

## Media Release

### Film Studios' case against iiNet continues to unravel

**30 September 2009** – The case against iiNet continued to unravel with film studios confirming today they have dropped their so called “primary” copyright infringement claim, less than one week before the Federal Court hearings are due to commence.

This is the second time the film studios have withdrawn a key aspect of their claim against iiNet in the lead up to the trial.

The latest claim the film studios are dropping alleged that iiNet made copies of the films. The allegations were unfounded and demonstrated a complete lack of knowledge of internet technology and operations.

The film studios informed the Federal Court today they would be dropping this key claim in their case.

In May this year, the film studios also withdrew the claim that iiNet had been intentionally interfering or converting the copyright holders' films. At that time, the Court awarded iiNet cost relating to the film studios withdrawal of the claim.

Today's withdrawal of another key claim in the case, so close to the hearing start date (Tuesday 6 October), is a further demonstration that despite all their rhetoric the Australian Federation Against Copyright Theft (AFACT) is struggling to spell out and make the studios' case.

iiNet will seek costs regarding today's withdrawal.

iiNet said it will continue to vigorously defend the Federal Court action alleging iiNet has encouraged customers to download films illegally. iiNet does not in any way support, or encourage, breaches of the law, including infringement of the Copyright Act or the Telecommunications Act.

Its said it was ready and eager to have the case heard.

The existing law currently provides a process for investigating copyright theft or any other illegal activity using the internet, requiring court orders, warrants and due process. If AFACT is serious about copyright infringement they can, and should use, this process.

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#### About Us

iiNet was established in 1993 and listed on the ASX in 1999, growing from a small Perth business into the third largest Internet Service Provider in Australia. The company now supports over 750,000 broadband, telephony and dialup services nationwide, with revenues of over \$400m, and proudly employs more than 1,300 people in Perth, Sydney, Auckland and Cape Town.

iiNet's goal is to lead the market with the best internet access products, then differentiate with genuine, plain speaking customer service. The company has its own high speed ADSL2+ network, the iinet network, reaching around 4 million households across Australia. iiNet also has the largest Voice over IP network in the country and is delighted to have led yet again with Naked DSL, recognised by PC User Magazine as the 2007 Product of the Year.

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