

List of Works Cited

I. Primary Sources

A. International and Regional Treaties and Conventions

Berne Convention for the Protection of Literary and Artistic Works of Sep. 9, 1886, completed at Paris on May 4, 1896, as revised at Paris on Jul. 24, 1971 and amended on Sep. 28, 1979 (Berne Convention)

International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations of Oct. 26, 1961 (Rome Convention)

Agreement on Trade-Related Aspects of Intellectual Property Rights, Apr. 15, 1994, Marrakesh Agreement Establishing the World Trade Organization, Annex 1C, THE LEGAL TEXTS: THE RESULTS OF THE URUGUAY ROUND OF MULTILATERAL TRADE NEGOTIATIONS 320 (1999), 1869 U.N.T.S. 299, 33 I.L.M. 1197 (1994) (TRIPS)

WIPO Copyright Treaty, opened for signature 20 December 1996, 2186 U.N.T.S. 121 (entered into force 6 March 2002) (WCT)

WIPO Performances and Phonograms Treaty, opened for signature 20 December 1996, 2186 U.N.T.S. 203 (entered into force 20 March 2002) (WPPT).

Consolidated Version of the Treaty on the Functioning of the European Union, Sep. 5, 2008, 2008 O.J. (C 115) 47 (TFEU)

B. E.U. Directives and Regulations

Council Directive 91/250/EEC, of 14 May 1991 on the legal protection of computer programs, 1991 O.J. (L 122/42), as republished and amended by Directive 2009/24/EC, of the European Parliament and of the Council of 23 April 2009 (codified version), 2009 O.J. (L 111/16) (Software Directive)

Council Directive 92/100/EEC, of 19 November 1992 on rental right and lending right and on certain rights related to copyright in the field of intellectual property, 1992 O.J. (L 346/61) as republished and amended by Directive 2006/115/EC of the European Parliament and of the Council of 12 December 2006 (codified version), 2006 O.J. (L 376/28) (Rental Right Directive)

Directive 2006/116/EC of the European Parliament and of the Council of 12 December 2006 on the term of protection of copyright and certain related rights, 2006 O.J. (L 372/12), as amended by Directive 2011/77/EU of the European Parliament and of the Council of 27 September 2011, 2011 O.J. (L 265/1) (Term Directive)

Council Directive 93/83/EEC, of 27 September 1993 on the coordination of certain rules concerning copyrights and rights related to copyright applicable to satellite broadcasting and cable retransmission, 1993 O.J. L 248/16) (Satellite and Cable Directive)

Directive 96/9/EC, of the European Parliament and of the Council of 11 March 1996 on the legal protection of databases, 1996 O.J. (L 77/20) (Database Directive)

- Directive 2001/29/EC, of the European Parliament and of the Council of 22 May 2001 on the harmonization of certain aspects of copyright and related rights in the information society, 2001 O.J. (L 167/10) (InfoSoc Directive)
- Directive 2001/84/EC, of the European Parliament and of the Council of 27 September 2001 on the resale right for the benefit of the author of an original work of art, 2001 O.J. (L 272/32) (Resale Right Directive)
- Council Regulation 6/2002/EC of 12 December 2001 on Community designs, O.J. (L3/1), as amended
- Directive 2004/48/EC, of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights, 2004 O.J. (L 195/16) (Enforcement Directive)
- Council Regulation 207/2009 of 26 February 2009 on the Community trade mark (codified version), 2009 O.J. (L 78/1)

