



ICPS

INTERNATIONAL CONTENT PROTECTION SUMMIT
18–19TH OCTOBER, 2018 WARSAW, POLAND



Association
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Ladies and Gentlemen,

We are pleased to present you with a brochure summarizing the International Content Protection Summit Warsaw 2018, held on 18–19 October 2018 in Warsaw. The Summit was organized by Sygnał Association with the support of the European Union Intellectual Property Office.

Such an important event dedicated to international aspects of the fight against Internet piracy has been unprecedented in this part of Europe. The fact that the leading European and non-European experts in the field of intellectual property protection turned their eyes to Poland is particularly important, given that Poland is on the top of the list of countries with the highest piracy rates.

The programme of the event gave the participants an opportunity to learn more about the current situation in the Polish market, brought an overview of the CEE market condition, allowed to assess particular issues from a global and European perspective, but also focused on cross-sectional issues.

The focus of the discussions was primarily on challenges related to online content theft. The participants pointed to the international and increasingly global nature of this type of crime. New technologies employed for the purpose of illegal distribution and virtual methods of payment make it necessary to reach for developing new preventive and counteracting measures. Another challenge for the European market is that despite the adoption of Directives defining mechanisms protecting copyright content, not all countries have fully implemented their provisions. This, in turn, leads to important cross-European discrepancies in the level of protection of content against theft.

Moreover, the Conference gave an opportunity to seek for new sources of inspiration and have a closer look at actions and initiatives taken by particular governments and organizations from different countries. The representatives of law enforcement agencies demonstrated how to effectively fight against international cybercriminals. The discussed initiatives related to blocking access to illegal website and dismantling their business models prove that it is possible to effectively reduce the activity of pirate websites and services.

The Summit was attended by experts from many countries, including: UK, Belgium, Denmark, France, Spain, the Netherlands, Latvia, Germany, Poland, Russia, Serbia, Switzerland, Ukraine, Italy, United Arab Emirates and United States of America. They are representatives of companies and institutions involved in the protection of intellectual property and the fight against online piracy, including broadcasters, producers and distributors of audiovisual content, local and international media and film market organizations and associations, experts from public administration and law enforcement agencies.

The International Content Protection Summit is not just a conference on sharing knowledge and best practices. It is a milestone on the way to creating an international front against the theft and illegal distribution of audiovisual content on the Internet. As a result of two-day discussions, presentations and workshops, the participants agreed that there is a need to establish constant international cooperation. This conclusion led to the adoption of the “Warsaw Declaration”, an agreement of mutual cooperation in the future.

Enjoy your reading!

Teresa Wierzbowska
President of the Board
Sygnał Association



Ladies and Gentlemen,

There can be no doubt that piracy is a major issue that we are facing as a society today. A 2017 study by EUIPO on the perception European citizens have on intellectual property shows that 10% of citizens intentionally accessed digital content from illegal online sources. In the age bracket of 15 to 24 year olds, that figure rises to 27%.

EUIPO is currently running a study to try quantify the extent and the impact of IP infringement of digital content such as music, film and TV series. The business models used by infringers online are equally important to study; in the third instalment of its series of studies on infringing business models, EUIPO is currently looking into illegal streaming of audio-visual content. The results will be available in the course of 2019.

A crucial factor in combatting piracy is the cooperation between different stakeholders. A 2016 EUIPO study detailed a number of voluntary cooperation practices. EUIPO is also involved in measuring the KPIs of the Memorandum of Understanding on the sale of counterfeit goods via the internet, facilitated by the European Commission under its “follow the money” strategy.

The involvement of intermediaries in these voluntary practices is absolutely crucial. EUIPO has started a new workstream of the Observatory looking particularly at intermediaries. Amongst other aspects, a study will detail the characteristics and distribution of counterfeit products and pirated digital content via social media.

An additional aspect that should be taken into consideration when discussing piracy is that citizens do not necessarily wish to access content from illegal sources. According to the 2017 EUIPO IP perception study, 83% would prefer to use an affordable legal option over an illegal one. Moreover, a significant percentage is confused about whether the content they are accessing comes from a legal source or not. To address this issue, EUIPO, together with national partners, has created “Agorateka”, the European online content portal, which brings together national portals to help lead citizens to legal offers for digital content. Almost 20 European countries already participate in this initiative.

In conclusion, looking at piracy it is important to understand the extent of the issue, the business models involved and, in the context of addressing it, for example, at voluntary cooperation, involving intermediaries, and at the development of technologies. But it is also important to remember that a significant part of citizens wish to identify and access content from legal sources and it is therefore important to help them find such sources.

Alexandra Poch

Deputy Director

European Observatory on Infringements of Intellectual Property Rights

EUIPO



INTERNATIONAL CONTENT PROTECTION SUMMIT

The Warsaw Declaration

THE RESULT OF THE CONTENT PROTECTION SUMMIT WAS THE ADOPTION OF THE WARSAW DECLARATION, EXPRESSING WILL OF COOPERATION CONFIRMED BY 35 ORGANIZATIONS.

Bearing in mind the current worldwide scale of intellectual property rights infringement on the Internet and its negative impact on creative sectors and the economies of many countries, there is a growing need to tighten effective international cooperation in combating online piracy, so that we can draw on the experience and best practices of organizations, government bodies and the private sector entities from various parts of the world.

The participants of the International Content Protection Summit Warsaw 2018, held by Sygnal Association and supported by EUIPO, hereby acknowledge and understand the need for regular international involvement of major stakeholders. With this Summit they wish to initiate a process for ongoing global cooperation of anti-piracy organizations, based on exchange of experiences at the international level in order to develop and promote efficient methods of counteracting Internet piracy, including effective legal solutions, actions based on the “follow the money” approach, and various educational initiatives, being some of the most effective means of tackling online piracy.

By adopting this course of action, the participants of the Summit hope to contribute to reinforcing the global anti-piracy coalition and increasing the awareness of the adverse effects and negative impact of piracy on the global economy among decision-makers, opinion leaders, media and society as well as to persuading them to commit to counteracting international theft of audio-visual content and protecting intellectual property rights.

The document does not impose any financial responsibilities on the signatories: it is solely a declaration of cooperation between stakeholders and entities concerned with the mission and objectives of this memorandum. The cooperation is of voluntary character and does not involve providing confidential information by signatories; it communicates readiness to intensify cooperation and to undertake joint actions.

