

Abstract

A Study on Countermeasures against BitTorrent Copyright Infringement

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The Korean government has been working to prevent online copyright infringement by amending the Copyright Act to cope with the rapidly changing online copyright infringement. When the damage to the legal content market increases caused by the copyright infringement using P2P and web-hard, the government designated services such as P2P and web-hard as Special types of Online Service Provider(hereinafter referred to as a "SOSP") so that the service operates only after applying high-level technical measures. Since then, the copyright infringement using BitTorrent, which is difficult to take institutional action, has continued constantly, even if the infringement through SOSP has been decreased.

The government and the copyright industry have tried many efforts to respond against the infringement by BitTorrent, but they were not able to achieve results all the time. Although the investigative agency was able to have some results in prosecuting site operators and criminals related to trade seed files for BitTorrent sharing, it was hard to countermeasures against the users who share the original contents.

BitTorrent is difficult to verify the identity information of the users, and the Internet Protocol(hereinafter referred to as a "IP") address used by the users is ascertainable as the only identifiable information. The IP used by the users is allocated through a separate

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contract from the mere conduit service(Internet Service Providers such as KT, SKB, LGU+, etc.) and they have the information of the users which the IP is assigned.

In this study, in order to study countermeasures against BitTorrent copyright infringement, we would like to research which measures are taken in other countries respond to BitTorrent. Furthermore, let us examine whether the mere conduit service by the online service providers, is responsible for copyright infringement related to BitTorrent under the Copyright Act. Lastly, I would like to suggest whether there are any additional matters to be reviewed by the mere conduit service and the copyright industry against BitTorrent.

Keywords

BitTorrent, OSP(Online Service Provider), Mere Conduit, Copyright Infringement, P2P