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Internet Users Take Heat for Web Piracy

By Olga Razumovskaya

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Internet users — not Internet companies — should be held legally accountable for uploading pirated content on web sites, Communications and Press Minister Igor Shchyogolev said.

But Shchyogolev added that it is in the realm of responsibility of the Internet companies to delete illegal content "upon the signal from the lawful property rights owner," Vedomosti reported Friday.

The comment is the first official reaction to the problem of intellectual property rights infringement on the Internet, following the publication in October of an open letter to the government asking to help solve the issue by five leading Internet companies.

The companies, including Google Russia, Mail.Ru and Yandex, asked in the letter that disputes over intellectual property rights on the Internet be resolved directly between the owners of such rights and their violators. The companies pointed out that this is a well-established practice abroad.

“Our reaction to this comment is, naturally, positive,” said Google Russia spokeswoman Alla Zabrovskaya, “although it is difficult for me to say whether it was a result of the open letter we wrote or some other actions on our behalf.”

Zabrovskaya pointed out that while the problem of intellectual property rights infringement on the Internet is global, lack of appropriate regulations on the federal level is specific to Russia.

Pressure from intellectual property rights owners prompted Internet companies to introduce sophisticated protection mechanisms.

In early December, Google Russia's government relations director Marina Zhunich wrote on the company’s blog about improving such methods and promised intellectual property rights owners to react to infringement claims within 24 hours.

Now 18 Russian companies, including MuzTV and Russia Today, cooperate with Google to prevent copyright infringement through a system of warnings to infringers and alerts for the intellectual property rights owners.

Upon receiving an alert, the owner of content unlawfully uploaded on the web may ask the content provider to remove it, track down the infringer, or organize payment.

Several hundred intellectual property rights owners using Google's services to alert them of unlawful use of their content annually receive “numbers in the six figures” by choosing the third option, a Google Russia spokeswoman said.

The comment by Shchyogolev may come as a sign that lobbying efforts by Internet companies with the ministry are succeeding.

The communications ministry is currently drafting a bill that regulates intellectual property rights disputes on the Internet, its press service told The Moscow Times in an e-mail.

The bill will regulate unlawful distribution of audio and video content on the Internet and is being drafted in liaison with the Justice Ministry, the Federal Security Service, the Culture Ministry, as well as telecommunications companies like Rostelecom and Comstar, Internet portals and stores and industry organizations, the e-mail said.

The bill will introduce changes to several laws, including those dealing with communications, information technology and consumer protection.

“It is not up to the communications ministry to regulate intellectual property rights,” said Irina Tulubyeva, head of the Russian Organization for Intellectual Property Rights, adding that such issues are regulated by Russian Civil Code instead.

While Internet companies are excited over the minister's comment, Tulubyeva said that in the long run both the law and the comment may damage the interests of both the intellectual property rights holders and Internet users.

Internet companies, she said, will be absolved of responsibility and continue to profit from advertising, while “Vasya Pupkin,” or the man in the street, will be to blame.

“With this new law, piracy will reign,” Tulubyeva said, and called for holding Internet companies that possess the necessary resources accountable for potential intellectual property rights violations.

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