“The Warsaw Declaration” is a general memorandum of cooperation in the future, accepted by the participants of the International Content Protection Summit held on 18th and 19th October 2018 in Warsaw. The meeting gathered more than 100 participants from organizations, institutions and companies from across the continent, in particular EU countries, who are involved in the protection of intellectual property and the fight against Internet piracy on a daily basis. The group includes the representatives of broadcasters, content developers and distributors as well as the representatives of organizations and associations from individual non-European and European markets and public administration, Europol, law enforcement agencies, businesses and the media:

A+E Networks	International Federation of the Phonographic Industry (IFPI)
Anti-Piracy Protection	ITI Neovision
Association “For Legal Content!”	Creative Poland Association
Association of Commercial Television in Europe (ACT)	LaLiga
Audiovisual Anti-Piracy Alliance (AAPA)	Motion Picture Association EMEA
BBC Studios	NAGRA/Kudelski Group
BREIN Foundation	NBCUniversal International
CANAL+ Group	OSN
NDS	RettighedsAlliancen
Clear Sky Initiative	Sky Deutschland
Cyfrowy Polsat	Sky Italia
Discovery	Sygnal Association
Federation Against Copyright Theft (FACT)	TeRaPro
Federazione per la Tutela dei Contenuti Audiovisivi e Multimediali (FAPAV)	The Spanish National Police
Group-IB	TVN
Guardia di Finanza	TVP
HBO Europe	United Media
	Warner Bros. Entertainment



Effective fight against piracy requires taking action in many areas at the same time – noted Teresa Wierzbowska

International Content Protection Summit: a Summary

“Piracy is currently a highly profitable undertaking with a complicated network of relations. There is a proof of its connections to other types of crime. The alarming figures concerning the scale of theft and illegal trade of audio-visual content are a motivating factor to take action. Holding the first international meeting on combating piracy in our region was aimed at underlining the value of experience sharing and the necessity of cooperation between organizations, institutions and governmental bodies as well as businesses from various countries”, commented Teresa Wierzbowska, the President of the Management Board of Sygnal Association.

The conference was attended by 120 representatives of organizations, institutions and companies from Europe and other continents, including Belgium, Denmark, France, Spain, the Netherlands, Latvia, Germany, Switzerland, Russia, Serbia, Ukraine, Great Britain, Italy, the United Arab Emirates and United States.

Renowned experts dealing with intellectual property protection, lawyers, specialists fighting cybercrime, practitioners responsible for combating piracy, affiliated with media companies and with companies creating and distributing video content met in Warsaw to participate in the Summit. Among them were

also representatives of offices, organizations and associations, law enforcement agencies, business organizations and the media.

The speakers and the participants of the event discussed the scale of piracy in individual countries as well as the currently applied measures aimed at preventing cybercrime. They shared experiences, discussed examples of international operations as well as legal and operational aspects of their activities. The second day of the Conference was a setting for closed-door discussions. The experts discussed the best practices related to combating piracy as well as the possibilities and prospects of strengthening international cooperation.

Online piracy remains a great challenge to the media industry. However, the experience gained during the recent years shows that although pirates are constantly reaching for the cutting-edge technological solutions, new ways of combating illegal distribution of content continuously emerge. Currently, the most efficient methods include cooperation with the advertising market and payment providers, blocking illegal websites as well as complete implementation of the European Directives. All the participants agreed that in the era of the ongoing globalization of cybercrime, international cooperation becomes more important than ever.



Discussions on the fight against piracy were held also during breaks

CHALLENGES

The biggest current challenges of the creative market, related to piracy, are the increasing global reach of cybercrime, new technologies used for illegal distribution of content (for example, IPTV), the use of cryptocurrencies as a new payment method as well as the consequences of the lack of a uniform European law and incomplete implementation of individual directives in certain countries.

The complexity of the IPTV technology and the associated threats and challenges were pointed to by Chris Le Maitre, Director Operations at Cisco's Operational Security Group representing Audiovisual Anti-Piracy Alliance (AAPA) and Anna Zhang, Content Security Director, Anti-Piracy Protection.

The speakers pointed to the profitability of illegal content distribution on the Internet. Igor Stolyarov, Head of Global Development for Brand Protection and Anti-Piracy, Group-IB, noted that the owners of illegal websites gain profits without incurring any costs related to content purchasing or producing and they use legal loopholes to continue their activity.

"For every dollar lost because of criminal activity there is a dollar less to invest and without investment our industry faces a difficult future", reminded Mr. Verma, Senior Legal Counsel at OSN.

Individual markets differ in terms of share of various forms of piracy. "In Poland, where the greatest diversity and very high profitability are observed, streaming is the most popular form of piracy. The same goes for Hungary. In turn, the Czech Republic and Slovakia excel in file hosting and link farms", explained Mr. Marcin Przasnyski, Managing Director at Anti-Piracy Protection, representing the Creative Poland Association. He also drew attention to the low awareness of the problem among users of illegal websites. He cited a study prepared in 2018 by GfK for EUIPO, which shows that downloading audio-visual content from illegal websites is a standard practice throughout the region.

The speakers confirmed many Europeans still believe that there is nothing wrong in using infringing websites. "That is why education and consumer-focused activities are so important", noted Mr. Trevor Albery, Vice President, Strategy & Operations, EMEA Content Protection & Analytics at Warner Bros. "We are trying to make piracy less attractive to consumers and convert the consumption of this content into legal sources", he explained.



Anna Stoboda, Sygnaf Association and Addy Verma, OSN



The Conference gave rise to many talks

HOW TO COMBAT ONLINE PIRACY?

The presentations prepared by the participants proved that the aim of pirate services is not to fight for freedom of expression or making protected content more accessible, but rather to maximise financial profits from illegal, and often low-cost, activity, which often hides other criminal operations. “The EU citizens and policymakers should be aware of this, especially in the context of the current negotiations on the modernisation of copyright law, and in particular on Article 13 of the draft directive”, stressed Agnieszka Horak, Director of Legal and

Public Affairs, Association of Commercial Television in Europe, ACT.

In order to combat online piracy, a number of various actions must be taken. Their cornerstone, however, remains an appropriate legislation. Both the new provisions in the form of a draft of the Directive on copyright in the Digital Single Market and the implementation of existing laws, including Article 8(3) of Directive 2001/29 /EC on the harmonisation of certain aspects of copyright and related rights in the information society, can help prevent



The Participants of the ICPS came from various parts of the world



Anna Słoboda emphasized the role of international cooperation in the fight against piracy

the development of platforms offering illegal content. Unfortunately, as it was repeatedly reminded by the participants, some countries, including Poland, have not yet fully implemented the Article 8(3).

The role of courts was emphasized by Mr. Tim Kuik, Director of the BREIN Foundation. “We continue to create clarity through the case law”, he stated.

“In the global fight against online piracy, cooperation with intermediaries is one of the key preconditions for the successful efforts”, argued Adriana Minović, Head of Content Security and DPO at United Media.