II. Secondary Sources

A. Official Documents

- Commission Green Paper on Copyright and the Challenge of Technology, COM (88) 172 final, (June 7, 1988)
- Commission Follow-up to the Green Paper 1988 – Working Programme of the Commission in the Field of Copyright and Neighbouring Rights, COM (90) 584 final, (Jan. 17, 1991)
- Commission Green Paper on Copyright and Related Rights in the Information Society, COM (95) 382 final (July 19, 1995)
- Commission Follow-up to the Green Paper on Copyright and Related Rights in the Information Society, COM (96) 568 final (Nov. 20, 1996)
- European Parliament, Resolution on a Community framework for collective management societies in the field of copyright and neighbouring rights, (2002/2274(INI)), 2004 O.J. (C 92) (Community Framework Resolution)
- Communication from the Commission to the Council, the European Parliament and the European and Social Committee – The Management of Copyright and Related Rights in the Internal Market, COM (2004) 261 final, (Apr. 16, 2004) (Communication on Management of Copyright)
- Communication from the President in agreement with Vice-President Wallström – Commission Work Programme for 2005, COM (2005) 15 final, (Jan. 26, 2005) (Commission Work Programme 2005)
- Commission Staff Working Document – Study on a Community Initiative on the Cross-Border Collective Management of Copyright (July 7, 2005) available at: http://ec.europa.eu/internal_market/copyright/docs/management/study-collectivemgmt_en.pdf (Study CBCM 2005)
- Commission Recommendation 2005/737/EC of 18 Oct. 2005 on collective cross-border management of copyright and related rights for legitimate online music services, 2005 O.J. (L 276); Corrigenda, 2005 O.J. (L 284) (Online Music Recommendation)
- European Parliament, Resolution of 13 March 2007 on the Commission Recommendation of 18 October 2005 on collective cross-border management of copyright and related rights for legitimate online music services (2005/737/EC), P6_TA(2007)0064, 2007, available at: <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P6-TA-2007-0064&language=EN> (EP Resolution OMR)

- European Parliament, Resolution of 25 September 2008 on collective cross-border management of copyright and related rights for legitimate online music services, P6_TA(2008)0462, 2008, available at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2008-0462+0+DOC+XML+V0//EN> (EP Resolution CCBM)
- Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, on Creative Content Online in a Single Market, COM (2007) 836 final (Jan. 3, 2008) (Creative Content Online Communication)
- Commission Report on the Monitoring of the 2005 Music Online Recommendation (Feb. 7, 2008), available at: http://ec.europa.eu/internal_market/copyright/docs/management/monitoring-report_en.pdf (OMR Monitoring Report)
- Commission Final Report on the Content Online Platform (May 2009), available at http://ec.europa.eu/avpolicy/docs/other_actions/col_platform_report.pdf (Final Report Content Online Platform)
- European Parliament, Resolution of on the transparency and state of play of the ACTA negotiations, P7_TA(2010)0058, 2010, available at: <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P7-TA-2010-0058&language=EN> (EP Resolution on ACTA Negotiations)
- Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, on a Single Market for Intellectual Property Rights boosting creativity and innovation to provide economic growth, high quality jobs and first class products and services in Europe, COM(2011) 287 final (May 24, 2011) (IPR Strategy)
- Commission Green paper on the online distribution of Audiovisual works in the European Union: opportunities and challenges towards a single digital market, Brussels, COM (2011) 427 final (July 13, 2011) (Green Paper on Online Distribution of Audiovisual Works)
- Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions – A coherent framework for building trust in the Digital Single Market for e-commerce and online services, COM(2011) 942 (Jan. 11, 2011) (Communication on E-commerce and Online Services)
- European Parliament, Resolution of 16 November 2011 on European cinema in the digital era (2010/2306 (INI)), P7_TA(2011)0506, 2011 available at: <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P7-TA-2011-0506> (EP Resolution Cinema in Digital Era)

B. Books, Reports, Studies and Other Non Periodic Materials

1. Books & Other Non Periodic Materials

- Bechtold, Stephan: *Commentary on the Information Society Dir. art.5*, in CONCISE EUROPEAN COPYRIGHT LAW (Thomas Dreier & P.B. Hugenholtz eds., Kluwer Law International 2006)
- CAMMAERTS, BART / MENG, BINGCHUN: MEDIA POLICY BRIEF 1: CREATIVE DESTRUCTION AND COPYRIGHT PROTECTION – REGULATORY RESPONSES TO FILE-SHARING, LSE Media Policy Project (2011), <http://www.scribd.com/doc/51217629/LSE-MPPbrief1-creative-destruction-and-copyright-protection>
- Drexl, Josef: Seminar lecture in the Munich Intellectual Property Law Center: Intellectual Property and Competition Law – Collecting Societies and E.U. Competition Law, (July 13, 2011) (on file with the author)

