

Local Lawyer Joins Fight for Online Movies

Latest Web fight over copies of films

Kevin M. Williams, Staff Reporter

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Scour has joined Napster as a target of the entertainment industry.

Scour is a search engine for finding and sharing video, just as Napster allows sharing of music. Using a free program called Scour Exchange, computer users can search for multimedia files: pictures, music or video.

Scour has been sued in federal court in New York by three industry groups. The Recording Industry of America, Motion Picture Association of America, and the National Music Publishers Association say Scour knowingly helps its users find and exchange copyrighted material.

The Scour defense is led by Fred Bartlit of Chicago. His firm, Bartlit Beck Herman Palenchar & Scott LLP, was called "one of the nation's hottest legal boutiques" by the National Law Journal. Scour's roster of attorneys also includes Harvard Law professor Arthur Miller and Peter Toren, an author on intellectual property rights.

"We could not have better counsel to defend Scour's right to develop new technologies for the Internet," said Dan Rodrigues, Scour president.

Last month a federal judge ordered Napster to shut down, but that order was stayed temporarily by another federal judge. Legal arguments will begin Aug. 18.

Scour's Web address is scour.com. A search for the films "American Beauty" and "Gladiator" turned up a number of videos that could be downloaded and viewed--free.

But not instantly. Video files are much larger than music files. Downloading a video from Scour can take four or five times the length of the movie, depending on the computer user's connection speed.

People are doing it nonetheless, despite the practice's uncertain legality. Rodrigues said Scour complies with the "safe harbor" provision of the Digital Millennium Copyright Act of 1998 for search engines, which allows remedies for incidents of copyright infringement once the complainant notifies Scour of the violation.

"We've been 100 percent DMCA-compliant from Day One," Rodrigues said. "Legal compliance was integral with product development. We worked specifically with experts to design a service that is well within the law."

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First Napster. Now Scour. Movies have joined music in the court fight over online swapping of copyrighted material, with a Chicago lawyer leading the argument that sharing is not stealing.

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www.bartlit-beck.com

CHICAGO Courthouse Place, 54 West Hubbard Street, Suite 300 | Chicago, Il 60654 | T: 312.494.4400 | F: 312.494.4440
DENVER 1899 Wynkoop Street, Suite 800 | Denver, Co 80202 | T: 303.592.3100 | F: 303.592.3140