

Report title: Italian judges strike a new blow against Rojadirecta
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Introduction

The Court of Milan, Business Section, grants protection against the online infringement of copyright. The decision obliges an Internet Service Provider to prohibit access to a website and also to all its related domain names and IP addresses.

Article

The Court of Milan, Business Section, tightens its grip on piratical online streaming.

The decision was issued within the interim proceeding commenced by Mediaset, one of the major Italian broadcasting groups, seeking to obtain protection of its IPR rights over Series A and Champions League matches, systematically infringed by the “rojdirecta” portal.

In its landmark decision of 18 November 2015, the Court ordered a major Italian supplier of internet access to prevent all clients from logging on to the domain it.rojadirecta.eu, a web site that systematically pirates the copyright of Series A and Champions League matches, among others. Less than two months later, on 13 January 2016, the Court of Milan imposed further duties upon the same ISP (Internet Service Provider), specifically, that the ISP must also block all IP addresses related to the infringing website.

The Court ordered the ISP (here a telecommunication line controller company) to remove all sites named "rojadirecta", regardless of the country in which they are registered, setting a penalty of € 30.000 for each day of delay in complying. In a further provision issued on 13 January 2016, it also specified that the ISP must carry out any activity necessary to insure the banning of the infringing web site, both through related domain names and IP addresses. According to this decision, the ISP must immediately block access to those IP addresses listed in Mediaset's petition, as well as any others that are reported later on by the same IPR owner to the ISP. Through this decision, the Court of Milan established a higher degree of protection for copyrights, overcoming the traditional protection limited to DNS (Domain Name System) blocking. This improvement in the protection framework was found necessary due to the ease of bypassing a DNS block. So far, it has been simple to bypass such a block and several methods have been available (*i.e.* proxy web and Virtual Private Network (VPN) software). The additional block of other IP related addresses should considerably limit circumvention of the Court's decision and provide more secure protection of copyrights.

Through this order, the Court of Milan confirms its innovative and pragmatic approach in fighting online piracy.