

**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

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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.

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**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.

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### 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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