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Anti-Piracy Group Charges Computer Users a Fee for Downloading Copyrighted Material

A Danish anti-piracy group has sent invoices to hundreds of people whose names it obtained by court order, demanding payment for music, movies and games they downloaded from the Internet. The AntiPiratGruppen, a Copenhagen-based organization funded by Danish entertainment companies, billed more than 150 private users, schools and companies that it said downloaded material from file-sharing sites like KaZaA and eDonkey last month.

In the past, copyright holders in the United States have typically gone after individuals by exerting pressure on the users' Internet service providers -- or universities if they are students. Under U.S. law, a service provider loses immunity from copyright lawsuits if it fails to respond within a reasonable period of time to such a complaint. Recently, however, copyright holders have been inclined to pursue individuals directly -- and thus reduce the reliance on third parties to enforce copyright laws.

In a closely watched U.S. case, the Recording Industry Association of America (RIAA) is seeking a court's authority to obtain from Verizon Communications the names of people suspected of trading music files online.

In the Denmark case, the anti-piracy group obtained a court order that forced the providers to turn over users' names. The group tracked the users by examining their Internet Protocol addresses, the individual fingerprint of computer users online. From there, the group sent each user a bill, as well as a settlement offer ranging from about \$130 to \$13,300. The users were asked to pay by December 1, 2002 and told to delete the content from their computers or face a lawsuit.

So far, some 75 people have paid. The deadline was pushed back to December 9 amid concerns the anti-piracy group may have violated Denmark's privacy laws.

Danish newspapers have reported on the issue and consumer groups have expressed concern about whether records of people's online activities should be considered public or are protected by privacy laws.

The Mercury News/Associated Press, December 3, 2002
<http://www.myrtlebeachonline.com/mld/myrtlebeachonline/business/technology/4659175.htm>

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BREAKING NEWS!! Stolen Beatles Tapes Finally Recovered!

British and Dutch police, in collaboration with International Federation of the Phonographic Industry (IFPI) investigators have recovered tapes of the historic Beatles "Get Back" recording sessions.

The tapes were recorded in 1969 during the making of the album "Let it Be". They were reported missing shortly after the sessions, and since then have only been available as pirate copies that have long been widely available throughout Europe and the U.S.

Investigations by IFPI and British Phonographic Industry (BPI) resulted in a series of raids in Holland and England by City of London Police and their Dutch counterparts FIOD-ECD. The investigations had started after BPI uncovered pirate copies of the rare recordings in previous anti-piracy operations in the UK.

Five hundred original reel-to-reel tapes belonging to the Beatles were seized, and six suspects have been arrested for theft and handling stolen goods.

According to Jay Berman, Chairman and CEO of IFPI: "We applaud this exemplary police operation, which reflects the extraordinary level of international coordination that is needed to tackle the sophisticated cross-border strategies of today's organized music pirates."

Read the press release: <http://www.grayzone.com/ifpi011003.htm>

Phish Make Sound (board) Decision: Sell Legal Bootlegs

Phish is offering soundboard recordings of their sold-out New Year's Eve reunion show in New York and their three January Hampton, Virginia, dates through www.livephish.com for fans to purchase and burn onto CD within forty-eight hours of the show. The band is also planning to offer future and archival shows. "The taping experience is part of our community," says band manager John Paluska. "We're trying to provide a simple way for people to get this music."

Rollingstone.com, December 23, 2002

Rapper Nas Pushes Album Release, Citing Piracy

Rapper Nas' recent album "God's Son" had to be released four days early because numerous counterfeit copies flooded the streets in mid-December. "It's important to me that the fans hear my album the way I intended. When you buy a bootleg or pirate a download off the net, you don't get the real thing. The sequencing is wrong, you're probably missing some tracks, and you don't even get the artwork and CD bonuses," said Nas in a statement.

Visit Nas' official website: <http://www.iamnass.com/home.html>

New York Times, December 4, 2002 (Reuters) <http://www.nytimes.com/reuters/arts/entertainment-media-nas.html>

Rapper Nas Pushes Album Release, Citing Piracy

New York Times, December 4, 2002 (Reuters) <http://www.nytimes.com/reuters/arts/entertainment-media-nas.html>

Dylan Releases More Boots

The sixth volume of Bob Dylan's "The Bootleg Series" is scheduled for this year. The album will be culled from an October 31, 1964, Dylan performance at Philharmonic Hall in New York City. "A Hard Rain's Gonna Fall," "The Times They Are A-Changin'," and songs from "Bringing It All Back Home," were performed at the show, a favorite among Dylan fans.

