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RIAA Threatens to Sue Hundreds for Illegal File-Sharing

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WASHINGTON – The music industry pledged to begin steps Thursday to file lawsuits against hundreds of individual computer users who illegally share music files on the Internet, an aggressive gamble to cripple online piracy by suing some of music's biggest fans.

The **Recording Industry Association of America** ([search](#)), citing significant sales declines, said it would begin searching **Internet file-sharing networks** ([search](#)) Thursday to identify music fans who offer "substantial" collections of MP3 song files for downloading.

It urged users to remove popular music-sharing software or adjust program settings to prevent such downloads.

The RIAA expects to file at least several hundred lawsuits seeking financial damages within eight to 10 weeks.

Kazaa ([search](#)), the most popular software package for file sharing, reported that the number of its users online fell roughly 16 percent by late Thursday morning to about 3.8 million people, compared to more than 4.4 million users shortly after the RIAA announced its new campaign Wednesday afternoon.

Such numbers have fluctuated wildly in the past, and it was impossible to know whether any decline was attributable to fear of lawsuits.

The chief executive at **iMesh.com** ([search](#)), another popular file-sharing package, said Thursday that there was no discernible decline in users. He predicted that any drop in music-trading activity would pick back up within weeks.

"I assume that in the short term, it might have some kind of impact, but it will have only a short-term effect on the market," Elan Oren said from his corporate offices in Israel. "People will forget, the

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usage of file-sharing is so intense. This is not going to make a drastic effect, not in the long run."

Executives for the RIAA, the Washington-based lobbying group that represents major record labels, would not say how many songs on a user's computer might qualify for a lawsuit.

The new campaign comes just weeks after U.S. appeals court rulings requiring Internet providers to readily identify subscribers suspected of illegally sharing music and movie files.

RIAA President Cary Sherman said that after Thursday, tens of millions of Internet users of popular file-sharing software will be exposing themselves to "the real risk of having to face the music." He said the RIAA plans only to file lawsuits against Internet users in the United States.

"It's stealing. It's both wrong and illegal," Sherman said. Alluding to the court decisions, Sherman said Internet users who believe they can hide behind an alias online are mistaken. "You are not anonymous," he said. "We're going to begin taking names."

Shopping at a Virgin Megastore in San Francisco, Jason Yoder said he planned to delete file-sharing software he uses from his home computer because of the new lawsuit threat. He acknowledged using the Internet recently to find a copy of a rare 1970s soul recording, but he agreed that illegal downloads should be curtailed.

"It's sort of like a serial drunk driver has to have their license taken away at some point," said Yoder, 30.


Sharman Networks Ltd., ([search](#)) which makes the popular Kazaa software and operates one of the world's largest file-sharing networks, said in a statement, "It is unfortunate that the RIAA has chosen to declare war on its customers by engaging in protracted and expensive litigation."

Sharman said it was interested in a business relationship with music labels and could protect their songs from illegal downloads using technology.

Country songwriter Hugh Prestwood, who has worked with performers such as Randy Travis, Trisha Yearwood and Jimmy Buffett, likened the RIAA's effort to a roadside police officer on a busy highway.

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speed limit," Prestwood said.

Critics accused the RIAA of resorting to heavy-handed tactics likely to alienate millions of music fans.

"This latest effort really indicates the recording industry has lost touch with reality completely," said Fred von Lohmann, a lawyer for the **Electronic Frontier Foundation** ([search](#)). "Does anyone think more lawsuits are going to be the answer? Today they have declared war on the American consumer."

Sherman disputed that consumers, who are gradually turning to legitimate Web sites to buy music legally, will object to the industry's latest efforts against pirates.

"You have to look at exactly who are your customers," he said. "You could say the same thing about shoplifters — are you worried about alienating them? All sorts of industries and retailers have come to the conclusion that they need to be able to protect their rights. We have come to the same conclusion."

Mike Godwin of **Public Knowledge** ([search](#)), a consumer group that has challenged broad crackdowns on file-sharing networks, said the RIAA's announcement was appropriate because it targeted users illegally sharing copyrighted files.

"I'm sure it's going to freak them out," Godwin said. "The free ride is over." He added: "I wouldn't be surprised if at least some people engaged in file-trading decide to resist and try to find ways to thwart the litigation strategy."

The RIAA has previously sued four college students it accused of making thousands of songs available illegally on campus networks. But Wednesday's announcement was the first effort to threaten users who offer music on broadly accessible, public networks.

The RIAA said its lawyers would file lawsuits initially against people with the largest collections of music files they can find. U.S. copyright laws allow for damages of \$750 to \$150,000 for each song offered illegally on a person's computer, but Sherman said the RIAA would be open to settlement proposals from defendants.

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