

## CREATIVE INDUSTRIES WELCOME LANDMARK CASE TO BLOCK NEWZBIN2

**London - 28 July 2011:** The High Court test case to block access to Newzbin2, a notorious pirate website, has been successful on every count it was announced today.

Arnold J. of the High Court of Justice in London handed down his judgment this morning and ruled that the Motion Picture Association (MPA), supported by the creative industries, has won an order requiring BT to block access to the pirate website Newzbin2. The site makes unlawful copies of films and television programmes, alongside other content from games, publishers and music available without permission in direct violation of a previous court order against it.

Around 700,000 members use the Newzbin service generating the operators in excess of £1 million per year.

This verdict will prevent the site from using BT's internet service to make money through copyright infringement.

In his ruling, Justice Arnold stated:

*"In my judgment it follows that BT has actual knowledge of other persons using its service to infringe copyright: it knows that the users and operators of Newzbin2 infringe copyright on a large scale, and in particular infringe the copyrights of the Studios in large numbers of their films and television programmes, it knows that the users of Newzbin2 include BT subscribers, and it knows those users use its service to receive infringing copies of copyright works made available to them by Newzbin2."*

This significant judgment reflects a clear recognition that under the existing law, Courts can issue orders to prevent illegal activity online. It rejects BT arguments that they have no responsibility to act against copyright theft and states that the order is proportionate.

This comprehensive and unequivocal judgment sets a clear legal precedent which will enable content creators and distributors to secure greater cooperation from ISPs to address content theft on the internet and in particular to deal with websites that are focused on wholesale copyright theft.

The ruling was welcomed from across the creative industries:

**Chris Marcich, President and Managing Director (EMEA), MPA** said:

"This ruling from Justice Arnold is a victory for millions of people working in the UK creative industries and demonstrates that the law of the land must apply online. This court action was never an attack on ISPs but we do need their cooperation to deal with the Newzbin site which continually tries to evade the law and judicial sanction. Newzbin is a notorious pirate website which makes hundreds of thousands of copyrighted products available without permission and with no regard for the law."

**Spyro Markesinis, Vice President, Business and Legal Affairs, Momentum Pictures** said:

“Without licensing revenues, films simply cannot be funded or produced. If that means a film like *The King's Speech* may not be made in the future, the public, as well as those people whose livelihoods depend on film, will lose out. So we applaud the decision and look forward to working with the ISPs and the Government to keep the pressure up on the pirates and help safeguard the future of the industry.

**Christine Payne, Chair, Creative Coalition Campaign**, a partnership between trade unions representing workers in the creative industries and organisations in the music, film, TV, publishing and sports sectors, said:

“Thousands of businesses and millions of workers now know that the law of the land applies to the internet. Online copyright theft deprives businesses of up to 20% of their revenues every year. Finally, this little known law will help us to protect our property.”

**Lord Puttnam CBE, President of Film Distributors' Association**, said:

“Today's result is an important victory in the battle against a commercial pirate site which refused to operate within the law. Finally, it seems we have a way to deal with rogue sites which will benefit the film industry including UK independent distributors and, more broadly, the entire creative sector.”

**Richard Mollet, Chief Executive Officer, The Publishers Association**, said:

“This is a great result and will benefit the whole of the creative sector. Online infringement has been allowed to run unchecked for far too long, damaging jobs and growth. It is satisfying to see that the Copyright Act gives the creative sector the ability to fight back.”

**John McVay, Chief Executive, PACT** which represents independent film, television, digital, children's and animation media companies said:

“We are very happy with the outcome - it is clear that good sense has prevailed on this issue. Pact has said for a long time that websites which pirate content should not be allowed to trade as this undermines the ability of legitimate businesses to recoup their considerable investment. We now need some clear action to ensure that this judgement acts as a real deterrent to pirates.”

**Geoff Taylor, Chief Executive, BPI** commented:

“This judgment sends a clear signal that ISPs have a role to play in protecting their customers from rogue websites that exploit and profit from creative work without permission, ignore takedown notices and locate themselves beyond the reach of law enforcement.”

**Ends**

For further information, please contact:

Lisa Tremble, Lexington Communications - Tel: 020 7025 2337, mobile: 07795 234801

Caroline Nagle, Lexington Communications - Tel: 020 7025 2327, mobile: 07961 157 388

Geraldine Moloney, MPA mobile - 07802 157516