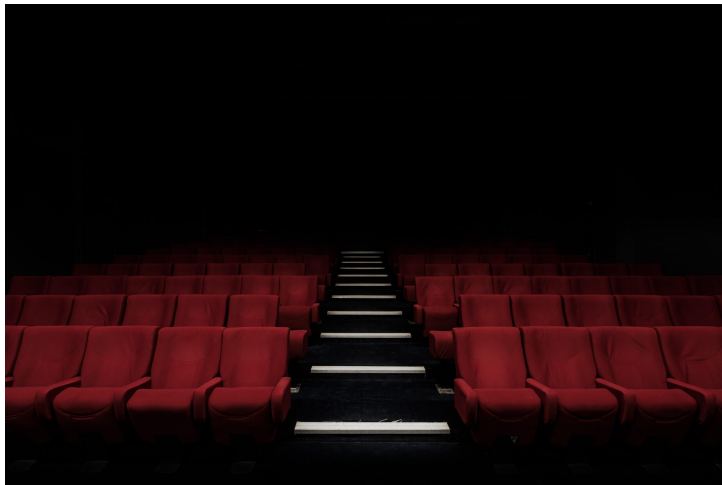


Kluwer Copyright Blog

English High Court issues blocking order targeting movie-hosting cyberlocker

Jeremy Blum, Andrew Butcher (Bristows LLP) · Wednesday, March 2nd, 2022

Readers of this blog will be familiar with the English High Court's strong track record in issuing injunctions to compel internet service providers ("ISPs") to block access to copyright-infringing websites. In the latest such order issued by the High Court (on 3 February 2022), one of the target websites was a cyberlocker hosting movies and TV shows. Whilst cyberlockers have previously been targeted by website blocking orders issued by the High Court, February's order is thought to be the first issued in the UK in relation to a cyberlocker hosting movies and TV shows rather than music.



There was no written judgment handed down but there is an order setting out the parameters of the blocking injunction.

A cyberlocker is a website which provides storage for digital files uploaded by users. Many cyberlockers are used by millions of individuals for entirely legitimate purposes. However, some are used to host infringing copies of copyright-protected content, with the content then being unlawfully made available to internet users all over the world (who can choose to stream and/or download the content).

The legal basis for website blocking orders in the UK is found in Section 97A Copyright, Designs and Patents Act 1988. Section 97A provides: "*The High Court...shall have power to grant an injunction against a service provider, where that service provider has actual knowledge of another person using their service to infringe copyright.*"

February's order was made against the UK's six main ISPs (including BT and Sky). As in previous similar cases, the ISPs neither consented to nor opposed the injunction application, but considered that it was appropriate for the High Court to determine the proportionality of relief sought by the applicants. The seven applicants for the injunction included movie distributors such as Warner Bros., in addition to Netflix and Sky UK (the latter therefore being both an applicant

and a respondent in the proceedings).

The two websites targeted by the blocking order are available at the domain names mixdrop.co and mixdrop.me. As there is no written judgment, we do not have details of the copyright infringements taking place via the relevant websites. However, the cyberlocker target, mixdrop.co, appears on its face to allow for lawful activities only. The website even has a copyright policy and its operators suggest they will voluntarily comply with the US Digital Millennium Copyright Act, meaning they will remove access to infringing content upon receiving written notice of the existence of such content on their service.

Notwithstanding the above, given the order, we can assume that in reality, mixdrop.co was hosting large quantities of infringing movie and TV content and failing to act on notices regarding the existence of that content on their service.

This case is a further demonstration of the English High Court's willingness to exercise its power under Section 97A, allowing rights holders to block access to infringing websites via action taken by ISPs rather than the infringers themselves.

To make sure you do not miss out on regular updates from the Kluwer Copyright Blog, please [subscribe here](#).

Kluwer IP Law

The **2022 Future Ready Lawyer survey** showed that 79% of lawyers think that the importance of legal technology will increase for next year. With Kluwer IP Law you can navigate the increasingly global practice of IP law with specialized, local and cross-border information and tools from every preferred location. Are you, as an IP professional, ready for the future?

Learn how **Kluwer IP Law** can support you.

79% of the lawyers think that the importance of legal technology will increase for next year.

Drive change with Kluwer IP Law.

The master resource for Intellectual Property rights and registration.



2022 SURVEY REPORT
The Wolters Kluwer Future Ready Lawyer
Leading change

This entry was posted on Wednesday, March 2nd, 2022 at 9:42 am and is filed under [Case Law](#), [Enforcement](#), [Infringement](#), [Remedies](#), [United Kingdom](#)

You can follow any responses to this entry through the [Comments \(RSS\)](#) feed. You can leave a response, or [trackback](#) from your own site.