It is necessary to establish solutions to prevent dishonest service providers from drawing financial benefits from their business. “Website blocking provides a practical remedy to stem piracy”, noted Catherine Lloyd, Senior Legal Adviser at the International Federation of the Phonographic Industry (IFPI). Sarah Van Reempts, Legal Counsel, EMEA, Motion Picture Association informed that this method has been already employed in more than 40 countries, and has been proved to be a very effective legal tool. As confirmed by various studies, the traffic to blocked sites decreased in some countries with 75% whilst at the same time it should be stressed that an average increase in the legal consumption had been observed.

Moreover, activities carried out under the “Follow the Money” strategy have proven to be very successful. “Consisting of cutting off illegal websites

from their sources of financing by limiting advertisements on pirate websites and blocking payments, such initiatives importantly decrease revenues of pirate portals”, stressed Kateryna Fedorova, Head of the Clear Sky Initiative, and Anna Słoboda, Vice President of Sygnał Association. Both Poland and Ukraine have been involved in effective cooperation with advertisers, media houses and payment agents.

Maria Fredenslund, Director of RettighedsAlliancen argued that the “follow the money” initiatives should be a key component in any plan for fighting piracy online. It is important to involve all relevant stakeholders, both individuals and organisations, if the initiatives are to be effective. “Public authorities also have the key role to play in providing a framework to facilitate the collaboration between stakeholders with many different perspectives on the problem”, she added.

“Follow the money, and you will find the Mafia”, stated the representative of the Italian Police, quoting the famous words by Mr. Giovanni Falcone. The international operations carried out by the Italian and Spanish Police show that counteracting piracy, although difficult, is actually possible. They also show the huge scale of illegal activities.

Monica Dopico Martinez, Chief Inspector, Head of Intellectual Property Section of the Spanish Police discussed a case, which began with the STBs counterfeiting and ended with the discovery of fake Ferrari



Tim Kuik encouraged to have a broader look at the phenomenon of piracy



Maria Fredenslund elaborated on the issue of blocking websites

cars manufacturing. The entire undertaking was managed by the Spanish Mafia known worldwide for dirty money laundering as well as smuggling cocaine and hashish. Organized crime revenues were then invested in the development of IPTV.

The involvement of the authorities, as well as cooperation between institutions, organizations and business are of key importance to the fight against piracy. The speakers and participants of the Summit agreed that in the face of the growing scale of

piracy and its increasing impact on the economies, international cooperation between the private sector, organizations, institutions and law enforcement authorities plays an ever growing role. The Warsaw Declaration, which was announced just after the end of the International Content Protection Summit, is an expression of the willingness to exchange experiences and mutual support.



The photo of Participants taken at the end of the 2nd day of the Conference



Sygnał Association Against Piracy in Poland

– Poland has been severely affected by online piracy. The total annual loss for the Polish economy is PLN 3 billion and the State Treasury loses over 800m annually. These amounts also translate into nearly 28k lost jobs – said Anna Słoboda, Vice-President of the Management Board of Sygnał Association, referring to the report entitled: “Internet Piracy – Losses to the Culture and Economy” (Deloitte, 2016).

The growing scale of illegal content circulation results mainly from insufficient protection of copyright, despite the obligation to adjust the Polish law to EU standards. Ms. Słoboda stressed that the phenomenon meets with large social acceptance: in Poland, every second Internet user aged 15-75 uses illegal sources, spending in total PLN 900m a year for this purpose.

How to stop the wave of piracy? – We take simultaneous multi-level actions – explained Ms. Słoboda. – We cooperate with law enforcement agencies, every year jointly organizing dozens of training courses in police schools around the country and several conferences for police officers dealing with economic crime and cyber-crime. There are also training courses dedicated to prosecutors. We are present everywhere, where the issues of piracy and combating IP infringements are discussed. Up to now, we’ve conducted five educational campaigns for raising the awareness of the negative impact of piracy. The last of them, addressed to the advertising market, related to the “follow the money” initiative. – There is no single way to combat piracy. We believe that only joint activities aimed at all groups of stakeholders can bring success – summed up Ms. Słoboda.

Anna Słoboda

Vice President, Sygnał Association

Head of the Online Rights Management Division at TVN S.A. with 11 years of experience in the field of anti-piracy, in particular in regard to the entertainment and media sectors. She represents TVN’s interests in the fight against illegal distribution at numerous Polish and international industry events. Vice President of Sygnał Association, which acts in favour of intellectual property rights of broadcasters, distributors, licensors, recipients of TV programmes and other multimedia content. Moreover, she also actively cooperates with numerous organizations and associations that promote the use of cultural goods in compliance with the rights of their creators.

Sygnał Association acts in favour of intellectual property rights of broadcasters, distributors, licensors, recipients of TV programmes and other multimedia content in Poland. Established in 2001, it affiliates almost 20 media and telecommunications companies. Sygnał Association’s core area of activity are large-scale educational activities, including courses, workshops and conferences on the protection of copyrights and theft of audio-visual content, dedicated to the representatives of law enforcement agencies, prosecutors and its member companies. The Association initiates and conducts educational campaigns, prepares reports and studies, but also participates in the legislative process related to legal acts important for the economy.

Piracy Markets in Central & Eastern Europe

Marcin Przasnyski, Managing Director at Anti-Piracy Protection and a member of the Creative Poland Association pointed to the growth potential of the Central and Eastern European audio-visual market and the scale of piracy in this region.

– Central and Eastern Europe now stands at USD 1.5 billion in terms of OTT and audio-visual content. This means less than 10 % of the whole European revenue of the OTT business and this share is supposed to grow to 12 % in five years. At the same time, two thirds of revenue are generated by subscription services, with the number of subscribers expected to increase to 22 million – explained Marcin Przasnyski, citing the latest Digital TV Research report (August 2018). He also emphasized that the largest and the fastest developing markets for OTT audio-visual services are Poland and Russia. Yet, he noted that the only way to keep this growth is to successfully combat piracy.

Currently, the biggest losses to legal business in the region are not brought by STB IPTV nor by KODI, but by streaming and audio-visual file hosting. Individual European markets differ in terms of share of various forms of piracy. In Poland, where the greatest diversity and a very high profitability are observed, streaming is the most popular form of piracy. The same goes for Hungary, while the Czech Republic and Slovakia excel in file hosting. – Pirates profit from loopholes in the currently applicable law, including non-implementation of Article 8.3 of the Copyright Directive – noted Marcin Przasnyski. He also pointed out that local platforms consciously abuse exclusions from liability, making them the foundation for their business models.



