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Title: *Copyright holders and peer-to-peer network users: an uncompromised relationship?*

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The technological evolution of the recent years enabled the transmission of cultural works in a series of bits. Internet has created new practices such as file sharing through peer-to-peer networks which are nonetheless harmful for Intellectual Property Rights. Intellectual property content is digitized, compressed, downloaded, copied and distributed through the Internet all over the world. The tendency to share files in a digital form is massive enough to turn it to a social phenomenon.

The reproduction or distribution of Intellectual Property contents by peer-to-peer users without the prior consent of copyright holders can threaten creators' fundamental rights, raising political and legal uncertainties. But can these interests be compromised?

In this context, it would be interesting to look into the arguments and conflicting interests of each part in order to better understand the matter. More specifically, this paper examines the various forms of use of peer-to-peer networks and the reasons leading network users to downloading. Parallel to this, a short recall of creators' fundamental property rights (moral and patrimonial) will highlight the conflicting basis of this relationship. We will try then to analyze the consequences of this interaction. It is merely about an effort made by governments to tackle this issue through the introduction of strict legal measures (such as the *Hadopi Law* set by the French government) which may nevertheless undermine Internet users' privacy. Within this framework, it is also examined how the participation in file sharing via network activities - as a method of distributing cultural content - is condemned by courts in many parts of the world (USA, Europe) in view of Intellectual Property Law.