

## Media Release

### Film studios have contractual relationships with companies that allow illegal downloads

**8 October 2009, 12.00pm WST** - Several of the film studios making claims against iiNet in the Federal Court copyright case have contractual relationships with the companies that operate software and websites that enable the illegal downloading of material.

Continuing his opening statement, iiNet's barrister, Richard Cobden SC, said the BitTorrent website which hosts the software and promotes downloading and sharing of files clearly displayed the logos of several of the film studios who have pressed the case against iiNet.

The BitTorrent.com homepage displays the logos of Fox, Paramount and Warner Brothers - all applicants in the AFACT claim. A number of other studios in the case also have contractual relationships with BitTorrent or related sites and companies.

Mr Cobden said the details of the contractual relationships were confidential.

Despite the connection with several of the applicants, there were no warnings on the sites about downloading copyright material.

By contrast, iiNet does not own, control, promote or support BitTorrent software.

Similarly, by contrast, iiNet warns customers against downloading copyright material illegally.

Mr Cobden again confirmed iiNet had always been prepared to assist the studios through the existing law if they wanted to pursue copyright infringers, but the studios should do their own dirty work to prosecute individuals breaching the studios copyright.

Screenshot - [www.bittorrent.com](http://www.bittorrent.com)

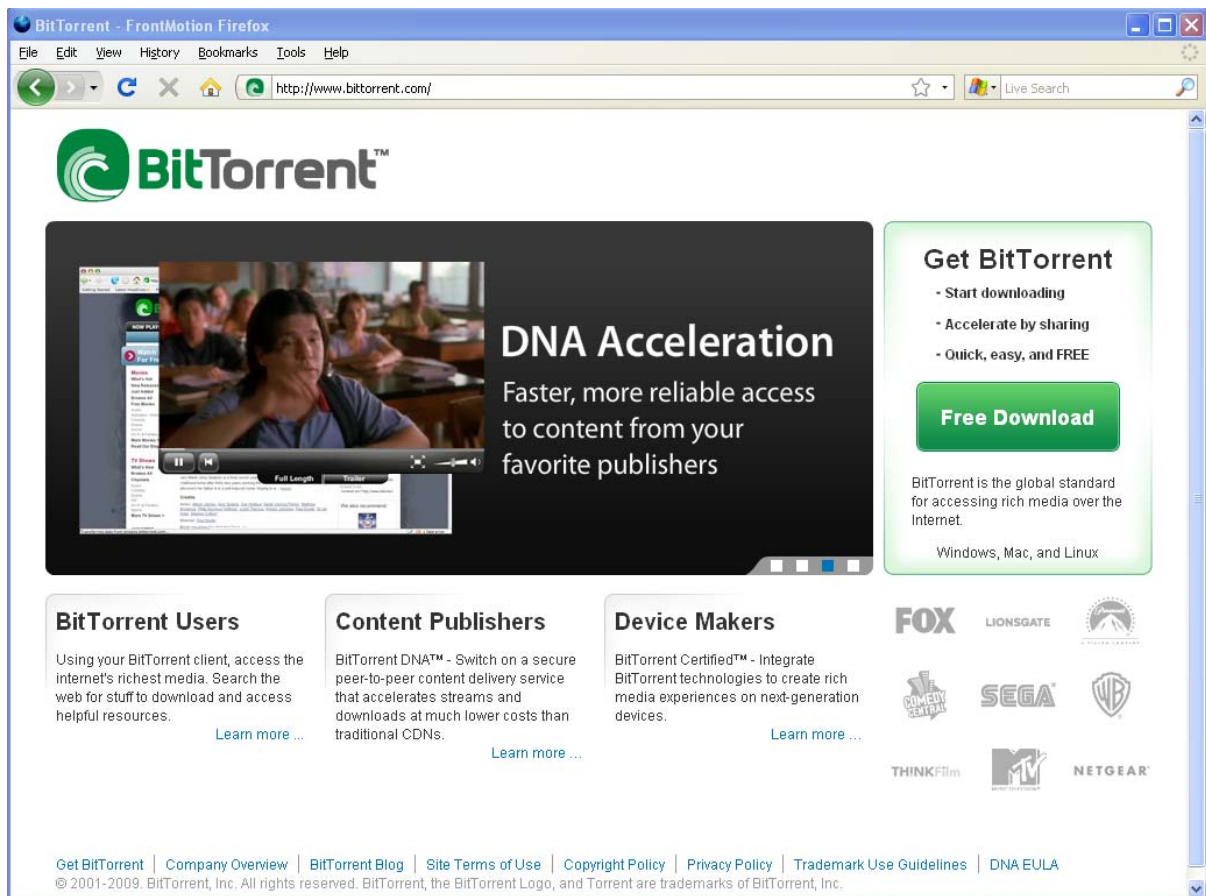


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Mr Cobden also detailed the tens of thousands of copyright notices ISPs receive from across the globe from a wide range of the copyright holders.

Mr Cobden told the Court iiNet had received over 3000 pages of notices from more than 1350 emails over a seven day period from copyright holders about allegations of breaches.

He said if all the notices iiNet received from film studios over a five month period were printed it would take 180 large folders and more than 12 trolleys to bring them into the court.

He said no one can seriously be expected to respond to all these and it was not reasonable or appropriate for iiNet to respond to such allegations of copyright breaches.

Mr Cobden also revealed that Telstra, Australia's largest Internet Service Provider, had also written to AFACT indicating Telstra did not agree with AFACT's method for combating copyright infringement.

Telstra told AFACT it places the onus and the costs to deal with infringement firmly onto the Internet Service Providers and it objected to AFACT's proposal to terminate customers for reasons similar to those now advanced by iiNet as to why AFACT's demands are unreasonable.

- ENDS -



**For further information or interviews, please contact:**

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**About iiNet**

iiNet was established in 1993 and listed on the ASX in 1999, growing from a small Perth business into the third largest Internet Service Provider in Australia. The Company now supports over half a million broadband, telephony and dial up services nationwide, with revenues of over \$400m, and proudly employs around 1300 people in Perth, Sydney, Auckland and Cape Town.

iiNet's goal is to lead the market with the best internet access products and then differentiate with genuine, plain speaking customer service. The company has its own high speed ADSL2+ network reaching around 4 million households across Australia, the largest Voice over IP network in the country, and is delighted to have led yet again with Naked DSL, recognised by PC User Magazine as the 2007 Product of the Year.