

# From the Fringes of Copyright Law: Examining California's "True Name and Address" Internet Piracy Statute

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## I. Introduction

As high-speed Internet connections have gained popularity, the illegal trading of copyrighted files has quickly become a major issue. Some studies estimate that almost twenty billion songs were illegally downloaded in 2005.<sup>1</sup> Although popular media services, such as Apple's iTunes store, now offer legal copies of songs and videos for download, many Internet users are still stealing copyrighted material.<sup>2</sup> The Recording Industry Association of America (RIAA), an organization representing a conglomerate of music labels in the United States, has been working to

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1. INT'L FED'N OF THE PHONOGRAPHIC INDUS., THE RECORDING INDUSTRY 2006 PIRACY REPORT 4 (2006), <http://www.ifpi.org/content/library/piracy-report2006.pdf>. A study also showed that major U.S. motion picture studios lost \$6.1 billion in 2005 to piracy worldwide. L.E.K. CONSULTING, THE COST OF MOVIE PIRACY 4 (2006), [http://www.fact-uk.org.uk/site/media\\_centre/documents/2006\\_05\\_03leksumm.pdf](http://www.fact-uk.org.uk/site/media_centre/documents/2006_05_03leksumm.pdf).

2. At MacWorld in Jan. 2008, Apple announced that it has sold four billion songs, 125 million TV shows, and 7 million movies since the launch of its iTunes store. Bryan Collins, *Apple Launches 'World's Thinnest Notebook'*, ELECTRIC NEWS, Jan. 16, 2008, <http://www.electricnews.net/article/10123732.html>. However, many services which offer infringing files, such as The Pirate Bay, are as well-known and perhaps even more popular than iTunes and other legitimate services. See, e.g., Dan Mitchell, *Pirates Take Sweden*, N.Y. TIMES, Aug. 19, 2006, at C5.