

# **Yeh Exhibit 145**

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Cyberlocker Ecosystem Shocked As Big Players Take Drastic Action

enigmax January 23, 2012 653 fileserve, MegaUpload



While the shutdown last week of Megaupload and the arrest of its founder and management team

was certainly dramatic, a situation of perhaps even greater gravity is beginning to emerge.

Over the past 48 to 72 hours, the operators of many prominent cyberlocker services have been taking unprecedented actions that can not simply be explained away by mere coincidence.

One of the key allegations is that between 2005 and mid 2011, Megaupload ran a program that rewarded users for uploading infringing material.

Although Megaupload stopped paying out rewards in July 2011, that didn't stop the site from getting raided.

Last evening Filesonic, a top 10 player in the file-sharing world with a billion pageviews a month, not only withdrew its affiliate rewards program, but also banned any third parties downloading files.

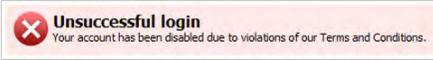
But according to reports, there's no guarantee of that. Account owners report that their files are being mass deleted, that's if their entire account hasn't been banned already.

Fileserve, another leading player, also ended its affiliate program this weekend. Additionally, this morning TorrentFreak received news that Fileserve has now joined Filesonic in banning all 3rd party downloads.



"I just paid for a premium account and can now only download my own fucking files an unlimited number of times," said one angry user.

Other users of Fileserve are experiencing an even further degraded level of service. Reports describe mass deletion of their uploads and the banning of accounts on apparent Terms of Service violations.



But the changes at these two services appears to be just the tip of a very big and very complex iceberg. Developments at other file-hosting services are widespread.

As previously reported, Upload.to banned all US IP addresses in what appears to be an effort to distance itself from US jurisdiction.

VideoBB and VideoZer have both reportedly closed their rewards program and according to reports have also been mass deleting accounts and huge numbers of files.

Other sites closing their affiliate programs and/or deleting accounts/files include FileJungle, UploadStation and FilePost.



Another interesting development involves so-called 'release blogs', sites that report on leaked material but either provide links to the material on cyberlockers or allow their users to do the same.

Do you know of other file-hosts/cyberlockers taking similar action? Send us your stories and screenshots to the usual address.

Update: Smaller host UploadBox calls it quits. "All files will be deleted on January 30th. Feel free to download the files you store with UploadBox until this date."

Update2: Another host, x7.to, shuts down.

Update 3: TorrentFreak has seen evidence that on request PayPal is refunding cash paid to Filesonic over the weekend.



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Dear affiliate member,

This notification has been sent to you because unfortunately our Affiliate Program will shut down in one week and since Feb 1, 2012 we terminate your partnership with [www.4shared.com](http://www.4shared.com). Within next 15 days we'll conduct a complete calculation with you and you'll receive a payment to your PayPal account.

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ah fk

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**Anon** 1 month ago in reply to Na

There is seemingly no limit to american greed and invasive legislation.

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**Bloblbsd** 1 month ago in reply to Anon

The US is like an oil spill on a pristine ecosystem. It kills everything it touches and covers the world in a dark, featureless ooze of despair and doo.

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**FrostyC** 1 month ago in reply to Bloblbsd

Anyone thought of the idea that the MAFIAA are in the background giving these sites exorbitant amounts of cash to shut down? And some see them shutting down, and Mega's situation, so they just follow suit?

I think Kim Dotcom knows they have nothing, and they just want to send a message. EVEN WITHOUT LAWS. WE WILL TAKE YOU FROM YOUR HOME. DESTROY YOUR BUSINESS AND THROW YOU IN JAIL. The big players "calling it quits" really makes the little guys scurry in worry of what might happen to them legally, but in reality "calling it quits" may just mean you don't need to do any business anymore because the MAFIAA just paid you off for life...

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**FrostyD** 1 month ago in reply to Bloblbsd

@FrostyC I think it's more of those sites receiving scary ass cease and desist letters from an army of trigger happy lawyers

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@FrostyD and FrostyC  
I would be more inclined to think it's site admins bailing on what is no longer a profitable business model.