- Dusollier, Séverine / Ker, Caroline: *Private copy levies and technical protection of copyright: the uneasy accommodation of two conflicting logics*, in, RESEARCH HANDBOOK ON THE FUTURE OF EU COPYRIGHT 349 (Estelle Derclaye Ed., Edward Elgar 2009)
- ECHOUD, M.M.M. VAN / HUGENHOLTZ, P.B. / GOMPEL, S. VAN / GUIBAULT, L. / HELBERGER, N.: HARMONIZING EUROPEAN COPYRIGHT LAW: THE CHALLENGES OF BETTER LAWMAKING, 19 INFO. L. SERIES, (Kluwer Law International 2009)
- Ficsor, Mihály: *Collective Management of Copyright and Related Rights from the Viewpoint of International Norms and the Acquis Communautaire*, in, COLLECTIVE MANAGEMENT OF COPYRIGHT AND RELATED RIGHTS 29 (Daniel Gervais Ed., Edward Elgar 2nd ed. 2010)
- FISHER III, WILLIAM: PROMISES TO KEEP – TECHNOLOGY, LAW, AND THE FUTURE OF ENTERTAINMENT (Stanford University Press 2004)
- Gervais, Daniel: *Collective Management of Copyright: Theory and Practice in the Digital Age*, in, COLLECTIVE MANAGEMENT OF COPYRIGHT AND RELATED RIGHTS 1 (Daniel Gervais Ed., Edward Elgar 2nd ed. 2010) (Gervais 2010)
- GERVAIS, DANIEL: COLLECTIVE MANAGEMENT OF COPYRIGHT AND NEIGHBOURING RIGHTS IN CANADA: AN INTERNATIONAL PERSPECTIVE (2001), http://works.bepress.com/cgi/viewcontent.cgi?article=1028&context=daniel_gervais
- GERVAIS, DANIEL: APPLICATION OF AN EXTENDED COLLECTIVE LICENSING REGIME IN CANADA: PRINCIPLES AND ISSUES RELATED TO IMPLEMENTATION (2003), *available at*: http://works.bepress.com/daniel_gervais/29/
- GOLDSTEIN, PAUL / HUGENHOLTZ, P. BERNT: INTERNATIONAL COPYRIGHT: PRINCIPLES, LAW, AND PRACTICE (Oxford University Press 2nd ed. 2010) (2000)
- Guibault, Lucie / Gompel, Stef van: *Collective Management in the European Union*, in, COLLECTIVE MANAGEMENT OF COPYRIGHT AND RELATED RIGHTS 135 (Daniel Gervais Ed., Edward Elgar 2nd ed. 2010)
- HUGENHOLTZ, P.B. / OKEDIJI, R.L.: CONCEIVING AN INTERNATIONAL INSTRUMENT ON LIMITATIONS AND EXCEPTIONS TO COPYRIGHT, Institute for Information Law University of Amsterdam/University of Minnesota Law School (2008), <http://www.ivir.nl/publicaties/hughenoltz/finalreport2008.pdf>
- HUGENHOLTZ, P.B. ET AL.: THE RECASTING OF COPYRIGHT AND RELATED RIGHTS FOR THE KNOWLEDGE ECONOMY, FINAL REPORT (2006), http://ec.europa.eu/internal_market/copyright/docs/studies/etd2005imd195recast_report_2006.pdf
- Hughenoltz, P. Bernt: *Copyright without frontiers: the problem of territoriality in European copyright law*, in, RESEARCH HANDBOOK ON THE FUTURE OF EU COPYRIGHT 12 (Estelle Derclaye Ed., Edward Elgar 2009)
- Hughenoltz, P. Bernt / Senfleben, Martin R.F.: *Fair use in Europe. In Search of Flexibilities* (Nov. 2011), *available at* <http://www.ivir.nl/publications/hughenoltz/Fair%20Use%20Report%20PUB.pdf>
- HUYGEN, ANNELIES ET AL.: UPS AND DOWNS. ECONOMIC AND CULTURAL EFFECTS OF FILE SHARING ON MUSIC, FILM AND GAMES (TNO Information and Communication Technology Series, 2009), <http://ssrn.com/abstract=1350451>
- Koskinen-Olsson, Tarja: *Collective Management in the Nordic Countries*, in, COLLECTIVE MANAGEMENT OF COPYRIGHT AND RELATED RIGHTS 283 (Daniel Gervais Ed., Edward Elgar 2nd ed. 2010)
- Kramer, Ernst A. / Probst, Thomas: *Defects in the Contracting Process*, in 7 INTERNATIONAL ENCYCLOPEDIA OF COMPARATIVE LAW (Ch. 11) 1 (Arthur T. von Mehren ed. 2001)
- LESSIG, LAWRENCE: CODE VERSION 2.0 (Basic Books 2006).
- LESSIG, LAWRENCE: REMIX: MAKING ART AND COMMERCE THRIVE IN THE HYBRID ECONOMY (Penguin Press 2008)

