

Protecting Copyrights at the “Backbone” Level of the Internet

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I. INTRODUCTION

The survival of copyright in the digital age can only be assured through the implementation of technical measures to block infringements at the backbone level of the Internet. The music industry experience since the onset of Napster makes this clear. After major court victories,¹ a few judicial setbacks,² some aggressive electronic counter-

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¹ *Metro-Goldwyn-Mayer Studios, Inc. v. Grokster, Ltd.*, 545 U.S. 913 (2005); *A&M Records, Inc. v. Napster, Inc.*, 239 F.3d 1004 (9th Cir. 2001).

² *In re Charter Communications, Inc., Subpoena Enforcement Matter*, 393 F.3d 771 (8th Cir. 2005); *Recording Indus. Ass’n of America, Inc. v. Verizon Internet Servs., Inc.*, 351 F.3d 1229 (D.C.Cir. 2003); Patrick Van Eecke & Maarten Truyens, *EU P2P Trials Adrift*, J. IN-