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Filesonic Kills File-Sharing Service After Megaupload Arrests

enigmax January 23, 2012 502 filesonic, MegaUpload

To users of systems like BitTorrent, file-sharing means just that - the sharing of files with others.



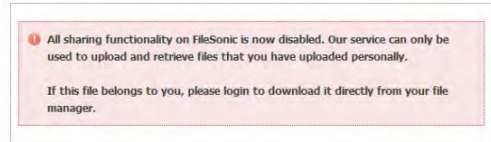
But this weekend users of Filesonic, one of the internet's leading cyberlocker services, sharing files is currently a thing of the past.

According to a shock announcement by the site, all file-sharing functionality has now been disabled, leaving current users only with access to files that they have personally uploaded.

But the bad news for the site's users doesn't end there. In the last few hours, before file-sharing was disabled, Filesonic also ended its rewards program, meaning that uploaders to the site no longer earn money when people download their files.

However, there is the matter of what will happen to the reward money that was sitting in uploader's accounts before the rewards program was discontinued.

No File-Sharing at Filesonic



This combination of news all adds up to a pretty big deal. Filesonic isn't just some also-ran in the world of cyberlockers.

While there has been no official explanation from the site as to why the above actions were taken, all eyes are turned towards events of the last week - the closure of Megaupload and the arrest of its founder and management team.

Like Megaupload, Filesonic appears to be based in Hong Kong and it's clear that the authorities there already worked with the US government to shut down Kim Dotcom's operations and seize his assets there.

In December, Filesonic announced it had partnered with Vobile, a provider of content identification services. All uploads to the service were said to be being checked for copyright infringement before users were able to share them publicly.

The events of the last week have turned the cyberlocker world upside down and there is quite literally panic among users and site operators.

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By Gillian Mohnhey

Jan 24, 2012 4:26pm

# File Sharing Sites Scatter after Megaupload's Shutdown

The federal shutdown of Megaupload has other file sharing sites scrambling to cut back on sharing content that could get them into legal trouble.

Torrentfreak.com, a blog that tracks various file sharing sites, has reported that at least nine different websites have made significant changes to the types of files users can upload. A few sites including Uploadbox.com and x7.to are in the process of shutting down entirely, while the website Uploaded.to has blocked all IP addresses originating from the U.S.

Peter Swire, a law professor from Ohio State University and cyber law expert, says that with the shutdown of Megaupload and the continuing discussion of proposed federal anti-piracy laws known as SOPA and PIPA has file sharing websites calculating what they can do to protect themselves from prosecution.

"With Megaupload, the sites have gone from cool to criminal all at once," said Swire. "Sites thought they were operating a [file sharing] site, now they might be operating a criminal site."

Many file sharing sites are also reportedly abolishing controversial "rewards" programs that give financial incentives to users who post the most downloaded content. A rewards program utilized by Megaupload was cited as proof that the company encouraged users to pirate copyrighted material.

"The copyright laws punish people who willfully contribute to copyright infringement," said Swire on the end of reward programs. "The new measures make it look less willful."

Aside from the digital changes, these websites might be making a few real world moves as well.

Swire believes that after the New Zealand government worked in tandem with the U.S. to take down Megaupload, other file sharing sites will look for countries where they can base their websites and remain safely exempt from U.S. prosecution.

A new file sharing site titled Anonyupload.com is purportedly based in Russia and the Ukraine. It is soliciting donations to buy servers and other equipment.

Aiming to follow in Megaupload's digital footsteps, the site's homepage put up the following statement in support of Megaupload's flamboyant owner, Kim Dotcom. "Thank you DotCom for the past years of services. We hope you'll be released as soon as possible. Try to not make that amount of money next time, and it should be alright."

