



## Dutch court orders Mininova to prevent infringement

A Dutch district court today issued its verdict in the case of copyright protector BREIN against the Mininova file sharing website. The court rules that Mininova acted unlawfully by "giving opportunity to, encouraging and profiting from infringements on copyright and neighboring rights". Mininova has to take measures within three months to prevent the offer on its site of torrents that link to content for which it is clearly doubtful that there is authorisation for publication by the rights holder. With respect to current titles on a list provided by BREIN Mininova has to prevent links appearing on its site on penalty of 1000 euro per link with a maximum of 5 million euro.

"This verdict is what we asked for," says BREIN director Tim Kuik. "A site like Mininova is responsible for what happens on its site and must prevent illegal links to movies, TV series, music, video games and other content. This is milestone verdict that enables us to stop the wholesale access to illegal content that such sites supply. Ultimately this is about the creation of content and the opportunity to earn your living with it. This is important for creativity and employment. If you can protect your work then you can offer it on the Internet and earn an income with it. This is good for the future of the Internet and the development and growth of new legal business models."

Mininova had a so-called Notice and Take Down system which meant it removed links to infringing content upon notice by the injured rights holder. The court ruled this is not enough and Mininova must take preventive measures.

The BREIN foundation protects music, movies, TV series, video games and other interactive software against structural abuse and infringement.