



*Office of the United States Attorney  
District of Arizona*

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## **PRESS RELEASE**

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**FOR IMMEDIATE RELEASE**  
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# **VALLEY MAN INDICTED IN INTERNATIONAL SOFTWARE PIRACY SCHEME**

**PHOENIX, ARIZONA** -- The United States Attorney's Office for the District of Arizona announced that on November 25, 2003, a federal Grand Jury sitting in Phoenix returned an Indictment against KIRK PATRICK ST. JOHN, 34, most recently of Gilbert, Arizona, for his involvement in an international computer piracy organization which stole thousands of commercial software products before their release to the public, stripped them of their copy protection, and then made them available for mass "bootleg" copying.

According to the Indictment, ST. JOHN, who went by the internet screen name "thesaint," was associated with the "warez" (pronounces "wears") group known as "DrinkorDie," a large association of hackers and other internet software pirates located throughout the United States and in several foreign countries, including Russia, Israel, Brazil and western Europe. "Warez groups" are organizations that are formed to steal and make available to their members and others all commercial software of value, including computer and video games, application and utility programs, music albums and motion pictures. The term

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“Warez” refers to software that has had all copy protection removed, and is therefore available for unlimited copying, free of charge, in violation of the software owner’s or publisher’s copyright.

ST. JOHN’s provided DrinkorDie with a “candy store” or “leach site,” a large computer server with a high-bandwidth internet connection, upon which DrinkorDie uploaded and stored several thousand “warez,” which he then made available for high-speed downloading by all DrinkorDie members and affiliates, and anyone else to whom ST. JOHN allowed access. According to the Indictment, ST. JOHN operated this candy store—identified to users on the internet as “Godcomplex”—from his place of employment, an internet service provider located in Phoenix, from at least November, 2000, through November, 2001, when he moved the server and internet connection to his Gilbert residence.

The server operated by ST. JOHN was one of several “candy stores” in the DrinkorDie network, all of which together made available tens of thousands of copyrighted movies, songs, computer games and other programs for illegal copying at any given time. An analysis of the download logs from the “Godcomplex” server operated by ST. JOHN indicated that the free copies of software that were made from “Godcomplex” during its last six months of operation alone resulted in a loss in retail sales to stores, software publishers, record studios, movie theaters and DVD distributors of at least several hundred thousand dollars.

An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

ST. JOHN was charged with one count of violating Title 18, United States Code, Section 371, Conspiracy to violate federal criminal copyright laws, and one count of violating Title 18, Section 2315, Possession of Stolen Property. The charges could bring a maximum penalty of five and ten years imprisonment, respectively, as well as up to a \$250,000 fine.

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The investigation preceding the indictment was conducted by agents of the United States Bureau of Immigration and Customs Enforcement (“ICE”), formerly known as the U.S. Customs Service, as part of an international coordinated sweep known as “Operation Buccaneer,” which targeted members of DrinkorDie and several other prominent “warez groups.” The prosecution is being handled by Assistant United States Attorney John J. Tuchi of the United States Attorney’s Office, District of Arizona, Phoenix, Arizona.

CASE NUMBER: CR-03-1205-PHX  
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