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# RIAA Monetary Recoveries in Illegal Downloading Cases Pale in Comparison to Legal Fees Paid

**Keywords**

Illegal downloading, Legal fees, Recording Industry Association of America ("RIAA")

# RIAA Monetary Recoveries in Illegal Downloading Cases Pale in Comparison to Legal Fees Paid

By Ashley Kobi

*This piece was originally featured as a blog post at [www.ipbrief.net](http://www.ipbrief.net). The AU Intellectual Property Brief provides daily content on hot issues, breaking news, and trends within intellectual property law worldwide.*

According to documents posted by p2pnet blog, the Recording Industry Association of America (RIAA) has recovered a very small amount in damages in comparison to the millions they have spent in legal fees. The RIAA paid more than \$17 million in attorneys' fees in 2008 alone and they only recovered \$391,000. Recording Industry vs The People and ITProPortal, noted that \$9.36 million went to Holme Roberts & Owen, \$7 million went to Jenner & Block, and \$1.25 million went to Cravath, Swaine & Moore to pursue copyright infringement claims in 2008.

This outflow of cash was not new to the organization; in 2007 the RIAA spent \$24.5 million and recovered only approximately \$500,000 in connection with copyright infringement claims. In 2006, the RIAA spent over \$19 million in legal fees and recovered \$455,000. So, over a three year period the organization spent more than \$60 million and recovered less than \$1.5 million.

Although the documents posted on p2pnet blog further call into question the effectiveness and success of the RIAA's aggressive litigation strategy to combat copyright infringement, the RIAA has staunchly defended its expenditures for copyright infringement claims. Jonathan

Lamy, the senior vice president for communications for the RIAA, pointed out to the ABA Journal that victories are not always measured in dollars and cents and that the organization's "anti-piracy efforts are primarily designed to foster a respect for the rights of creators." The idea is to raise awareness so fans will buy their music from legitimate platforms. "And on that count," he says, "we think our efforts have made a real difference." In addition, Lamy pointed out that litigation often spans more than one year, so legal fees spent during one year can often result in later victories.