Marcin Przasnyski

Managing Director Anti-Piracy Protection, Representing The Creative Poland Association

Marcin is an expert in monitoring and blocking IP infringements online. He manages one of the CEE's leading companies dealing with removing illegal content from the Internet. He has vast experience in consumer information technology and media, stemming from 20 years of work in the industry press market. Subsequently, as an entrepreneur, he has started a number of companies in the digital sector, including online portals and videogame studios. Since 2013, he has been devoted solely to protecting intellectual property on the Internet. Marcin holds a Master's degree in Journalism from the University of Warsaw, an MBA from LSE, NYU and HEC Paris.

The Creative Poland Association comprises people and organizations supporting the development of creative industries in Poland. The Association represents the broadest scope of the Polish cultural and creative sector entities involved with TV, Film, Music, Books, Newspapers, Online Publishing and Photography, as well as associations and unions of authors, and individual artists. Since its creation in 2013, the Association has been promoting creativity, innovation, and equal access to the cultural goods by supporting the development of legal, economic and organizational frameworks on domestic and international political scene.



Fighting Piracy in Ukraine: Market Overview, Key Targets and Prospective Directions

– Piracy is business – reminded Kateryna Fedorova, Head of the Clear Sky Initiative, a Ukrainian copyright protection organization. – In order to fight against it, we carry out a wide spectrum of activities, including 24/7 online monitoring, blocking or removing infringing content, taking legal steps against illegal services, as well as depriving pirates of audience and revenue from ads. Let’s not forget about education – noted Kateryna Fedorova.

Currently, the organization concentrates on B2B cooperation and “follow the money” approach.

Moreover, the system applied for the purpose of monitoring allows for automated submissions of complaints to administrators of infringing services and websites, hosting providers and search engines administrators. – We collect the information on the IP-violating services and disclose their names on the blacklists.org.ua website. The information on the website may be used, for example, by the advertisers to re-direct their ads to legal portals – explained Kateryna Fedorova.

While presenting the situation on the Ukrainian market, Ms. Fedorova noted that currently 50% of the audience uses the Internet only to consume audio-visual content, whereas 59% of the viewers are not ready to pay for it at all.

Kateryna Fedorova

Head of the Clear Sky Initiative

Kateryna Fedorova has been involved with TV and media since 2006. Starting as a Discovery channels’ group representative in Ukraine, over the years she’s worked with service providers and rights holders, both from Ukraine and abroad, as well as other market players. She is the author of a series of profile articles on the transformation of the market and trends in the audio-visual field. Since 2017, she’s been the Head of anti-piracy Initiative “Clear Sky” aiming to unite right holders, advertisers, providers and those involved in the fight against piracy for the purpose of developing and securing their business.

Clear Sky is a Ukrainian initiative for copyright and related rights defence. It has operated since 2013, focusing on B2B and “follow the money” approaches. It works with advertisers, ISPs, pay-TV providers, banks and payment systems, search engines, bulletin boards, social networks, etc. It was founded by Ukraine’s major media groups: 1+1 Media, StarLight-Media, Media Group Ukraine and Inter Media Group. They are open to new members and challenges and their goal is to popularize legal content in Ukraine.

Online Piracy Trends 2018. Russia and the CIS Countries

Igor Stolyarov, Head of Global Development for Brand Protection and Anti-Piracy, Group-IB, presented the digital piracy trends in Russia and the CIS countries. – In Russia the Internet is cheap and people tend to think that everything what is on the Internet is for free – he stated, explaining why pirate websites are so popular in the region. He also noted that in Russia 80% of content is consumed online and that for the TV shows it is as much as 90%. The most significant source of illegal content in Russia are search engines.



According to Mr. Stolyarov, in order to talk about successful anti-piracy actions, one needs to establish two main factors i.e. what is the source of money and what is the source of illegal content for pirates. A very important element of the pirates' business model is monetization. – In Russia, pirates often cooperate with legal advertisement platforms – he noted. He also emphasized that such modus operandi has a major, negative impact on the market, since it legitimizes the activities of entities disrespecting the law. – Legal platforms have to stop working with illegal websites – he stressed.

Moreover, Igor Stolyarov presented the actions taken by Group-IB. – As one of the global leaders in providing high-fidelity threat intelligence and anti-fraud solutions, we have carried out almost 1000 investigations worldwide so far – he noted.

Igor Stolyarov

Head of Global Development for Brand Protection and Anti-Piracy, Group-IB

For a couple of years Igor has been involved with the digital risk protection industry, working against phishing, trademark infringements, counterfeiting, and online piracy. As an expert in online fraud counteracting, he has participated in various actions aimed at combating piracy in Russia and the CIS countries. He represents Group-IB at major international industry events, workshops, and law enforcement trainings. He shares his knowledge of online threat prevention, anti-counterfeiting trends and challenges and wants to share experience and explore new ways of making anti-piracy services an essential security tool for businesses for client protection and against online infringements.

Group-IB is one of the global leaders in preventing and investigating high-tech crimes and online fraud. Since 2003, the company has been active in the field of computer forensics and information security, protecting the largest international companies against financial losses and reputation risks. Group-IB has been recognized by Gartner, Forrester and IDC as a leading threat intelligence vendor with the ability to provide a unique insight to the threats originating from Russia and Eastern Europe. Group-IB is recommended by the Organization for Security and Co-operation in Europe (OSCE).



Piracy, Politics & Process

– Streaming can take place anywhere on the Globe, anonymously. And how many countries are there on the globe? UN says that there are 195 of them – stressed Chris Le Maitre, Director Operations at Cisco’s Operational Security Group representing Audiovisual Anti-Piracy Alliance.

The broadband infrastructure has improved dramatically. – At the top of the 2018 list of the countries with the fastest Internet is Singapore, where it takes 11 only minutes to download a typical 5GB HD movie – noted Mr. Le Maitre. He also pinpointed that Poland is at position 32 of

this benchmark going in a right direction and has gone up to 3 places over the last year whereas the UK has gone down by 4 places. In turn, in such countries as Yemen or Syria, the bandwidth is so low that streaming is simply impossible. It takes about 36 hours to download a 5GB HD movie. – With the right background, it becomes possible to extract and share pairing keys, instead of streaming – he explained.

The IPTV network operates in a very complex way. – Let me give an example. The domain is registered in Canada, where its owner stays most of the time. The server is located in the Netherlands. Subscription support is managed by a team in Germany. The subscription revenues are transmitted to Saudi Arabia. Finally, the STBs are manufactured in China.

It’s easy to draw a conclusion.

