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Kenyon & Kenyon

DoJ jubilant over first federal P2P convictions

The US [Department of Justice](#) has [announced](#) the first federal prosecutions with respect to criminal copyright infringement through peer-to-peer (P2P) file sharing on the Internet. The announcement came after William R Trowbridge and Michael Chicoine pleaded guilty to the charge of conspiracy to commit felony criminal copyright infringement in the US District Court for the District of Columbia. They are due to be sentenced on April 29.

This prosecution follows the government's concerted efforts to pursue copyright theft more vigorously. In August 2004 former US Attorney General John Ashcroft [announced](#) that the [Federal Bureau of Investigation](#) (FBI) had executed warrants as part of Operation Digital Gridlock - a crack down on the illegal distribution and reproduction of copyrighted works, particularly aimed at P2P file-sharing networks using [Direct Connect](#) software. This enables users to set up a computer server (ie, a hub), which operates and controls the network. The hub indexes the files that its users offer to share with other users. In addition, the hub leads a user searching for a particular file, for instance a song or movie, to a user that offers that file. The operators or moderators of a hub can select users and further create and enforce the rules under which users can join and use the hub.

Trowbridge, also known as 'Movieman', and Chicoine, whose alias was 'Achenon', owned and operated the Direct Connect hubs Movie@oom and Åçhènøñ's Ally™ respectively. Both hubs were part of the Underground Network, an international organized group of hubs using Direct Connect software to provide P2P users with access to other hubs. Through these hubs, users are able to reproduce and distribute copyrighted materials, such as pirated movies, software and music.

Using the name 'MovieDood', undercover FBI agents downloaded over 70 copyrighted works with a value of more than \$20,000 through Movie@oom and 35 copyrighted works worth almost \$5,000 through Åçhènøñ's Ally™. The two men now face:

- up to five years in prison;
- a fine of \$250,000;
- restitution to the victims; and
- the forfeiture and destruction of the infringing copies and all equipment used to manufacture those copies.

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