



it's always 
there.

Trends relating to use of P2P file-sharing systems

Peer-to-Peer File-Sharing Technology: Consumer Protection and Competition Issues
Federal Trade Commission

December 15, 2004

BayTSP overview

- Provides online intellectual property monitoring and enforcement services for the entertainment industry, software makers and Fortune 500 companies
- Monitor most popular peer-to-peer protocols, Usenet groups, IRC channels, public FTP sites and the Web for client content
- Captures IP address, infringing content, ISP, file-sharing app, date and time and inputs info into database
- Some clients use system to monitor piracy, others to act on it. System can send DMCA compliant “take down” notices and monitor for compliance



Scope of use

- 50 million to 60 million people have used P2P apps
 - Music downloading not viewed as theft
 - Movies, software, games still a sense they're illegal to download
- File trading is not on the decline
- New apps optimized for large file downloads - movies and software
 - Christina Aguilera song: 0 to 41,000 in 31 days
 - Angelina Jolie film: 0 to 6,000 in a weekend
- Movies appear online within hours of release
- VCDs - including cover art and subtitles - sold in stores within days of release



Top 10 movies available for download in November

ALL STUDIOS TOP 10 MOVIES

Current Month	Last Month	Theatrical Release	Title	Studio	Cases by Month			
					NOV	OCT	SEP	AUG
1	2	8/13/2004	Alien vs. Predator	Fox	34,733	35,842	22,572	12,145
2	14	6/25/2004	Fahrenheit 9/11	Lions Gate Films	33,582	25,421	24,947	25,731
3	5	5/7/2004	Van Helsing	Universal	32,368	32,933	30,535	30,457
4	1	6/18/2004	The Terminal	Dreamworks	31,091	40,415	23,708	13,716
5	7	5/19/2004	Shrek 2	Dreamworks	30,792	31,130	24,707	42,023
6	3	8/6/2004	Collateral	Paramount Pictures	30,102	35,452	17,953	9,619
7	8	9/10/2004	Resident Evil: Apocalypse	Sony Pictures	29,928	30,017	16,196	*
8	6	6/30/2004	Spider-Man 2	Sony Pictures	26,609	32,418	32,027	31,441
9	10	7/23/2004	Catwoman	Warner Bros	26,336	29,775	23,308	20,846
10	4	4/2/2004	Hellboy	Sony Pictures	24,883	33,455	29,944	22,606