Chris Le Maitre

Director Operations at Cisco’s Operational Security Group representing Audiovisual Anti-Piracy Alliance (AAPA)

Involved in anti-piracy operations at varying levels for 20+ years in the payTV sector, focusing on attacks directed at Conditional Access technology provided by NDS/Cisco. PayTV piracy has evolved over these years from smartcard piracy to various forms of key-sharing/control-word sharing and illicit IPTV/streaming. Prior to the payTV industry, Chris worked at FACT in the UK combating film, video and DVD piracy. For the last 10 years, Chris has represented NDS/Cisco at AAPA.

Audiovisual Anti-Piracy Alliance (AAPA) represents companies involved in value chain for the provision of protected audiovisual services. AAPA’s mission is to support the fight against piracy where this involves the circumvention of content protection technologies, resulting in the unauthorised use of content. AAPA brings members together to share information and intelligence and to co-ordinate their activities, as appropriate. AAPA maintains a dialogue with the European Commission, INTERPOL, Europol. It is also a member of the IPC3 Stakeholders Advisory Group, and is an active participant in the EU Observatory on IP Infringements. www.aapa.eu

Operation Fake

Mónica Dopico Martínez, Chief Inspector and the Head of Intellectual Property Section of the Spanish National Police, discussed the ways to fight copyright violations. She also presented one of the most spectacular cases showing the links between IP violations and the activities of the mafia.

– The case begins with the STB’s counterfeiting and then, through bitcoin mining, finishes with fake Ferraris’ manufacturing. At the end, we discovered the network of connections of the Spanish Mafia, known worldwide for smuggling cocaine and hashish – explained Mónica Dopico Martínez.

The suspects controlled the servers located in Spain, Belgium, Lithuania, the Netherlands and Germany. They also manufactured and distributed fake STBs. Moreover, they also had their own R&D Department and they established, sponsored and controlled online forums, where they shared the information on illegal software and fake STBs. The money from organized crime was invested in IPTV activities and in six bitcoins’ mining centres, which nowadays are increasingly used for money laundering.

With the support of Europol, Spanish National Police arrested 35 suspects and dismantled 7 servers in four countries, seizing: 48 thousand STBs, 212 bitcoin miners, 78 bitcoins worth over EUR 1.5 million, over EUR 11 million, 10 luxury cars and 32 real estates.



Mónica Dopico Martínez

Chief Inspector, Head of Intellectual Property Section, The Spanish National Police

Mónica joined the police force after graduating from the University of Ferrol. After 2 years at the Police School she moved to Barcelona to investigate fraud and human trafficking. In 2001, Mónica was moved to the Central Unit and continued her work, but at a larger scale. After 5 years, she moved to the Judicial Police and investigated Eastern-European criminal organizations. In 2011, she became a Chief Inspector and the IP Section Head. Currently, she’s responsible for investigating organized crime behind IP offences. She’s been awarded many honours, including several White and Red Crosses and Europol’s best European Team Award.

The Spanish National Police was founded in 1824 under the name of General Police of the Kingdom. During almost 200 years, the National Police has changed its name and uniforms several times. Nowadays it acts as the Spanish National Police and its members wear blue uniforms. It is based in cities and towns with more than 100 thousand inhabitants. It has more than 70% of the national population under its jurisdiction and more than 68 thousand officers. According to the Spanish Constitution, the main objective of the National Police is “to protect the freedom of citizens to exercise their rights and freedoms and guarantee public order”.



Operation Spin-off: How a Criminal Web-Piracy Association was Dismantled

Captain Giuseppe Stola and Warrant Officer Mirko Di Giovanni representing the Italian Guardia di Finanza - an investigative unit involved with financial crimes - discussed the role of international cooperation in combating crime.

– The discovery of international criminal connections has mobilized the prosecutor’s office and the Italian, Spanish, Swiss and German police to cooperate in a closer manner – they stressed. They noted that only

thanks to efficient cooperation it was possible to coordinate complex actions and gather evidence of web piracy in Spain and Germany.

Dismantling the criminal network was possible despite various difficulties, e.g. different local regulations. – While working on the case we acted in line with the words of Mr. Giovanni Falcone, an Italian judge and prosecuting magistrate assassinated by the Sicilian Mafia in a bombing: “Follow the money, and you will find the Mafia” – Once again, this has proven to be true.

Pio Giuseppe Stola

Captain, Unit of Intellectual and Industrial Property Rights of Nucleo di Polizia Economico-Finanziaria of Rome, Guardia di Finanza

Head of the unit of Intellectual and Industrial Property Rights of Nucleo di Polizia Economico-Finanziaria of Rome and an official of Guardia di Finanza. He holds a degree in financial-economic security and Jurisprudence. His Unit deals with crimes related to counterfeiting, copyrights infringement and piracy, including audiovisual content and hacking. Previously, he held command positions at the Tributary Police Unit of Reggio Calabria, where he gained experience in combating organized crime as well as fighting against national and international money laundering.

Mirko Di Giovanni

Warrant Officer, Unit of Intellectual and Industrial Property Rights of Nucleo di Polizia Economico-Finanziaria of Rome, Guardia di Finanza

Mirko joined Guardia di Finanza in 1995. He attended the two years course at warrant officers’ academy. After reaching the rank of a warrant officer he became an instructor at the same structure. In 2005, after having graduated in jurisprudence, he was assigned to the Rome anti-counterfeit unit at the Nucleo di Polizia Economico-Finanziaria where he’s gained extensive experience in the fight against counterfeiting and piracy. He led the team that carried out the international police operation code-named “Spin Off”.

Guardia di Finanza is an Italian militarized law enforcement agency under the authority of the Minister of Economy and Finance. Its primary goal is to protect the legal economy and the businesses operating in compliance with the law, while ensuring that the Republic, the European Union, the Regions, and the local governments can rely on a regular inflow and appropriate use of the resources meant for the community. Its activities are aimed at ensuring financial, economic, judiciary and public safety.

The Dutch Trilogy: CJEU on Liability for Linking, Fairy Tale or Nightmare?

Tim Kuik, Director of BREIN Foundation, which has seen major successes in the fight against piracy, called to adopt a wider perspective on this phenomenon. – The theft of video content concerns not only the owners of illegal websites and uploaders, but also hosting and access service providers, and payment agents. It also concerns advertisers and consumers – he pointed out.



He believes that the key factor in the fight against piracy is the communication to the public. – Our message is clear: if we want to use the given content, we need the authorization of the right holder. Otherwise, we commit a crime.

He also pointed out to rulings passed by courts. – We are continuing to create clarity through the case law – he stated. Mr. Kuik added that legal acts and directives are not enough and a greater support from the part of the courts is needed.

