

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

METRO-GOLDWYN-MAYER STUDIOS,
INC.; COLUMBIA PICTURES
INDUSTRIES, INC.; DISNEY
ENTERPRISES, INC.; PARAMOUNT
PICTURES CORPORATION; TWENTIETH
CENTURY FOX FILM CORPORATION;
UNIVERSAL CITY STUDIOS LLP, f/k/a
UNIVERSAL CITY STUDIOS, INC.; NEW
LINE CINEMA CORPORATION; TIME
WARNER ENTERTAINMENT COMPANY,
LP; ATLANTIC RECORDING
CORPORATION; ATLANTIC RHINO
VENTURES, INC., d/b/a Rhino
Entertainment, Inc.; ELEKTRA
ENTERTAINMENT GROUP, INC.;
LONDON-SIRE RECORDS, INC., LP;
WARNER BROTHERS RECORDS, INC.;
WEA INTERNATIONAL INC.; WARNER
MUSIC LATINA, INC., f/k/a WEA
Latina, Inc.; ARISTA RECORDS, INC.;
BAD BOY RECORDS; CAPITOL
RECORDS, INC.; HOLLYWOOD
RECORDS, INC.; INTERSCOPE
RECORDS; LAFACE RECORDS;
MOTOWN RECORD COMPANY; RCA
RECORDS LABEL, a unit of BMG
Music d/b/a BMG Entertainment;
SONY MUSIC ENTERTAINMENT, INC.;

No. 03-55894
D.C. No.
CV-01-08541-SVW

UMG RECORDINGS, INC.; VIRGIN
RECORDS AMERICA, INC.; WALT
DISNEY RECORDS, a division of
ABC, Inc.; ZOMBA RECORDING
CORP.,

Plaintiffs-Appellants,

v.

GROKSTER LTD.; STREAMCAST
NETWORKS, INC., f/k/a
Musiccity.Com, Inc.,

Defendants-Appellees,

and

SHARMAN NETWORKS LIMITED; LEF
INTERACTIVE PTY LTD.,

Defendants.

JERRY LEIBER, individually d/b/a
Jerry Leiber Music; MIKE STOLLER,
individually and d/b/a Mike Stoller
Music; PEER INTERNATIONAL
CORPORATION, PEER MUSIC LTD.,
SONGS OF PEER LTD.; CRITERION
MUSIC CORPORATION; FAMOUS
MUSIC CORPORATION, BRUIN MUSIC
COMPANY; ENSIGN MUSIC
CORPORATION; AND LET'S TALK
SHOP, INC., d/b/a Beau-DI-O-DO
Music, on behalf of themselves
and all other similarly situated,

Plaintiffs-Appellants,

v.

CONSUMER EMPOWERMENT BV, aka
Fasttrack; SHARMAN NETWORKS
LIMITED; LEF INTERACTIVE PTY
LTD.,

Defendants,

and

GROKSTER LTD.; STREAMCAST
NETWORKS, INC., f/k/a
Musiccity.Com, Inc.,

Defendants-Appellees.

No. 03-55901

D.C. No.
CV-01-09923-SVW

METRO-GOLDWYN-MAYER STUDIOS, INC.; COLUMBIA PICTURES INDUSTRIES, INC.; DISNEY ENTERPRISES, INC.; PARAMOUNT PICTURES CORPORATION; TWENTIETH CENTURY FOX FILM CORPORATION; UNIVERSAL CITY STUDIOS LLP, f/k/a Universal City Studios, Inc.; NEW LINE CINEMA CORPORATION; TIME WARNER ENTERTAINMENT COMPANY, LP; ATLANTIC RECORDING CORPORATION; ATLANTIC RHINO VENTURES, INC., d/b/a Rhino Entertainment, Inc.; ELEKTRA ENTERTAINMENT GROUP, INC.; LONDON-SIRE RECORDS, INC., LP; WARNER BROTHERS RECORDS, INC.; WEA INTERNATIONAL INC.; WARNER MUSIC LATINA, INC., f/k/a WEA Latina, Inc.; ARISTA RECORDS, INC.; BAD BOY RECORDS; CAPITOL RECORDS, INC.; HOLLYWOOD RECORDS, INC.; INTERSCOPE RECORDS; LAFACE RECORDS; MOTOWN RECORD COMPANY; RCA RECORDS LABEL, a unit of BMG Music d/b/a BMG Entertainment; SONY MUSIC ENTERTAINMENT, INC.; UMG RECORDINGS, INC.; VIRGIN RECORDS AMERICA, INC.; WALT DISNEY RECORDS, a division of ABC, Inc.; ZOMBA RECORDING CORP.,

Plaintiffs-Appellants,

v.

No. 03-56236
D.C. No.
CV-01-08541-SVW
ORDER

GROKSTER LTD.; STREAMCAST NETWORKS, INC., f/k/a Musiccity.Com, Inc., <i>Defendants-Appellees.</i>
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On Remand from the United States Supreme Court

Filed August 15, 2005

Before: Robert Boochever, John T. Noonan, and
Sidney R. Thomas, Circuit Judges.

COUNSEL

Russell J. Frackman and George M. Borkowski, Mitchell Silberberg, et al., LLP, Los Angeles, California, for plaintiffs-appellants Metro-Goldwyn-Mayer Studios, Bad Boy Records, Capitol Records, Inc., Hollywood Records, Inc., Interscope Records, Laface Records, Motown Record Co., RCA Records Label, Sony Music Entertainment, Inc., UMG Recordings, Inc., Virgin Records America, Inc., Walt Disney Records, Inc., and Zomba Recording Corp.

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Roderick G. Dorman, Hennigan, Bennett & Dorman, LLP, Los Angeles, California, for amicus Sharman Networks Ltd.

ORDER

In conformance with the mandate of the Supreme Court, we remand this case to the district court for further proceedings consistent with the opinion of the United States Supreme Court. *See Metro-Goldwyn-Mayer Studios Inc. v. Grokster, Ltd.*, 125 S. Ct. 2764 (2005).

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