

Abstract

The Issue of Investigation into BitTorrent's Copyright Infringement Case

Lee, Ui-don*

Kwon, Hun-yeong**

The BitTorrent program, which has been in existence for nearly 20 years, has certainly become a means of unauthorized sharing of copyrighted files. The number of users continues to increase due to the failure to impose obligations such as special sanctions and technical measures. The constant complaints of copyright holders have led to continuous investigations into those involved, but the use of torrents has not decreased. The reason is that those who are subject to investigation in the case of copyright infringement using Torrent are not being punished properly. Despite the need for co-prosperity between copyright holders, users and file-sharing service operators, the current reality is that investigations and trials are conducted in a way that is somewhat vulnerable to “protecting copyrights.” The investigation targets in the BitTorrent copyright infringement case are largely divided into three categories: service operators who develop and distribute Torrent programs, Torrent site operators who are seed file heavy uploaders, and unauthorized distributors of original copyright files for works. In this study, the relevant cases of each person subject to investigation are reviewed to see why they are not being punished and to suggest the necessity of punishment.

* Cyber Investigation Team Leader, Bundang Police Station, Korea University School of Cybersecurity, Dept. of Digital Forensic (the master's course), Lead author

** Professor, Korea University School of Cybersecurity, Corresponding author

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