LEWINSKY, SILKE VON: INTERNATIONAL COPYRIGHT LAW AND POLICY (Oxford University Press 1st Ed. 2008) (LEWINSKY 2008)

Lewinsky, Silke von: Dr., Division Intellectual Property and Competition Law – Max Planck Institute for Intellectual Property Competition and Tax Law, Lecture in the Munich Intellectual Property Law Center: European Copyright Law – Particular Issues in Selected EC Copyright Directives, *EC Rental Directive (1992/consolidated 2006)*, (Winter 2010) (on file with the author).

Ohly, Ansgar: *Economic rights*, in, RESEARCH HANDBOOK ON THE FUTURE OF EU COPYRIGHT 212 (Estelle Derclaye Ed., Edward Elgar 2009)

Woods, Tanya: *Multi-territorial Licensing and the Evolving Role of Collective Management Organizations*, in, COLLECTIVE MANAGEMENT OF COPYRIGHT AND RELATED RIGHTS 105 (Daniel Geravais Ed., Edward Elgar 2nd ed. 2010)

WALTER, MICHEL M. / LEWINSKY, SILKE VON: EUROPEAN COPYRIGHT LAW (Michel M. Walter and Silke von Lewinski Ed., Oxford University Press 2010)

WORLD INTELLECTUAL PROP. ORG.: WIPO INTELLECTUAL PROPERTY HANDBOOK (2d ed. 2004)

2. Reports and Studies

OECD Information Technology Outlook 2004 Peer to Peer Networks in OECD Countries (Pre-release of Section from Chapter 5 of the Information Technology Outlook) (2004), <http://www.oecd.org/dataoecd/55/57/32927686.pdf> (OECD 2004 Report)

IFPI DIGITAL MUSIC REPORT 2011: MUSIC AT THE TOUCH OF A BUTTON (2011), <http://ifpi.org/content/library/DMR2011.pdf> (IFPI 2011 Report)

IFPI DIGITAL MUSIC REPORT 2012: EXPANDING CHOICE. GOING GLOBAL (2012), <http://www.ifpi.org/content/library/DMR2012.pdf> (IFPI 2012 Report)

ENVISIONAL TECHNICAL REPORT: AN ESTIMATE OF INFRINGING USE OF THE INTERNET (2011), http://documents.envisional.com/docs/Envisional-Internet_Usage-Jan2011.pdf (Envisional Report)

C. Periodical Materials

Adermon, Adrian / Liang, Che-Yuan: *Piracy, Music and Movies: A Natural Experiment* (Research Inst. of Indus. Econ., IFN Working Paper No. 854, 2010) available at: <http://www.ifn.se/wfiles/wp/wp854.pdf>

Albrecht, M. von / Ullrich, J.N.: *Munich District Court Holds Pan-European Copyright Licensing Model of Joint Venture CELAS Invalid*, http://www.klgates.com/files/Publication/7f1d2609-940e-470e-a22e-23116314b599/Presentation/PublicationAttachment/b6762a28-143f-4681-9f3c-5492d20d4752/Alert_TMT_CELAS.pdf

Anderson, Jay: *Stream Capture: Returning Control of Digital Music to the Users*, 25 HARV. J.L. & TECH. 159 (2011)

Akester, Patricia: *Copyright and the P2P Challenge*, 27 EURO. INTELL. PROP. REV. 106 (2005)

Bridy, Annemarie: *Why pirates (still) won't behave: regulating P2P in the decade after Napster*, 40 RUTGERS L.J. 565 (2009)

Daly, Maureen: *Life after Grokster: Analysis of US and European Approaches to File-Sharing*, 29 EURO. INTELL. PROP. REV. 8:319 (2007)