He also pointed to issues related to sharing links, streaming and facilitating access to illegal sources and warned about excessive indulgence for users of global websites who illegally disseminate content such as computer games. – The person uploading and disseminating this type of content must have a license for such activities – emphasized Mr. Kuik.

Tim Kuik

Director, BREIN Foundation

Tim Kuik (LLM) is an Intellectual Property lawyer with worldwide civil and criminal enforcement experience. He is the Director of the Dutch BREIN foundation for content protection. He developed a civil law Internet enforcement strategy for Intellectual Property right holders that serves as an example worldwide. Mr. Kuik graduated from the University of Amsterdam in 1982 and worked as IP counsel in various international businesses and organizations in Amsterdam, London, Brussels and Los Angeles.

BREIN – The Art of Protecting the Creative.

BREIN represents authors, artists, publishers, producers and distributors of content across various sectors: music, film, series, books, images, games and interactive software. It was founded in 1998 and its outstanding online copyright enforcement strategy is considered exemplary for local and international programs worldwide. Over the past 20 years BREIN has conducted 66,502 investigations; removed 40,632 illegal downloading/streaming websites with over 2 billion illegal links and files; removed over 17.5 million search results for illegal online offerings; took 6,062 actions against online vendors of illegal copies and 14,933 actions against offline vendors and confiscated over 11.5 million illegal copies.



Website Blocking: A Legal and Practical Overview

– Website blocking provides a practical remedy to stem piracy at the consumer end – stressed Catherine Lloyd, Senior Legal Adviser at the International Federation of the Phonographic Industry. She also noted that in countries such as Portugal and Denmark, website blocking measures, based on Voluntary Codes, are very successful.

Article 8(3) of the Information Society Directive 2001/29/EC provides the legal basis for website blocking in Europe. The majority of EU Member States implemented Article 8(3) into their national law. However, some countries, including Poland, are yet to.

According to Ms. Lloyd, taking direct legal action against infringing websites has become increasingly difficult as the operators conceal their identity via domain privacy services and operators of infringing websites deliberately locate themselves in difficult jurisdictions.

Music piracy remains a major issue – underlined Ms. Lloyd who stated that in 2017, 47% of Internet users aged 16–24 downloaded music via stream ripping and 23 billion tracks were downloaded via BitTorrent, cyberlockers and stream ripping services.

Music piracy remains a major issue – underlined Ms. Lloyd who stated that in 2017, 47% of Internet users aged 16–24 downloaded music via stream ripping and 23 billion tracks were downloaded via BitTorrent, cyberlockers and stream ripping services.

Catherine Lloyd

Senior Legal Adviser, International Federation of the Phonographic Industry (IFPI)

Based in London, Catherine works as a Senior Legal Adviser in the Litigation team. She joined IFPI in 2011 and since this time has been working on music piracy litigation. She works closely with many of IFPI's national groups assisting and advising on their website blocking actions. Catherine trained at the law firm Taylor Wessing LLP and holds a LLB from the University of Law and an MA in Modern Languages.

International Federation of the Phonographic Industry (IFPI) is an organization that promotes the interests of the international recording industry worldwide. Its membership comprises some 1,300 major independent companies in 59 countries. It also has affiliated industry national groups in 57 countries. IFPI's mission is to promote the value of recorded music, campaign for the rights of record producers and expand the commercial uses of recorded music in all markets where its members operate.

The Danish Model on Blockings

– We are aware that website blocking is currently the most effective remedy against piracy. We also know that the available legal tools are not enough – underlined Maria Fredenslund, Attorney-at-law and Director of RettighedsAlliancen, a Danish organization for copyright protection.

Denmark has been very successful in terms of combating content theft. It was the first country in the EU that introduced the blocking injunction. Currently, each year, 4 to 5 large-scale anti-piracy actions are carried out. – Usually, we take 20 or 30 services to the court with request to block them by the ISPs – explained Maria Fredenslund.

Up to now, almost 250 websites have been blocked in Denmark based on the court orders. – The effect of the blockings is an average decrease of 75% in the traffic on the blocked websites which is a success, compared to other countries – noted Maria Fredenslund. This is primarily due to cooperation between the right holders and ISPs. The verdict of the Supreme Court in 2010, thanks to which it was possible to block the Pirate Bay, was of major importance. – Now, when the court rules against a given ISP, other ISPs agree to follow the ruling – she explained.

– The Danish model implemented under the supervision of the Ministry of Culture assumes that traffic from illegal platforms will be automatically redirected to the “Share With Care” portal, which includes a search engine and a list of websites offering legal content – summed up Maria Fredenslund.



Maria Fredenslund

Director, Attorney-at-law, RettighedsAlliancen

Maria has more than 10 years of experience within the area of fighting illegal content online. She has been involved with architecting and developing a technical and legal framework for the website blocking system in Denmark. Maria’s key goal has been bringing together crucial stakeholders, such as the Danish ISPs, public authorities and other participants operating online.

RettighedsAlliancen is an organization representing more than 100 thousand right holders across the audio-visual, music, publishing and design industries. It aims to promote a safe and sustainable online environment for both users and businesses by making it difficult to provide and consume infringing content online. In order to reach this goal, RA uses various technical and legal tools to remove or block access to infringing content online. RA collaborates with public authorities and online stakeholders. Another important part of its activity is raising public awareness of the implications of consuming illegal content online.



Tackling Infringing Repositories and Add-ons. What's Next?

Sarah Van Reempts, Legal Counsel, EMEA, Motion Picture Association, stressed that civil and administrative site blocking remains an effective legal tool and is part of a multi-faceted approach that also comprises facilitating access to legal offerings and raising consumer awareness about the issue and connect with the value they place on their favorite films, music, TV shows. Unfortunately, some Member States in Europe have not effectively implemented Article 8(3) of Directive 2001/29/EC.

According to the global statistics on site blocking, since 2011, these measures have been applied in over 40 countries so far, and have been proven to be a very adequate method. For example, the traffic on the blocked pirate sites in the UK, Portugal and Denmark decreased by 75 % (source: Incopro and RettighedsAlliancen, Denmark) and in the UK the overall piracy traffic level decreased by 23 %.

Sarah Van Reempts stressed that at the same time an average increase in the legal consumption had been observed. In particular, the number of users accessing paid legal streaming websites, for which the blocked sites were the biggest competitors, increased by 23.6% (source: Carnegie Mellon University, May 2015 and April 2016).

Sarah Van Reempts

Legal Counsel, EMEA, Motion Picture Association

Sarah has 11 years of experience in the field of intellectual property rights. She formerly worked as a lawyer at the Brussels' bar and in the music industry. Sarah joined the MPA in October 2013 and her key responsibility in the organization is the management of copyright litigation in different jurisdictions within EMEA. She has worked in particular on the outreach and legal actions against rogue TV services/website operators and intermediaries that provide services to entities infringing copyrights.