Information is available at Dylan's official website: <http://bobdylan.com/updates/>.

Year End
Busts

(See also GrayZone Digest, 4th Quarter, 2002: <http://www.grayzone.com/1002.htm> "Bob Dylan Beats the Boots Once Again")

Rollingstone.com, November 13, 2002

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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>

Arrests Illustrate a Growing Concern Over Bootlegged Recordings

Spin Music, in North Babylon, New York looked like any other small music store at a strip mall. But if law enforcement authorities are right, this small establishment was one of the biggest bootlegging operations on the U.S.'s east coast, taking in \$2.5 million a year in profit. Prosecutors say a family with ties to the Genovese organized crime family ran the operation, using its West Islip home to produce 10,000 bootlegged CDs a week, by artists ranging from Jay-Z to Jennifer Lopez. The family displayed rows of the CDs in plain sight at the store and also delivered about \$50,000 of the illicit goods to various New York, New Jersey and Connecticut locations.

(See also GrayZone Digest, 3rd Quarter 2002: <http://www.grayzone.com/702.htm> "Spinning Stolen Music")

New York Times, December 2, 2002 (Lynette Holloway) <http://www.nytimes.com/2002/12/02/technology/02BOOT.html?intemail1>

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Asia

Panel Says Video Piracy Thriving in Asia

Controlled by organized gangs and fast-evolving technology that makes copying easier than ever, video piracy has exploded into a billion dollar business in Asia. A panel of industry experts warned that high profile crackdowns in the region have failed to stop the trade because offenders typically face token penalties. Video piracy costs copyright owners worldwide an estimated \$60 billion a year. In Asia, counterfeit CDs, VCDs and DVDs are openly sold on the street for a fraction of their retail price.

Yahoo News, December 3, 2002 (Associated Press) <http://movies.yahoo.com/news/ap/20021203/103894002000.html>

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Norwegian Hacker, 19, Is Acquitted in DVD Piracy Case

Jon Lech Johansen, 19, a Norwegian software programmer has been acquitted of digital piracy in Oslo. Johansen, known by his friends in the Internet hacker community as "DVD Jon" developed a program in 1999 called DeCSS. The program enables users to unlock security codes in order to copy digital videodiscs. This type of software is illegal in the U.S., under provisions of the Digital Millennium Copyright Act, a 1998 law that prohibits the creation and distribution of technology that enables users to bypass copyright protections on films, music and other types of software.

According to the three-member panel of the Oslo City Court: "[S]omeone who buys a DVD film that has been legally produced has legal access to the film. Something else would apply if the film had been an illegal, pirate copy."

The Motion Picture Association of America initially filed a complaint against Johansen in Norway asserting that the teen was guilty of economic crimes. Prosecutors in Norway are considering an appeal of the court's decision.

New York Times, January 8, 2003 (Timothy L. O'Brien) <http://www.nytimes.com/2003/01/08/technology/08HACK.html?todaysh headlines>

Quick Bits and Bytes

RIAA Launches New Campaign Targeting Piracy At Retail Outlets

Faced with the growing ease and prevalence of CD piracy, the RIAA has launched a new enforcement initiative that targets music piracy at retail outlets across the country.

The sale of illegal sound recordings is expanding beyond its traditional base and now infiltrating small, established businesses nationwide. RIAA investigators have uncovered several retail outlets, including gas stations, convenience stores, grocery markets and some small music stores selling pirated music on the side. The initial phase of this retail program will target music piracy at retail outlets in Chicago, Los Angeles, New York City and parts of Texas and Florida, but the program is expanding to all areas of the country.

Targeted retailers will receive a letter specifying the legal claims against them and the exposure they face, a draft complaint, a sample of the product purchased at the location, a settlement agreement and an inventory sheet for surrendering the pirate product. The agreement will require that the retail outlet stop all illegal activity, pay a settlement fee and provide "intelligence" on other pirate music offerings. If a settlement is not agreed to promptly, the retailer will be sued. Retailers face significant liability under copyright laws, including up to \$150,000 for each individual work pirated.

The public is encouraged to call the RIAA's "BADBEAT" hotline line (1-800-BADBEAT) with any leads on retail outlets selling illegal product.

RIAA.com Press Release, December 16, 2002

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