



## Music Sharers Will Be Found

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Major record companies continue their pursuit of individuals who illegally download music. Five lawsuits have recently been filed in the Eastern District of Virginia against individuals who were identified based on their Internet Protocol ("IP") addresses. *UMG Recordings, Inc. v. Snipe*, 3:09cv298, filed May 06, 2009; *Sony Music Entm't v. Albarzinji*, Case No. 1:09cv495, filed May 14, 2009; *Zomba Recording LLC v. Havert*, Case No. 1:09cv560, filed May 19, 2009; *Arista Records LLC v. Jackson*, 2:09cv229, filed May 19, 2009; and *Warner Bros. Records Inc. v. Weiner*, Case No. 1:09cv559, filed May 19, 2009.

In each case, plaintiffs allege that the defendants unlawfully distributed plaintiffs' copyrighted sound recordings over the Internet through peer-to-peer ("P2P") file copying networks or online media distribution systems. Plaintiffs allege in *Weiner*, for example, that defendant downloaded and distributed approximately 177 audio files using LimeWire on the P2P network Gnutella, in violation of plaintiffs' exclusive rights under federal copyright laws.

Users of P2P networks can be identified by their IP addresses because each computer or network device that connects to a P2P network must have a unique IP address to deliver files from one computer to another, and two computers cannot effectively function if they are connected to the Internet with the same IP address at the same time.

Record companies have aggressively pursued individuals for illegal sharing of music files on the Internet based on the outcome of cases such as *MGM Studios, Inc. v. Grokster*, 545 U.S. 913 (2005) (holding software distributors liable for contributory copyright infringement when they distributed a device that allowed customers to freely download copyrighted files).

Last fall, record companies filed preliminary lawsuits against anonymous individuals in the Eastern District of Virginia, so that they could issue subpoenas to determine their identity based on their IP addresses. In *Capital Records, Inc. v. Does 1-13*, Case No. 2:08-cv-00090 (E.D.Va. 2008) and *Interscope Records v. Does 1-7*, Case No. 4:07-cv-00052, Judge Kelley initially denied motions for expedited discovery to issue such subpoenas, but the record companies were ultimately victorious after they cited more than 200 cases across the country in which similar subpoenas were allowed.

### Related People

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