

Judgment: Provider must block access to copyright infringing website

BVMI: "Further legal certainty for right holders, also in the interest of consumers"

Berlin, June 11 - Germany's Federal Music Industry Association (BVMI) welcomes the first-instance decision of the Munich Regional Court in the legal dispute between several record companies and Telekom Deutschland GmbH. Last Friday, the Munich Regional Court ruled that Telekom, which as an Internet service provider grants access to websites that demonstrably infringe copyright, such as goldesel.to, must block the access to those websites via DNS blocking. For the first time this has been decided in a main action. The ruling is in line with the current case law of the Munich Higher Regional Court, according to which Vodafone must block access to the illegal kinox.to website.

Structurally infringing websites generally do not have an imprint or a serviceable address. Operators offering infringing content do this in order to generate high Internet traffic and advertising revenues through the placement of advertising banners, etc.

René Houareau, Managing Director Law & Politics at BVMI: "Action against infringements in the digital space can only be successful if various effective measures are combined. Blocking access to infringing websites is an important element in containing such infringements - especially when other measures reach their limits. It is very gratifying that the opportunity has been seized here to create more legal certainty for right holders. Incidentally, this is also in the interests of consumers, who are misled by such offers. In many other countries the method of blocking access to structurally illegal sites is already being used successfully in many cases".

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About the Bundesverband Musikindustrie e. V. (German Music Industry Association):

The Bundesverband Musikindustrie (German Music Industry Association, BVMI) represents the interests of roughly 250 music industry labels and companies who themselves comprise more than 80 percent of the German music market. As the music industry's advocacy group, the BVMI works to promote and uphold the concerns of the music industry among German and European policymaking bodies. It also serves the public as the central contact partner for all issues relating to the music industry. In addition to the compilation and publication of market statistics, the BVMI portfolio also includes many other industry related services. Since 1975, the BVMI has handed out its GOLD and PLATIN awards to the most successful artists in Germany. It launched its DIAMOND Awards in 2014 and has also commissioned the compilation of the Official German Charts since 1977. In 2013, the BVMI started its PLAYFAIR initiative, which provides consumers with guidance with regard to online music consumption.

For more information, please visit: www.musikindustrie.de, www.playfair.org