

Press Release

For immediate release

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PUBLISHERS WIN HIGH COURT SUPPORT IN FIGHT AGAINST INFRINGEMENT

The High Court has today granted The Publishers Association's application under Section 97A of the Copyright, Designs and Patents Act 1988 for a blocking order against the main UK ISPs. The order applies to 7 websites which have been found to contain substantial amounts of infringing content. Within 10 working days BT, Virgin Media, Sky, TalkTalk and EE will be required to block customer access to these sites.

These sites, all based overseas, have been infringing copyright on a massive scale. Investigations undertaken by The PA found that over 80% of the material available on the sites (and in some cases over 90%) infringes copyright. Collectively The PA and its members have issued nearly **one million take down requests** to these sites in respect of their content. In addition, rights owners have requested that Google remove from its search results over **1.75million URLs** which link to copyright protected material on these sites.

Between them the sites purport to hold around 10,000,000 ebook titles and have been making substantial sums of money, primarily through referral fees and advertising. None of this money has been going back to either the publisher or the author(s) of the works.

Whilst this is the first action of its kind brought by UK publishers, with the support of the Association of American Publishers (AAP), the application for Section 97A orders is well established following cases involving the music and film industries. ISPs have been ordered to block access to similar websites containing infringing music and / or films and TV programmes.

Commenting, Richard Mollet, Chief Executive of The PA, said:

"A third of publisher revenues now come from digital sales but unfortunately this rise in the digital market has brought with it a growth in online infringement. Our members need to be able to protect their authors' works from such illegal activity; writers need to be paid and publishers need to be able to continue to innovate and invest in new talent and material.

"We are very pleased that the High Court has granted this order and, in doing so, recognises the damage being inflicted on UK publishers and authors by these infringing websites."

Legal action such as this is just one part of the suite of activity The PA undertakes on behalf of its members: The PA operates a Copyright Infringement Portal, which allows members to issue take down notices to websites, and is involved in the City of London Police's Operation Creative, run out of the Police Intellectual Property Crime Unit (PIPCU).

The PA also undertakes substantial enforcement activity internationally, helping its members protect their published works from physical piracy in countries such as China, India, Brazil and Turkey.

ENDS

Notes to editors

The sites subject to the High Court blocking order are:

- AvaxHome
- Ebookee
- Freebookspot
- Freshwap
- Libgen
- Bookfi
- Bookre

The action was supported by the Association of American Publishers (AAP).

In April 2015 a US Federal Court found the operators of Avaxhome liable for intentionally infringing copyrights and awarded a default judgment of \$37.5million to the complainant, Elsevier Inc. The operators were also handed down a permanent injunction against future infringements after defendants acknowledged the suit but did not contest the overwhelming case against them for intentional infringement. The judge cited the goal of deterring and discouraging the defendants and other operators of similar sites that openly engage in and promote copyright infringement.

<http://us5.campaign-archive2.com/?u=914a89e2e13ccd381d1c47e5d&id=6c5aadd60c>

Rights owner groups, including the BPI and the MPA, have succeeded in blocking access to over 100 infringing websites as a result of Section 97A applications.

There are many legal services available which provide access to ebooks. These can be found at www.thecontentmap.com

The Publishers Association is the leading trade organisation serving book, journal, audio and electronic publishers in the UK. Membership comprises over 100 companies from across the trade, academic and education sectors.