Motion Picture Association – the EMEA office of the MPA, based in Brussels, was opened in 1995. It represents the interests of the motion picture and television industry in an incredibly diverse market. Its principal areas of activity include: work on legislative and regulatory issues at the European and national levels; development and implementation of content protection strategies; coordination of region-wide content protection activities in cooperation with national partners; advocating the development and respect of digital rights management; collaboration with other right holder groups to promote intellectual property rights; and negotiation and administration of collective management agreements.

Content Protection Strategy and Operations: a Studio View

Trevor Albery, Vice President, Strategy & Operations, EMEA Content Protection & Analytics at Warner Bros. Entertainment presented the main issues related to video content protection from the perspective of a global company present in various markets. He pointed to the need to monitor the Internet for violations of intellectual property rights, which serves as the basis for conducting anti-piracy activities. – If there is a leak and content gets published online we need to know where it comes from – he noted.



He also pointed to the perspective of Internet users. – Consumer awareness plays a key role in counteracting piracy. That is why we are trying to make piracy less attractive to consumers and convert the consumption of this content into legal sources – he explained. – We want to reach this goal by launching educational campaigns promoting legal websites – he summed up.

– We also carry out activities aimed at encouraging the intermediaries to cooperate with us. We are trying to withdraw the services that infringe our rights – he declared. It is important to realize that actions of this kind do not limit the freedom of anyone, do not spoil the Internet and harm only those who act outside the law, at the expense of legal entities.

Trevor Albery

Vice President, Strategy & Operations, EMEA Content Protection & Analytics, Warner Bros. Entertainment

Trevor joined Warner Bros. Entertainment Europe in March 2004. He is the Head of the Content Protection & Analytics team for the EMEA region. His team is responsible for managing supply chain security, legal & enforcement activities (by Warner Bros. and on an industry level), consumer awareness initiatives, public policy/lobbying, data gathering, reporting & analytics services to the Theatrical, Home Entertainment and Television division.

WARNER BROS. ENTERTAINMENT is a global leader in all forms of entertainment and their related businesses across all current and emerging media and platforms. A WarnerMedia Company, the fully integrated, broad-based Studio is home to one of the most successful collections of brands in the world and stands at the forefront of every aspect of the entertainment industry from feature film, television and home entertainment production and worldwide distribution to DVD and Blu-ray, digital distribution, animation, comic books, video games, product and brand licensing, and broadcasting. The company's vast library is one of the most prestigious and valuable in the world.



Content Protection: the Role of In-house Counsels

Addy Verma, Senior Legal Counsel at OSN, highlighted the primary functions and tasks of in-house IP counsels, whose mission is to identify, acquire, protect and finally enforce the IP rights. He added that in-house counsels have to educate the business when required and devise and implement content protection strategy, given that they have an advantage being familiar with the law and the IP enforcement practice.

– For every dollar lost [because of criminal activity] there is a dollar less to invest and without investment our industry faces a difficult future – reminded Mr. Verma. He also added that according to the International Data Corporation, in the MENA region alone, content owners and right holders incur the annual loss of USD 750 million due to the use of illegal STBs, unauthorized VPN subscriptions, over-spill, Internet piracy and Torrent portals. He also stressed the importance of an integrated approach in terms of activities aimed at effective protection of video content. While discussing the ways of dealing with piracy, Mr. Verma underlined the effectiveness of educational activities aimed at viewers. According to Mr. Verma, other methods of protecting IP rights include, among others, application of new technologies, as well as actions taken by the judiciary and law enforcement agencies.

– The scale of piracy is huge. (...) Meanwhile, initiating a civil case related to the IP enforcement costs on average USD 30 thousand – stressed Addy Verma and pointed to the key challenges, which include sourcing and simplifying the presentation of technical details, complex data as evidence, proving ownership and exclusivity, as well as calculating damages.

Addy Verma

Senior Legal Counsel, OSN

Addy Verma, has over 12 years' experience in contentious & non-contentious IP matters, IP management, anti-counterfeiting and anti-piracy. He has worked with specialized IP law firms in India and U.A.E. advising IP rich companies. He is currently a Senior Legal Counsel at OSN where he heads IP & Content Protection for the Legal department and is responsible for devising, implementing and managing OSN's IP enforcement and litigation strategy. Addy initiated and managed various unique, challenging and successful infringement cases. He speaks regularly in conferences and has also conducted workshops organized by Interpol. Addy is listed by the World Trade Mark Review among the "Top 300 in-house corporate TM professionals" (2017 & 2018). He was also listed by IAM as one of the "World's top 300 IP Strategists" in 2018.

OSN is the MENA region's leading entertainment network broadcasting into 24 countries. With over 150 channels, OSN's strength are its exclusive contents by Disney, HBO, NBC Universal, Fox, Paramount, MGM, Sony, DreamWorks and Warner Brothers. It is the home for premium content in Arabic, English, Filipino and South Asian languages. OSN introduced the first Digital Video Recorder HD; an online TV platform 'OSN Play', an Internet-enabled satellite receiver and recorder as well as 'OSN on Demand', the region's first VOD service. The content is also provided by OSN's online/mobile platform, 'WAVO'.

ROUNDTABLE DISCUSSION ON:

Intermediaries: liability of hosting providers, domain name registrars, social media platforms

MODERATOR:

Sheila Cassells, Executive Director Audiovisual Anti-Piracy Alliance (AAPA)

SHORT PRESENTATIONS:

Kieron Sharp, Chief Executive Officer Federation Against Copyright Theft (FACT)

Adriana Minović, Head of Content Security and DPO United Media

COMMENTS:

In the global fight against online piracy, cooperation with intermediaries is one of the key preconditions for the successful efforts.

The Internet enables perpetrators to keep their anonymity. It also enables involvement of many actors that mostly unknowingly participate in chain of online piracy. Due to these reasons, it is important to interpret the notion of “intermediaries” in a very broad manner, encompassing anyone who enables, supports or provides perpetrators in their illegal activities. Also, we must understand that the safe harbour regime for intermediaries is not efficient if it is left at the discretion of ISPs and where the only remedy is in the court. The new copyright reform is maybe not the perfect solution for these challenges, but it does recognize the burning issue that needs to be addressed: how to actively include intermediaries in these efforts, since only joint reaction can be an adequate response to current state of piracy.

Adriana Minović

Head of Content Security and DPO, United Media

In my view, what made the International Content Protection Summit a success was the way all participants were brought into the conversations and debates, whereas normally there are a few speakers and a large audience. In this case, everyone was a contributor and was able to speak about the issues concerning them.