- Danay, Robert Jacob: *Copyright vs. Free Expression: The Case of Peer-to-Peer File-Sharing of Music in the United Kingdom*, 8 YALE J.L. & TECH 32 (2005)
- Derclaye, Estelle: *Wonderful or Worrisome? The Impact of the ECJ ruling in Infopaq on UK Copyright Law*, 32 EURO. INTELL. PROP. REV. 5:247 (2010)
- Dougherty, Meghan: *Voluntary collective licensing: the solution to the music industry's file sharing crisis?*, 13 J. INTELL. PROP. L. 405 (2006)
- Dusollier, Séverine / Colin, Caroline: *Collective Management of Copyright: Solution or Sacrifice?: Peer-to-Peer File Sharing and Copyright: What Could be the Role of Collective Management*, 34 COLUM. J.L. & ARTS 809
- Edström, Jerker / Nilsson, Henrik: *The Pirate Bay Verdict – Predictable and Yet...*, 31 EURO. INTELL. PROP. REV. 9:483 (2009)
- Ericsson, Seth: *The Recorded Music Industry and the Emergence of Online Music Distribution: Innovation in the Absence of Copyright (Reform)*, 79 GEO. WASH. L. REV. ____ (2011); Max Planck Institute for Intellectual Property & Competition Law Research Paper No. 11-09, available at <http://ssrn.com/abstract=1850409>
- Ganley, Paul: *Surviving Grokster: Innovation and future of Peer-to-Peer*, 28 EURO. INTELL. PROP. REV. 15 (2006)
- Geiger, Christophe: *The Role of the Three-step Test in the Adaptation of Copyright Law to the Information Society*, UNESCO E-COPYRIGHT BULL. 1, January-March 2007 issue
- Geiger, Christophe: *Honorable Attempt but (Ultimately) disproportionate Offensive against Peer-to-peer on the Internet (HADOPI) – A Critical Analysis of Recent Anti File-Sharing Legislation in France*, 42 INT'L REV. INTELL. PROP. & COMPETITION L. 457 (2011)
- Geiger, C. / Griffiths J. / Hilty, R. M.: *Declaration on a Balanced Interpretation of the 'Three-Step Test' in Copyright Law*, 39 INT'L REV. INTELL. PROP. & COMPETITION L., 707 (2008)
- Gervais, Daniel J.: *The price of social norms: towards a liability regime for file-sharing*, 12 J. INTELL. PROP. L. 39 (2004)
- Gervais, Daniel: *The Tangled Web of UGC: Making Copyright Sense of User-Generated Content*, 11 VAND. J. ENT. & TECH. L. 841 (2009) (Gervais 2009)
- Ginsburg, Jane C.: *From Having Copies to Experiencing Works: The Development of an Access Right in U.S. Copyright Law*, 50 J. COPYRIGHT SOC. U.S.A. 113 (2003)
- Ginsburg, Jane C.: *"European Copyright Code" – Back to First Principles (with Some Additional Detail)* (2011), COLUM. PUB. L. & LEGAL THEORY WORKING PAPERS, Paper 9193 (2011), http://lsr.nellco.org/columbia_pllt/9193
- Hart, Michael: *The Copyright in the Information Society Directive: An Overview*, 24 EURO. INTELL. PROP. REV. 2:58 (2002)
- Hayward, John O.: *Grokster Unplugged: It's Time to Legalize P2P File Sharing*, 12 INTELL. PROP. L. BULL. 1 (2007)
- Hoeren, Thomas: *Access right as a postmodern symbol of copyright deconstruction?*, VI DIREITO SOCIEDADE INFORMAÇÃO 9 (2006)
- Lewinski, Silke von: *Mandatory Collective Administration of Economic Rights – A Case Study on its Compatibility with the International and EC Copyright Law*, UNESCO E-COPYRIGHT BULL. 1, January-March 2004 issue (Lewinsky 2004)
- Lewinsky, Silke von: *Certain legal problems related to the making available of literary and artistic works and other protected subject matter through digital networks*, UNESCO E-COPYRIGHT BULL. 1, January-March 2005 issue (Lewinsky 2005)
- Litman, Jessica: *Sharing and Stealing* (2003), <http://ssrn.com/abstract=472141> or doi:10.2139/ssrn.472141