* Information not available



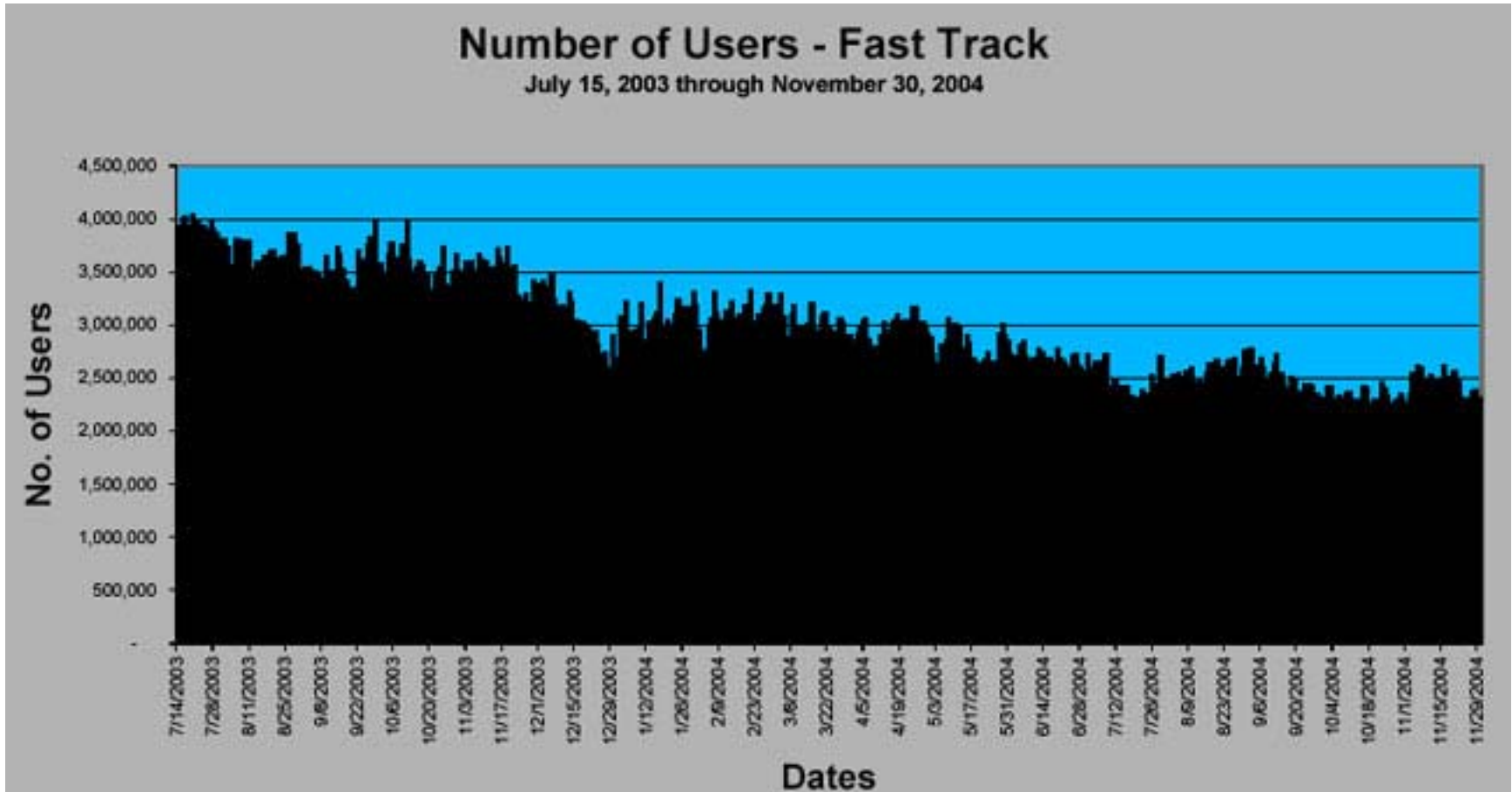
Top Software

November 1 to November 30 2004

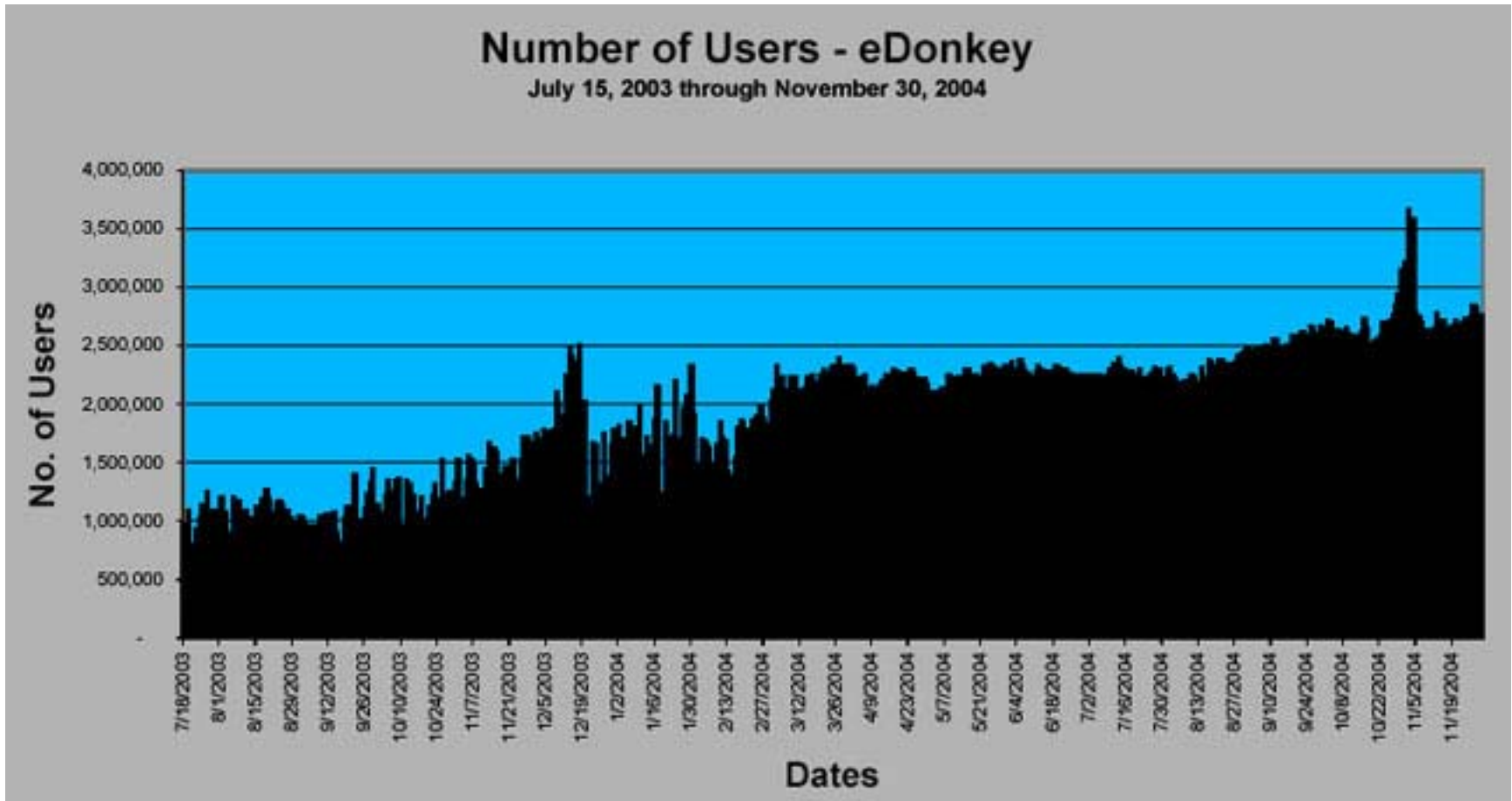
Rank	Software Title	Publisher	Total
1	Norton AntiVirus 2005	Symantec Corp.	40,592
2	Nero 6	Ahead Software	36,488
3	Norton SystemWorks 2005	Symantec Corp.	34,172
4	Photoshop CS	Adobe Systems	32,880
5	Office 2003	Microsoft	30,917
6	Acrobat 6.0	Adobe Systems	29,984
7	Microsoft Windows XP	Microsoft	28,874
8	Norton AntiVirus 2004	Symantec Corp.	27,925
9	Office XP	Microsoft	27,532
10	SUSE Linux 9.0	Novell, Inc.	25,471
11	Norton Internet Security 2004	Symantec Corp.	25,316
12	Norton Internet Security 2005	Symantec Corp.	24,281
13	Pinnacle Studio 9	Pinnacle Systems	23,594
14	Studio MX 2004	Macromedia	22,443
15	AutoCAD 2005	Autodesk	21,427



Fast Track on the decline



eDonkey - optimized for large file transfers



P2P trends

- 3 million to 5 million infringements of customer content daily and send out more than one million DMCA take down notices monthly.
- 85-90% non-recidivism rate among individuals who receive a take down notice
- TV pirates are unique in that they will share entire seasons of their favorite TV show and occasionally justify it by saying they are just making it available to people in foreign countries who can't otherwise watch it.

