

## **Oz Internet censorship Minister Conroy faces possible law suit**

by Stan Beer via Kismo - iTWire *Monday, May 11 2009, 9:04am*

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### **Round 1 to iiNet against copyright cops**

iiNet has scored a stunning round 1 knock-down against the consortium of movie studios and a TV channel trying to sue it because some of its users illegally download copyrighted movies, with some important charges dropped after the presiding judge ruled they had no merit.



***Corporate errand boy, Stephen Conroy***

The case brought in the Federal Court against iiNet in November 2008 by the Australian Federation Against Copyright Theft (AFACT) has rallied the ISP industry behind Australia's third largest ISP as many fear they too could be held responsible for their users' actions.

Today, some will be breathing a sigh of relief because iiNet is no longer accused of directly committing copyright infringement.

However, AFACT, which is representing a pretty powerful group in Village Roadshow, Universal Pictures, Warner Bros Entertainment, Paramount Pictures, Sony Pictures Entertainment, Twentieth Century Fox Film Corporation, Disney Enterprises, Inc and the Seven Network, has plenty of ammunition left in its armoury, even though it has to pay iiNet's court costs for the initial charges.

The main part of the case commences next week. That's the part where iiNet has to convince the court that it is not liable for the illegal actions of some of its users.

If the ISP is found to be liable, then the penalties will be severe and would have far reaching consequences for every ISP in Australia including Telstra and Optus.

There is widespread feeling that iiNet in this case has been targeted for a number of reasons.

One reason is that the ISP is large enough to matter but does not have the deep pockets or clout of Telstra or Optus.

Another is that iiNet is unpopular with the current Federal Government because of its very public stoush with Communications Minister Senator Stephen Conroy over the proposed mandatory ISP

filter program, which iiNet strongly opposes.

Last month, Senator Conroy caused a near outcry when he publicly commented on the case, casting negative aspersions on iiNet's defence. Some legal experts ventured opinions that iiNet may have a case for suing the Senator for his out of Parliament comments.

However, for now the Senator is out of iiNet's immediate focus as it prepares to do battle with the forces aligned against it in the Federal Court in one of the most far reaching test cases in the Internet's short history.

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