Sweden to charge Pirate Bay in copyright case

By Anna Ringstrom
49 minutes ago

STOCKHOLM (Reuters) - Sweden plans this week to charge the people running Pirate Bay, one of the world's most visited Web sites, with being accessories in breaking copyright law.

Pirate Bay helps Web surfers share copyrighted music and film files, which is illegal in many countries, including Sweden.

Public prosecutor Hakan Roswall said last week he will charge the Swedish site's organizers with accessory and conspiracy to break copyright law, which could lead to fines or up to two years in prison.

The charges will be filed in a district court on January 31.

The Motion Picture Association of America and the International Federation of the Phonographic Industry (IFPI) are among those who have called for action to shut down the site.

No copyright material is stored on Pirate Bay's servers and no swapping of files actually takes place there. Rather, Pirate Bay locates file sharers on the Internet and acts as a directory of so-called torrent files.

BitTorrent is a protocol that enables big file transfers. The torrent files, downloadable from Pirate Bay, contain the information needed to download film or music files from others.

"It's not merely a search engine. It's an active part of an action that aims at, and also leads to, making copyright protected material available," Roswall told Reuters.

"It's a classic example of accessory -- to act as intermediary between people who commit crimes, whether it's in the physical or the virtual world," he said.

NO LEGAL GROUNDS
But the people behind the site say they cannot be held responsible for material that is being spread.

"It's idiotic. There is no legal ground (for the charges)," Pirate Bay spokesman Peter Sunde told Reuters.

The case is partly based on evidence collected in a 2006 raid against Pirate Bay's servers, located then in Stockholm.

Pirate Bay was started by a Swedish anti-copyright group in 2003. Later the site was run by Sunde and two others, Gottfrid Svartholm and Fredrik Neij. Neij owns the domain.

It does not charge users and earns money from advertisers.

Roswall said it could take more than convictions in Sweden to stop Pirate Bay. "Because the infrastructure is scattered among several places around the world... no separate country will be able to stop the site," he said.

But he believes advertisers could have second thoughts about using Pirate Bay if a guilty verdict is handed down. "That can be the sort of thing that influences the site in the long run."

Sunde said there were no plans to shut down the site in the event of a conviction. He said he, Svartholm and Neij were unaware of the location of Pirate Bay's current servers.

He said Pirate Bay had 2.5 million registered members and about as many visit the site every day.

In 2007, some 600,000 out of nine million Swedes downloaded feature films, according to Mediavision. The Swedish research firm expects the number to rise to some 800,000 this year.

IFPI estimates there are 20 illegal music downloads worldwide for every one legal sale, IFPI spokesman Alex Jacob said.