

Companies using piracy techniques against Filesharers

Contributed by Admin
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The Corporate Enemies of Filesharers

If they aren't shutting down your favourite torrent site and sending you infringement notices they're filling your network with fakes, suing you and invading your privacy. So who are the enemies of P2P and what are they doing to ruin your file-sharing experience? If you share files, it's time to meet your nemesis.

The idea here is to give an overview of anti-p2p activity. This is by no means an exhaustive report but the aim is to give a summary of some of the companies developing a new industry - one dedicated to disrupting the activities of file-sharers.

Founded in 2001, Antipiratbyrå (APB) is a Swedish non-governmental anti-piracy group, its members consisting of representatives from dozens of Swedish media companies. APB rose to infamy in March 2005 when the police conducted an anti-piracy raid against Swedish ISP Bahnhof, only to be presented with evidence that APB themselves had hired someone to plant copyright material. APB are well known (and most hated) for their activities in working to put ThePirateBay BitTorrent tracker offline.

Audible Magic tout themselves as a leading provider of content protection and management solutions. Of interest to file-sharers is their 'Copysense' identification technology, which identifies media by matching an electronic 'fingerprint' unique of the particular content, to that of a 'fingerprint' stored in their claimed 5 million-strong registered database. It is being widely reported that Google will be employing Audible Magic's technology to screen videos submitted to YouTube.

Silicon Valley based BayTSP trumpets its ability to identify and track infringing content on the internet and take it down. They do a lot of tracking of content distributed via the BitTorrent protocol and regularly send out

copyright infringement notices (link PDF) to users via their ISP, ordering the content to be taken down. BayTSP also claim to be able to track first uploaders of copyright works on the BitTorrent and eDonkey networks via their 'First Source' technology. It is unclear how this system operates but it is believed to be relatively primitive - BayTSP searches for filenames (in torrents or ed2k links) which imply infringing content and then download the content to confirm that is indeed the case. The user's ISP would then be contacted with a takedown demand in the usual way. The quality of the methods used by BayTSP appear suspect in certain situations.

The Dutch anti-piracy outfit BREIN has claimed the scalps of many small torrent sites in the Netherlands. They can be quite aggressive in their war on Piracy. One of the most used tactics is to track down the owner of the site, and send a letter stating that they face several years in prison if they don't stop serving torrents, and expose the users. Up until now, BREIN has not yet taken action to the bigger torrent sites in The Netherlands. Last January, BREIN won a lawsuit, and the Dutch ISP 'KPN' was forced to hand over the name and address of the dutchtorrent.org admin.

The British Phonographic Industry or BPI claims to have pursued hundreds, if not thousands of UK file-sharers accused of uploading copyright material. Previously, BPI General Counsel Geoff Taylor said that the BPI had no desire to drag people through the courts. The number of people who have actually settled with the BPI (i.e paid a 'fine') is unclear. What is clear is that not everyone who receives a complaint from the BPI actually settles and so far, no-one has ever appeared in a UK court to answer such a complaint. It appears that threats from the BPI to P2P'ers have a somewhat empty quality about them.

The International Federation of the Phonographic Industry or IFPI throws its net wide, targeting users of many networks including BitTorrent, eDonkey, DirectConnect, Gnutella, Limewire and SoulSeek. After carrying out what was claimed to be the largest ever worldwide legal action against filesharers in 2005 - effectively doubling the number of people being sued to over 4,000 - 2006 saw its biggest assault yet, with the IFPI targetting a further 8000 with enforcement actions.

Macrovision, as far as p2p is concerned, is a company trying to keep DVDRips off file-sharing networks. It claims that its anti-piracy solution called Ripguard can recover 97% of all revenue lost due to DVD ripping piracy. In reality Ripguard is easily defeated.

While

Macrovision is failing to keep DVDRips off P2P networks, the Dolby subsidiary Cinea is using watermarks to track the source of DVD Screeners uploaded to the internet. The CineFence system from Philips does something similar, except it tracks the source of a camcorded movie back to the theater it was filmed in.

If filling file-sharing networks with unwanted junk is your thing then Media Defender Inc takes some beating. Purchased by ArtistDirect in 2005, they are currently working with labels such as Suretone Records to spam file-sharing networks with partial videos and music in an attempt to generate traffic to their website. Additionally, they were embarrassed recently when their involvement in operating fake MPAA torrents was revealed.

MediaSentry

is a company offering similar services to BayTSP. Where BayTSP is used a lot by the likes of the MPAA, MediaSentry is popular with the RIAA. Monitoring file-sharing networks for infringements of their clients media, they identify and trace IP addresses they claim are engaged in such activity. MediaSentry's effectiveness has been called into question, notably in *Foundation v. UPC Nederland* link.

The MPAA is a well known anti-piracy lobbying organization, that protects the rights of its members, the 'big six' movie studios. February 2006, the MPAA announced lawsuits (PDF) against Torrentspy, Torrentbox and Isohunt, three of the most popular BitTorrent search engines. The MPAA was also involved in the raid on The Pirate Bay this May. They even sent a letter (PDF) to Sweden's State Secretary this March in which they kindly requested that The Pirate Bay be taken down. In 2005 the MPAA successfully shut down Lokitorrent, Btefnets, and Elitetorrents. But the MPAA does not have a clean slate either. They violated the linkware license of the 'Forest Blog' blogging engine.

File-sharers

tend to have long memories and even if an anti-piracy company decides to change strategy, it can be difficult to shake off a tarnished image. French anti-piracy group Retspan and its subsidiary PeerFactor became known in 2004 after reports it was giving file-sharers financial incentives to spread fake files, a claim it later denied. Even though Peerfactor tried to 'go straight' in 2006 with a uTorrent deal, it's the original connection with Retspan which prevails in the mind of many sharers. For in 2004 it was Retspan who dared to take on the now-legendary Suprnova, trying to get it shut down by reporting it to the FBI and by sending threats to sites hosting Suprnova mirrors.

The RIAA

protects the rights of a large group of record labels and distributors.

The RIAA seems to use law suits merely as threats, a way to 'bully' people (dead or alive) into paying their exorbitant fines. Most of their victims do not have the money to fight back. They often offer people a chance to settle for \$3000 or \$4000, leaving them broke, but avoiding a real case. This trick seems to work well for the RIAA, they easily collect money without having to prove (they have no clue) that the defendant is actually someone who engaged in peer to peer file sharing of copyrighted music without authorization.

Finnish Venture Cup winner ViralG burst onto the scene in 2005 with a claim that it could end 99% of all file-sharing. It uses technology that enables it to exploit poor hashing technology employed by the likes of the moribund Kazaa but appears unable to do a thing about files found on other networks, including the mighty BitTorrent.

ViralG - like many anti-p2p companies - seem to make wild claims about the effectiveness of their systems. Ask anyone who visits a search engine such as mininova and they will tell you: to a greater or lesser extent, the anti-p2p companies have failed. Miserably.

And finally, I wanted to end this article on a lighter note and happily I can do so with the inclusion of the one, the only - Web Sheriff!!, the company that shot to fame via the publication of its copyright complaints made to ThePirateBay, or more accurately, the comedy value of the responses. Well worth a read. White Stripes/Web Sheriff.