

THE HIGH COURT

Record Number: 2017/11701 P

BETWEEN:

TWENTIETH CENTURY FOX FILM CORPORATION
UNIVERSAL CITY STUDIOS PRODUCTIONS LLLP
UNIVERSAL CABLE PRODUCTIONS, LLC
WARNER BROS. ENTERTAINMENT INC.
PARAMOUNT PICTURES CORPORATION
DISNEY ENTERPRISES, INC
COLUMBIA PICTURES INDUSTRIES, INC.
SONY PICTURES TELEVISION INC.

PLAINTIFFS

- AND -

EIRCOM LIMITED TRADING AS EIR
DIGIWEB LIMITED
IMAGINE TELECOMMUNICATIONS LIMITED
SKY SUBSCRIBERS SERVICES LIMITED
VIRGIN MEDIA IRELAND LIMITED
VODAFONE IRELAND LIMITED
MAGNET NETWORKS LIMITED
THREE IRELAND (HUTCHISON) LIMITED
THREE IRELAND SERVICES (HUTCHISON) LIMITED

DEFENDANTS

Ex-tempore judgment of Mr. Justice McGovern delivered on 15 January 2018

Having read the affidavits, legal submissions and draft order as well as on hearing counsel for the Plaintiffs, I am satisfied that the Defendant ISPs networks are being used to infringe copyright and that the proposed order will have the effect of preventing access to or at least make it difficult to access unlawful material and so, would discourage users from doing so.

I am also satisfied that the order would not place an unreasonable burden on the ISPs and that it would not deprive users from lawfully accessing copyright content on the internet.

I agree that public policy supports preventing copyright infringement for the reasons set out by Mr. Justice Arnold in *The Football Association Premier League Ltd v British Telecommunications Plc & Ors* [2017] EWHC 480 (Ch). Similar comments were made by Mr Justice Cregan and Mr Justice Kelly as well as myself in other cases similar to this.

There is a significant public interest in preventing the internet from being used for infringement of copyright. Such activity has a detrimental effect on the rights of creative artists to benefit from their creativity. It also interferes with the artists' livelihoods and interferes with other legitimate businesses that disseminate their material.

I will make the order sought under Section 40(5)(a) of the Copyright and Related Rights Act 2000 (as amended) in terms of the draft order and draft protocol as presented.