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Most of the people who pirate stuff couldn't afford it anyway, so the "loss" of the content industry is bogus. Many poor students, for instance, can't afford fifty dollar programming books so they download them. We already have a huge disparity between smart people who are born to poverty and dumb ones who are born to wealth. New studies show there is less social mobility in America than most nations. An unforeseen and chilling effect will be greater wealth disparity when those who already can't afford much of an education, also can't access books they need to learn.

There is actually a need for the more shadowy side of things, rather than Prohibition. It serves the vast and increasing underclass that is kicked to the curb by our current dog-eat-dog crony capitalism.

POSTED BY: JIM MOONEY | JANUARY 24, 2012, 8:55 PM 8:55 PM

Isn't it amazing how the government doesn't even bother to try and hide the fact that it is the bought and paid for enforcement arm of the fascist corporations?

POSTED BY: FRED | JANUARY 24, 2012, 9:56 PM 9:56 PM

I believe that this is incredibly stupid. Shutting down Megaupload because it was possible to find copyrighted materials there is like shutting down new york city because you can find drugs there. And prostitutes.

POSTED BY: NOPA | JANUARY 25, 2012, 9:01 PM 9:01 PM

In a legal aspect Kim Dotcom and Megaupload, provided a service that's fit the people that used the service should be held responsible for their illegal content. I hope, the jury claims him not guilty, its not like he's there purposely uploading copyrighted content and distributing it.

POSTED BY: SAM | JANUARY 27, 2012, 6:38 PM 6:38 PM

And yet, 4 years later, we don't seem capable of prosecuting banks and their CEOs

POSTED BY: JAG | JANUARY 30, 2012, 10:48 AM 10:48 AM

I think the point in shutting down corporations should not be whether people are sharing stuff that may not be theirs, but if they are living flamboyant lives with tens of millions of dollars (no one can actually earn more than a million dollars a year, so they steal it). All these rich people should be taxed or put in prison. It's lack of tax revenues from them, and lack of laws to force them to pay fair wages and benefits that is the cause of the global economic depression.

POSTED BY: KASIA | JANUARY 30, 2012, 1:35 PM 1:35 PM

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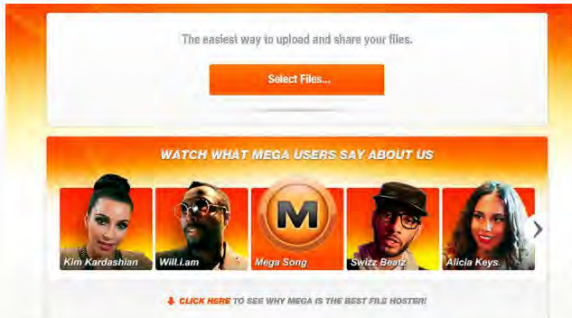
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# Megaupload case spurs other sites to step up anti-piracy enforcement

By **Kayla Stoner**, Special to CNN  
updated 7:54 AM EST, Wed February 8, 2012 | Filed under: Web



The Department of Justice accused Megaupload.com employees of breaking copyright law and trying to cover up their actions.

### STORY HIGHLIGHTS

- Third-party aggregate sites no longer link to Megaupload's video host, Megavideo
- The demise of Megaupload as a file-hosting option has made vetting pirated content more difficult
- RapidShare technicians type words like "movies, file download" into search engines

**(CNN)** -- When the Department of Justice shut down Megaupload.com last month, it wasn't just Megaupload users' files that went offline.

The move prompted changes in the way other file-hosting sites share content and shook up anti-abuse departments across the industry.

Since the federal crackdown, third-party aggregate sites no longer link to Megaupload's video host, Megavideo, which has also been shut down.

File host videobb did not respond to questions from CNN regarding its anti-abuse policies, but links to the site's content were noticeably absent from sites like Side Reel following Megaupload's shutdown. Direct links to videobb's movies and TV shows that were available less than a month ago are now gone.

The change suggests videobb is stepping up anti-abuse efforts in order to avoid the fate of Megaupload, a Hong Kong-based site which is accused of knowingly hosting illegally pirated material. It would be almost impossible for videobb to completely eliminate illegal content, but just the effort to do so may be enough to shield it from criminal charges.



