

Whose Property is Intellectual Property?
A Question of Dormitory Downloading

United States District Court for the District of

United States v. Luke Simmons
(Criminal Docket: 07-005)

Verdict

We, the jury in the above-entitled case, find the Defendant Luke Simmons, _____
(*guilty or not guilty*) of the offense of Criminal Copyright Infringement, a violation of
Section 506(a) of Title 17 of the United States Code, and Section 2319(a)(b)(2) of Title
18 of the United States Code, as charged in the indictment.

Dated _____.

Foreperson

(Names of Jurors)

(Names of Jurors)

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Questions to be Answered by the Jury

Answer “Yes” or “No” to the following questions. A “Yes” answer must be based on the standard of “beyond reasonable doubt.” If you do not find that a “Yes” answer is supported beyond a reasonable doubt, then answer “No.” The term beyond reasonable doubt is as defined in Charge Seven of the Jury Instructions. It is repeated below for your convenience:

It is not required that the government prove guilt beyond all possible doubt. The test is one of reasonable doubt. A reasonable doubt is a doubt based upon reasonable common sense—the kind of doubt that would make a reasonable person hesitate to act. Proof beyond a reasonable doubt, must, therefore, be proof of such a convincing character that a reasonable person would not hesitate to rely and act upon it in the most important of his or her affairs.

Question No. 1:

Did the Defendant Luke Simmons reproduce and distribute some 714 sound recordings and 54 motion pictures from various sources on the Internet without seeking permission from, or paying compensation to, the owner of the copyrights of these materials in violation of 17 U.S.C.A., SS506(a) and SS 18 U.S.C.A. SS2319 (a)(b)(2)?

Answer: **Yes** _____ **No:** _____

Question No. 2:

If the answer to the above question is “Yes,” did the Defendant Luke Simmons willfully infringe the aforesaid copyrights for private financial gain?

Answer: **Yes** _____ **No:** _____