- Liu, Joseph P.: *Owning Digital Copies: Copyright Law and the Incidents of Copy Ownership*, 42 WM. & MARY L. REV. 1245 (2001).
- Lohmann, Fred von: *Voluntary collective licensing for music file sharing*, 47 Comm. of the ACM (No. 10) 21 (2004) (Lohmann 2004)
- Lohmann, Fred von: *A Better Way Forward: Voluntary Collective Licensing of Music File Sharing*, EFF Whitepaper Series (Apr. 30, 2008), <http://www.eff.org/files/eff-a-better-way-forward.pdf> (Lohmann 2008)
- Lucchi, Nicola: *Regulation and Control of Communication: The French Online Copyright Infringement Law (HADOPJ)*, 19 CARDOZO J. INT'L & COMP. L. (2011); Max Planck Institute for Intellectual Property & Competition Law Research Paper No. 11-07. Available at SSRN: <http://ssrn.com/abstract=1816287>.
- Michel, Norbert J.: *The Impact of Digital File Sharing on the Music Industry: An Empirical Analysis*, 6 TOPICS ECON. ANALYSIS & POL'Y (Iss.1) Article 18 (2006), <http://www.be-press.com/bejeap/topics/vol6/iss1/art18>
- Netanel, Neil W.: *Impose a Noncommercial Use Levy to Allow Free Peer-to-Peer File Sharing*, 17 HARV. J.L. & TECH. 2 (2003)
- Peukert, Alexander: *A Bipolar Copyright System for the Digital Network Environment*, 28 HASTINGS COMM. & ENT L.J. 1 (2005)
- Ramalho, Ana: *The European Union and ACTA – Or Making Omelettes without Eggs (Again)*, 42 INT'L REV. INTELL. PROP. & COMPETITION L. 97 (2011)
- Rodrigues, Rodrigo / Druschel, Peter: *Peer-to-Peer Systems*, COMMUNICATIONS OF THE ACM, October 2010
- Reed, Chris: *Information 'Ownership' in the Cloud*, Queen Mary School of Law Legal Studies Research Paper No. 45/2010 (2010), available at: <http://ssrn.com/abstract=1562461>
- Sakthivel, M.: *4G Peer-to-Peer Technology – Is it Covered by Copyright?* 16 J. INTELL. PROP. RTS. 309 (2011)
- The Wittem Group: *European Copyright Code*, 33 EURO. INTELL. PROP. REV 76 (2011)
- Yu, Peter K.: *P2P and the future of private copying*, 76 U. COLO. L. REV. 653 (2005)

D. Cases and Decisions

Europe

- Case 62/79, SA Compagnie Générale pour la diffusion de la télévision, Coditel and others v Ciné Vog Films and others, 1980 E.C.R. 881 (*Coditel*)
- Case C-293/98, Entidad de Gestión de Derechos de los Productores Audiovisuales (Egeda) v. Hostelería Asturiana SA (Hoasa), 2000 E.C.R. I-629 (*Egeda*)
- Bundesgerichtshof [BGH] Jul. 11, 2002, ZU M 2002, 7 40 (Ger.)
- Commission Decision of 12 August 2002 regarding Case C2/37.219 Baghalter & Honem Christo v SACEM, available at: http://ec.europa.eu/competition/elojade/iseef/case_details.cfm?proc_code=1_37219
- Commission Decision 2003/300/EC of 8 October 2002 relating to a proceeding under art. 8 of the EC Treaty and Art. 53 of the EEA Agreement regarding Case COMP/C2/38.014, 2003 O.J. (L 107) (*IFPI Simulcasting*)
- HR Dec. 19, 2003, AN7253, case no.CO2/186 (Buma & Stemra/KaZaA) (Neth.) (*KaZaA*)
- Case C-89/04, Mediakabel v. Commissariat voor de Media, 2005 E.C.R. I-4891 (*Mediakabel*)

