

# Why isn't your ISP business inside the copyright 'safe harbour' ?

## iiNet sued

News of legal action against ISP iiNet for alleged copyright breach has provoked every reaction from 'What nonsense!' to 'The sky is falling!'

Of course, everyone is entitled to their own opinion – including the army of 'bush lawyers' on Whirlpool.

But that doesn't change the fact that a prudent ISP needs to understand how to bring itself inside the copyright 'safe harbour' rules.

## Safe harbour can protect you

If you comply with the rules, you cannot be ordered to pay copyright damages. You might be ordered to cancel a customer account, or do other relatively painless things, but you can't be made to pay huge damages claims.

## Safe harbour isn't compulsory

It's a choice. But it's a choice you should understand and consider.

If iiNet was clearly inside the safe harbour right now, it would be at no risk of a massive damages judgment. Apparently, iiNet has decided to stay outside the safe harbour.

Other ISPs need to make their own informed decisions.

## What's involved ?

It varies, depending on your business operations. The trickiest part is when you provide basic connectivity. You need a 'policy' about 'repeat infringers'.

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The Safe Harbour Guide is an expert ISP legal publication from



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