

Media Release

For Immediate Release

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SIIA Continues Aggressive Online Piracy Fight with Its First-Ever Lawsuits for Infringement of Clip Art

17 New Copyright Infringement Cases Represent Industry's Latest Effort to Protect Consumers and Businesses

Washington, D.C. (April 8, 2009) The Software & Information Industry Association (SIIA), the principal trade association for the software and digital content industries, today announced the filing of 17 new online piracy lawsuits. Three cases in this new round of lawsuits represent SIIA's first-ever legal actions against graphics pirates, who illegally copied, altered and/or distributed copyrighted computer images commonly known as "clip art."

SIIA filed the graphics lawsuits on behalf of member company Imageline. The remaining 14 lawsuits were filed against various software sellers who illegally copied and sold SIIA member Adobe's products on eBay and Amazon.com.

"SIIA is making every effort in this challenging economic climate to protect the interests of both the software and graphics industries. When companies can't get due credit and compensation for their products, everyone loses – from individual consumers, to the economy as a whole," said Keith Kupferschmid, SIIA's Senior Vice President of Intellectual Property Policy & Enforcement. "These lawsuits have opened a new front in our anti-piracy fight. SIIA is not only pursuing illegal software sellers but is also bringing those who pirate other works such as computer graphics to justice."

"These latest lawsuits extend SIIA's industry-leading legal efforts to combat online piracy through both civil and criminal channels," said Scott Bain, Litigation Counsel for SIIA. "Defendants in these cases have deceived the public and hurt the software and computer graphics industries by distributing counterfeit products."

The following sellers were charged with copying and distributing Imageline's copyrighted vector-based graphics on eBay and iOffer, respectively: David Hendricks, Freedom Vending, Inc., Bellingham, Wash., (Seller IDs: "freedomvendinginc" and "davejr."); and Rudolph Goetze, Staten Island, N.Y. (Seller ID: "rudysoft"). Yury Mintskovsky, CD Earth, LLC in Plano, Texas, was charged with using www.cdearth.com and www.freesoftwarecd.net to illegally distribute Imageline's works.

The lawsuits charged all of the following with knowingly copying and selling Adobe software on Amazon.com: Dennis Michelson, Orlando, Fla. (Seller ID: "diem_enterprises"); Arsany Zaki, Jersey City, N.J. (Seller ID: "phelo"); Gary Tilley, Ararat, N.C. (Seller ID: "Dsupply"); Gracie Truesdell and B&G Marketing, Peshtigo, Wis. (Seller ID: "B&G Marketing"); and Imperium Saturn and John Doe, Pantucket, R.I. (Seller ID: "Imperium Saturn").

The following sellers were charged with knowingly copying and selling Adobe software on eBay: Margie Clark, Spring Lake, Mich. (Seller ID: "msmarymac41"); Brian Berry, Jackson, Miss. (Seller ID: "appearelguy"); David Jackson, Murrieta, Calif. (Seller ID: "davidj2644"); James Kern, Venice, Calif. (Seller ID: "jimmyjak7"); Hugo Galvez, Frisco, Texas (Seller ID: "leon_93"); Sherman Terry, Custom Access Inc., Covington, Ga., (Seller ID: "mikenichols112"); Ninna Kullkoskaya, Webster, N.Y. (Seller IDs: "ofixs," "dofixs" and "doforur"); Mitchell Reynolds, Creswell, Ore. (Seller IDs: "smartycat007" and "9423564"); and Michael Copenhagen, San Francisco, Calif. (Seller ID: "sonic-boom19").

To date, the SIIA program has led to judgments against and settlements with illegal eBay sellers as well as sellers on other websites dealing in counterfeit, OEM, unbundled, unauthorized education, and other illegal software. Damages paid by defendants have run as high as several hundred thousand dollars. SIIA has also successfully tracked and pursued the upstream sources of these products and, as necessary, pursued those suppliers, and in some cases criminal charges have been brought by the federal government.

The SIIA Auction Litigation Program aims to educate buyers and sellers on auction sites regarding the harms caused by illegal software. Among other things, sellers who knowingly sell illegal software can be prosecuted and buyers can be faced with viruses and no technical support. In addition to the auction piracy lawsuits, SIIA has also sought to protect legitimate sellers and unsuspecting buyers by publishing educational software buying guides for auction sites.

About SIIA

The Software & Information Industry Association (SIIA) is the principal trade association for the software and digital content industry. SIIA provides global services in government relations, business development, corporate education and intellectual property protection to 500 leading software and information companies. For further information, visit: www.sii.net

About SIIA Anti-Piracy

The Software & Information Industry Association's Anti-Piracy Division conducts a comprehensive, industry-wide campaign to fight software and content piracy. The pro-active campaign is premised on the notion that one must balance enforcement with education in order to be effective.

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