- Case C-192/04, Lagardère Active Broadcast v. SPRE and Others, 2005 E.C.R. I-7199 (*Lagardère*)
- Case C-306/05, SGAE v. Rafael Hoteles, 2006 E.C.R. I-11519 (*SGAE*)
- Commission Decision of 16 July 2008 relating to a proceeding under Article 81 of the EC Treaty and Article 53 of the EEA Agreement regarding Case COMP/C2/38.698 – CISAC (*CISAC Decision*)
- Tingsrätt [TR] Stockholm [District Court of Stockholm] 2009-04-17 Case no. B 13301-06 (Swed.) (*Pirate Bay*)
- Landgericht München [District Court of Munich] Jul. 25, 2009, No. 7 O 4139/08 – MyVideo Broadband S.R.L. v CELAS GmbH (Ger.) (*MyVideo Case*)
- Case C-5/08, Infopaq International A/S v. Daske Dagblades Forening, 2009 E.C.R. I-6569 (*Infopaq I*)
- Case C-467/08, Padawan v SGAE, 2010 (*available at: <http://curia.europa.eu>*) (*Padawan*)
- Case C-462/09, Stichting de Thuiskopie v Opus Supplies Deutschland GmbH, Mijndert van der Lee and Hananja van der Lee, 2011 (*available at: <http://curia.europa.eu>*) (*Stichting de Thuiskopie v Opus*)
- Joined Cases C-403/08 and C-429/08, Football Association Premier League Ltd & others v QC Leisure & others; Karen Murphy v Media Protection Services Ltd, 2011 (*available at: <http://curia.europa.eu>*) (*Premier League*)
- Joined Cases C-431/09 and C-432/09, Airfield NV, Canal Digitaal BV v Sabam and Airfield NV v Agicoa Belgium BVBA, 2011 (*available at: <http://curia.europa.eu>*) (*Airfield v SABAM and AGICOA*)
- Case C-70/10, Scarlet Extended SA v. Sabam, 2011 (*available at: <http://curia.europa.eu>*) (*Scarlet Extended*)
- Case C-302/10, Infopaq International A/S v. Danske Dagblades Forening, 2012 (*available at: <http://curia.europa.eu>*)

U.S.

- Sony Corp v Universal City Studios, Inc 464 U.S. 417, at 423, 104 S. Ct 774 (1984) (Sony v. Universal)
- UMG Recording, Inc v MP3.com, Inc 92 F. Supp. 2d 349 (S.D.N.Y. 2000) (MP3.com)
- A&M Records, Inc. v Napster, Inc 239 F. Supp. 3d 1004 (9th Cir. 2001) (Napster)
- In Re Aimster Copyright Litigation 334 F. 3d 643 (7th Cir. 2003) (In Re Aimster)
- Metro-Goldwyn-Mayer Studios, Inc v Grokster, Ltd 125 S. Ct 2764 (Grokster)
- UMG Recordings, Inc., v. Veoh Networks, Inc., Nos. 09-55902, 09-56777, 10-55732, 2011 U.S. App. WL 6357788, (9th Cir. Dec. 20, 2011)

WTO

- Panel Report, United States—Section 110(5) of US Copyright Act (US – Copyright), WT/DS160/R (Jun. 15, 2000) (*WTO Panel Report*)

E. Websites

- ASCAP: <http://www.ascap.com/> and <http://www.ascap.com/members/payment/keepingtrack.aspx> (*ASCAP Payment System-Keeping Track of Performances*)

BBC: <http://news.bbc.co.uk/2/hi/8089102.stm>
BMI: <http://www.bmi.com/>
CELAS: <http://www.celas.eu>
CISAC: www.cisac.org
Creative Commons: <https://creativecommons.org/legalmusicforvideos>
Det Missionerande Kopimistsamfundet: <http://kopimistsamfundet.se/english/>
Dropbox: <https://www.dropbox.com/tour>
GEMA: www.gema.de/
IFRRO: <http://www.ifrro.org/>
IFPI: <http://www.ifpi.org/>
MyVideo: <http://www.myvideo.de/>
SACEM: www.sacem.fr
SESAC: <http://www.sesac.com/>
United States House of Representatives (Committee on the Judiciary): <http://judiciary.house.gov/news/01202012.html>
United States Senate (Democrats): <http://democrats.senate.gov/2012/01/20/reid-statement-on-intellectual-property-bill/>
WIKIPEDIA: http://en.wikipedia.org/wiki/Timeline_of_file_sharing (*Timeline of File Sharing*, WIKIPEDIA.COM)