Another file-sharing site, BTJunkie, voluntarily shut down Monday. The site's founder told TorrentFreak that recent legal action against Megaupload and other similar services was behind his decision.

The Department of Justice has accused Megaupload of willfully breaking copyright law and trying to cover up its actions by hiding illegal materials from the site's public page. Federal prosecutors said the company offered financial incentives for users to illegally upload movies and television shows. It also accused Megaupload officials of discouraging the legitimate use of the site for personal storage by deleting content that was not regularly downloaded.

The indictment alleges the company has denied copyright holders an estimated \$500 million and that those indicted have earned roughly \$175 million in the process. Attorneys for Megaupload have denied the charges.

A Department of Justice representative said in an e-mail the agency will only pursue cases like Megaupload's where there was "sufficient evidence of willful criminal conduct."

That means videobb will likely be safe from criminal charges as long as it continues removing illegal content from third-party aggregate sites. If other companies follow suit, the Justice Department will have accomplished what some have suggested was its primary goal -- making an example of Megaupload to convince other file hosts to step up anti-piracy enforcement.

However for some, the elimination of Megaupload as a file-hosting option has made vetting pirated content more difficult.

Daniel Raimer, a spokesman for Switzerland-based file host RapidShare, said the company's anti-abuse department has been working overtime since the day last month when Megaupload went offline. The workload is not caused by an increased emphasis on removing copyrighted material, he said, but is necessary to vet a massive influx of files from new customers -- Megaupload's customers.

Raimer said the company has not made any changes or improvements to its anti-abuse policies in the wake of the Megaupload scandal. He said it wasn't necessary because RapidShare was already among the toughest in the industry.

RapidShare has a three-strike policy for copyright offenders, after which the site deletes users' accounts and all of their files, a tactic which has proved unpopular with ousted users.

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"There's some trash talk online, but we're not sad about those comments," Raimer said. "We like bad press from pirates."

RapidShare uses a variety of technical tools to catch abusers, but the site also uses a basic search method identical to what might be employed by any home user. Raimer said RapidShare technicians type words like "movies, free download" into search engines to look for illegal movie and TV show downloads on the site.

The process can be tedious for the 17-person team. While they comprise nearly a third of RapidShare's staff, Raimer said it is impossible for them to check each of the 400,000 files uploaded to RapidShare each day. He estimates about 5 percent of all files are illegal, but his team can only catch and delete about 1 percent of all uploaded files.

Raimer said it has been even more difficult to keep up with incoming content since Megaupload's shutdown because of all the new customers. However despite the increased difficulty, he said RapidShare's commitment to legitimate file-hosting remains the same. Raimer said RapidShare wants to ensure its new customers understand its business model.

"We don't provide any incentive to upload illegal content," he said. "We are determined to show them we don't tolerate that."

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[cjkira7168](#)

As mentioned plenty of times, most of these sites are just blocking U.S. IP addresses and the U.S. users are just accessing them via proxy. Not much has changed with the exception of file sharers taking an extra step (which amounts a few more seconds) in obtaining the content.

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Crap it is huimmm...Oh wait that was back on the Star Wars Episode one story. Crap Rapidshare is huimmm

3 weeks ago

Like



[Jon Wax](#)

really? its that hard to figure out? cmon...it's pretty simple to me. You wanna be online? cool... get rid of the anonymity, only when people think no one is watching do they behave like this. same thing with everything else trolling, racism, etc. the only reason people do this stuff is because you have to go after fakescreenname@whatever.com. and that right there is the problem. if the internet wasn't a haven for anonymous cowards, then most of these problems would go elsewhere. they wouldnt stop but they wouldnt be here. so really the best idea is to push for non-anonymous internet useage. Kinda like how im posting this under my real name... Peace

3 weeks ago 4 Likes

Like



[MikeDUtah](#)

Now, all that's needed is your ss# and you'll have a safe internet.

3 weeks ago in reply to Jon Wax 4 Likes

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[metallhd](#)

yawn