7 August 2012

Mr Jeremy Visser

BY EMAIL: jeremy@visser.name

Dear Mr Visser,

Python-iView

We act for the Australian Broadcasting Corporation (**ABC**).

The ABC has become aware that you have developed and are distributing a software application called Python-iView at https://jeremy.visser.name/2009/08/python-iview/ that allows users to permanently download and store television programs streamed via the ABC iview service, and to play back such programs in other media players.

We appreciate your enthusiasm and support for the ABC iview service. However, we wish to draw your attention to the ABC iview Terms of Use available on the ABC iview website:

1. All intellectual property rights in the program content made available via iview are reserved to the ABC and its licensors. It is a breach of the Terms of Use to permanently download and reproduce such ABC content, and to display such ABC content by means other than in ABC iview, without obtaining the ABC's permission.

2. It is a breach of the Terms of Use to adjust or circumvent, or try to adjust or circumvent, digital rights management security and technical protection measures used by ABC iview to protect ABC iview content from unauthorised access.

We are concerned that you may not be aware that, in developing and making the Python-iView application available to users, you are authorizing the infringement of the ABC's copyright in ABC iview content in breach of section 101(1) of the *Copyright Act 1968* by providing the means to allow such users to permanently download and store ABC iview content without permission.

Furthermore, we note that the Python-iView application appears to utilise technical means to circumvent digital rights management security and technical protection measures used by ABC iview to protect ABC iview content from unauthorised access. Consequently, you may be in breach of section 116AP of the *Copyright Act 1968* by offering to the public a circumvention service for technological protection measures implemented in respect of ACB iview content.

We are also concerned that, given you are not associated with the ABC and have not been authorised to develop or distribute the Python-iView application using the ABC iview name, the Python-iView

application may mislead users into assuming that the ability to permanently download and store ABC iview content is a feature authorised by the ABC or other rights holders.

We hope you will appreciate that the ABC considers it important to protect its intellectual property rights and the valuable reputation of its brands associated the services it provides to the public. Accordingly, the ABC requests that, as soon as practicable, you cease distributing or making available the Python-iView application on your website or any other site.

The ABC reserves its rights. We hope that we can resolve this matter with you by Friday, 17 August 2012 to avoid any need to take further action.

Yours faithfully,

Jeremy Storer
Senior Lawyer
ABC Legal & Business Affairs