

## RIAA vs. Joel Tenenbaum: \$675,000 P2P piracy verdict OK'ed

Federal Judge Nancy Gertner has signed off on a jury's damages award of \$675,000 for illegal file sharing. In her commentary, she excoriates Joel's defense for its behavior during the trial. In

By [Richi Jennings](#). December 8, 2009.

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### David Kravets wires the story:

A federal judge on Monday finalized a \$675,000 jury verdict against ... Joel Tenenbaum ... who went to trial after the [RIAA] sued him for file sharing. ... Tenenbaum was only the nation's second individual defendant not to settle.

...

U.S. District Judge Nancy Gertner ... also issued an injunction preventing the 25-year-old Boston University student from file sharing ... [but] declined an RIAA request to censor Tenenbaum's speech. ... Gertner also expanded on a pretrial ruling in which she declared Tenenbaum could not render a so-called "fair use" defense ... [writing] that Tenenbaum's version of fair use was "so broad that it would swallow the copyright protections that Congress created, defying both statute and precedent."

### Mike Albee adds detail:

The final judgment at the trial, \$675,000 against the young downloader, seemed both disappointing and ridiculously unwarranted to [his defense]. Judge Gertner signed off the jury's damage amounts, which means that Sony BMG is entitled to \$112,500, Warner Bros. gets \$225,000, Arista Records gets \$45,000, and Universal receives \$292,500.

...

The conclusion of the trial was predictable if you consider the other 30,000 cases. ... Powerful, multinational corporations dominate the music industry. These corporate titans brought Joel to court in hopes of settling for a large monetary penalty, which would then deter other college kids from downloading music.

