morning Herald, April 23, 2003 <http://www.smh.com.au/articles/2003/04/24/1050777342470.html>

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Worldwide Update

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U.S. Says Ukraine Still Tops Global Piracy List

When the United States issued its annual list of countries with the worst record of protecting copyright material and other intellectual property in May 2003, Ukraine defended its title as the worst culprit. The U.S. Trade Representatives Office said \$75 million in U.S. sanctions on

Ukraine

Ukraine would remain in effect because of their failure to enforce adequate protection against the illegal copying of CDs, DVDs, and computer software. The ongoing implementation of a World Trade Organization agreement on intellectual property rights has placed Ukraine on the Priority Foreign Country list. Ukraine was the only nation to gain this status, the most serious designation.

ZDNet.com, May 2, 2003 (Reuters) http://zdnet.com.com/2100-1105_2-999464.html

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Napster Update

EMI Group is now the second major record company to sue Bertelsmann for supporting the now-defunct Napster peer-to-peer service. The infringement lawsuit was filed in U.S. District Court for the Southern District of New York on June 4. EMI alleges Bertelsmann, the parent company of BMG Entertainment, "materially contributed to the massive infringement" of EMI's works by funding Napster to keep its file-sharing system operating. EMI also holds Bertelsmann accountable for participating in Napster's management operations. EMI seeks \$150,000 in damages per each copyright infringement. Filed in the same court less than a month prior to this suit was Universal Music Group's (UMG) lawsuit against Bertelsmann. UMG also seeks \$150,000 per infringed track in its suit. In related news, UMG and Sony Music Entertainment have sold their joint venture: Pressplay. Roxio, the company that acquired the online music service, ironically, purchased Napster's name and assets last November at a bankruptcy auction.

Roxio.com, May 19, 2003; <http://www.roxio.com/en/company/news/archive/prelease030519.jhtml>;

New York Times, May 19, 2003 (Amy Harmon); <http://query.nytimes.com/gst/abstract.html?res=F20D16F6395A0C7A8DDDAC0894DB404482> (requires free registration)

Man Charged With Film Piracy

Federal prosecutors have charged a California man with using video recorders to tape advance screenings of major motion pictures. Burbank police arrested 33-year-old Johnny Ray Gasca at the AMC Theaters when he was allegedly caught using a camcorder to tape a screening of The Core. Gasca has been charged with distribution of copyrighted material, a misdemeanor count of reproduction, felony counts of witness intimidation and use of a false name. Gasca, who faces up to 26 years in prison, is believed to be the first person to face federal charges for illegally taping films at movie screenings. Assistant U.S. Attorney Chris Johnson said that Gasca had 89 prior arrests including attempted murder.

Los Angeles Times, May 3, 2003 (Laura Sturza)

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