

Publisher's Note

2018 — Release 5

Previous release was 2018-4

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Computer, Internet and Electronic Commerce Law

From a single volume as first published in 1989 to the present seven volumes of detailed, comprehensive coverage, this publication has become the foremost Canadian authority on the law of computers, the Internet and eCommerce and is frequently referred to and applied by the courts.

This release features updates to case law and commentary in chapters 3, Copyright Protection, and Chapter 11, Jurisdiction, Regulation and the Internet.

Highlights

- **Copyright Protection — Infringement of Copyright — Exceptions for Common Carriers, ISPs, Hosting Providers, and Search Engines** — Injunctions against intermediaries to combat illicit online filesharing has become commonplace internationally. Site blocking (or other online location blocking) for copyright purposes is available, for example, in EU/EEA member states (Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Norway, Portugal, Sweden, Spain, U.K., and the legal basis also exists in the other member states of the European Union based on Article 8(3) of

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the *Infosoc Directive* 2689), South America/Latin America (Mexico, Argentina), and Eurasia and Australasia (Australia, India, Indonesia, Malaysia, Russia, Turkey, Singapore, South Korea, Thailand). Secondary sources also suggest it may be available in Brazil, Chile, Peru, and Saudi Arabia.

- **Jurisdiction, Regulation and the Internet — Enforcements of Judgments, and Orders Obtaining the Identity of Wrong-doers, and Orders Against Intermediaries — Injunctions Against Intermediaries** — International courts, faced with challenges of enforcing rights online, have recognized that the Internet is not “a no law land”. Just as they adapted the law to deal with previous novel situations, so have the courts adapted the law to deal with Internet wrongs. These international courts have not only granted *Norwich* orders requiring ISPs and web site operators to provide information about their customers to enable litigation seeking redress for internet wrongs to be brought, they have also affirmed the courts’ jurisdiction to grant injunctive relief against ISPs, hosting providers and search engines, to assist in enforcing court orders and other rights against third parties.