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## New Report calls for Search Engines to Join Fight Against Copyright Abuse

**‘Copyright protection of online content needs a shared approach’**

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Internet Mediators, such as search engines, download and news aggregation sites were today urged to take more responsibility in the fight against online copyright abuse. They need to work more closely with content providers such as the music and film industries, to prevent copyright infringement on the Internet.

The report, *‘Free Use or Fair Use? The Role of Internet Mediators in Protecting Intellectual Property Rights’*, highlights that the evolution of internet mediators poses an increased threat to copyright protection on the web. It calls for existing policy to be adapted to ensure a more even sharing of intellectual property protection between content providers and internet mediators.

Dr Meir Pugatch, Director of Research at the Stockholm Network, and author of the report said, “The old saying that there is no such thing as a free lunch needs to be more actively applied to the world of online content’. He continues; ‘In today’s downloading culture the phenomena of copyright infringement has grown rapidly. You cannot expect content producers to spend all their time trying to police the internet without asking internet mediators to share the burden’.

The report examines the journey the Internet has taken, from its beginnings in the 1980s to its present day use for social networking, online chatting and music and film downloading. It looks at the fundamental problem of the protection of intellectual property – safeguarding the interests of creators of knowledge and content while ensuring that the general public can enjoy the benefits of it.

The report concludes with three recommendations;

1. There is a need to re-define the principle of safe harbour which provides "immunity" to internet mediators from liability actions over third-party copyright infringement. Amongst other things, a due diligence clause that

requires a more active role for Internet Mediators in protecting intellectual Property rights needs to be adopted via legislation.

2. If internet mediators are unable to use technologies that filter out infringing content, then some form of monetary compensation to copyright holders needs to be established.

3. The balance established in the 1984 *Sony v Universal* court case - that a technology, a business model or a service should not be liable as long as their non-infringing benefits clearly outweigh the costs of infringement - must be upheld with regard to internet mediators.

The report focuses on a number of recent court cases related to copyright infringement and Internet mediators involving Napster, Grokster, Arriba Soft, and Google. The biggest current manifestation of this conflict is the pending *Viacom v YouTube* case. Viacom, a global entertainment content company, is currently pursuing a \$1 billion copyright infringement lawsuit against YouTube and Google. Viacom argues that over 160,000 unauthorised clips of Viacom's entertainment programming have been available on YouTube and seen over 1.5 billion times by YouTube viewers.

**-ENDS-**

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**Notes to Editors:**

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