The debate that took place during our workshop on intermediaries was for me particularly helpful, but it seemed to energise the other participants as well. It was possible to bring out the valuable comments from the other attendees, which resulted in a lengthy discussion and a debate about the role of hosting providers and what measures could be taken to improve the situation.

Kieron Sharp

Chief Executive Officer

Federation Against Copyright Theft (FACT)

ROUNDTABLE DISCUSSION ON:

“Follow the money”: Payment service providers/processors, advertising on pirate sites, media houses, e-commerce platforms, blacklisting/whitelisting

MODERATOR:

Agnieszka Rauch, Chairperson of the “Follow the Money” Programme Council Sygnal Association

SHORT PRESENTATIONS:

Kateryna Fedorova, Head of the Clear Sky Initiative

Maria Fredenslund, Director of RettighedsAlliancen

COMMENTS:

The discussion on “Follow the money” approach showed that all the participants are extremely interested in developing mechanisms to efficiently fight piracy and win. In Ukraine we actively use this approach as very often this is the only way to show pirates that their business model built on stealing one’s intellectual property is not that strong and unreachable. The reason is that the Internet doesn’t have borders and usually pirates are used to hide behind legislations that sometimes even shield such business. So, we have to find weak points of pirates’ business and new ways and mechanisms to affect it.

Kateryna Fedorova
Head of the Clear Sky Initiative

“Follow the money” initiatives should be a key component in any plan for fighting piracy online. It is important to involve all relevant stakeholders, both individuals and organisations if the initiatives are to be effective. This includes ISPs to block user traffic to infringing websites, providers of advertising services to prevent ads being placed on illegal websites and payment processors to stop revenues flowing to the illegal services, etc.

Public authorities also have key role to play in providing a framework to facilitate the collaboration between stakeholders with many different perspectives on the problem.

Maria Fredenslund
Director of RettighedsAlliancen

ROUNDTABLE DISCUSSION ON:

Free-to-air vs. Pay-tv, live streaming, pay-per-view – enforcement strategies, key challenges

MODERATOR:

Tomasz Szymula, Member of Sygnał Association

SHORT PRESENTATIONS:

Diane Hamer, Head of Business & Legal Affairs, Brand Protection BBC Studios

Diego Dabrio Álvarez, Head of International Anti-Piracy La Liga

COMMENTS:

Sports contents and live events are the weakest link of the chain and require appropriate tools and proper legal frameworks that provide an effective protection. Fighting against audiovisual piracy is an issue of utmost importance for La Liga which is fully committed in terms of resources to protect its content and support its partners through a four-pronged strategy based on legal, technological, communicating and lobbying efforts. La Liga fights piracy not only in Spain, but all over the world supported by our network of Offices and Delegates in 45 countries. At this regard, La Liga is honored to be part of the Warsaw Declaration contributing to achieve common objectives in tackling online piracy.

Diego Dabrio Álvarez

Head of International Anti-Piracy
La Liga

UK broadcasters, such as the BBC make some of the best television in the world. Global pirates exploit the fact that the BBC's channels are broadcast free to air in the UK by selling 'ex pat' TV subscription services to customers around the globe. Often these pirate services are so slick that customers may not even realise they are illegal.

But 'free to air' does not mean 'free' – the BBC makes a significant investment into the content that appears onscreen, funded through the licence fee in the UK and by selling TV content around the world. All of the revenue raised is used by the BBC to make more programmes. However, none of the money made by 'ex pat' pirate services is returned to the BBC. Such piracy undermines the value of the content, and therefore costs the BBC, and licence fee payers, money.

Diane Hamer

Head of Business & Legal Affairs,
Brand Protection
BBC Studios

ROUNDTABLE DISCUSSION ON:

Technological challenges – STB, IPTV, Smart TV, Apps

MODERATOR:

Anna Zhang, Content Security Director Anti-Piracy Protection

Łukasz Czekajewski, Chief Executive Officer Anti-Piracy Protection

SHORT PRESENTATIONS:

Alexander Juchler, Senior Investigator NAGRA/Kudelski Group representing Audiovisual Anti-Piracy Alliance (AAPA)

Anna Zhang, Content Security Director Anti-Piracy Protection

Łukasz Czekajewski, Chief Executive Officer Anti-Piracy Protection

COMMENTS:

The IPTV technology, regardless of the implementation variant, comes with many challenges related to the way of functioning and dissemination of such services. Since we're dealing with offers directly competing with satellite or cable TV, this type of violation is potentially the biggest threat to legal businesses and may not only lead to losing profits, but also tangible losses. The awareness of the threat in the industry is high and although the presence of illegal IPTV services in the region is not yet significant, this segment of the pirate market is expected to grow rapidly.

Anna Zhang
Content Security Director
Anti-Piracy Protection

The workshop “Technological challenges - STB, IPTV, Smart TV, Apps” covered the different pirate technologies made available to end users and focused on some of the challenges faced by the industry in that regard.

Being experienced and proven experts in their fields, the participants lead purposeful and solution-oriented discussions. While it is not always possible to find resolutions to these challenges, the workshop created a continued awareness in preparation for the future.

Alexander Juchler
Senior Investigator
NAGRA/Kudelski Group
representing
Audiovisual Anti-Piracy Alliance (AAPA)

ROUNDTABLE DISCUSSION ON:

Law enforcement, international legal assistance in IPR cases – procedures, solutions, site blocking

MODERATOR:

Lukasz Sternowski, Member of the Management Board, Sygnał Association

SHORT PRESENTATIONS:

Oskar Tułodziecki, Partner at K&L Gates

Luciano Daffarra, Legal Advisor, Federazione per la Tutela dei Contenuti Audiovisivi e Multimediali (FAPAV), Attorney C-LEX Law Firm

Giorgio Bozzetti, Head of Internet Investigations, Federazione per la Tutela dei Contenuti Audiovisivi e Multimediali (FAPAV)

COMMENTS:

The very positive outcome of the ICPS was that it brought to the attendees significant indications for the future strategy to be adopted against digital piracy.

Firstly, participants envisaged that a complete and correct implementation of Art. 8.3 of the Copyright Directive is of essence for the defense against online infringements. Further, several interventions stressed that Governments, Rights-holders and ISPs should jointly cooperate in view of preventing copyright violations, especially when it comes to repeated infringements. In this respect, website blocking, due to the global scope of the Internet, should be effective and immediately enforced in all cases of commercial scale piracy.

Finally, the established “Warsaw Declaration” represents a strong signal of the unanimous intent of the AP organizations and of its members to share common experience and develop innovative tools for the achievements of the above highlighted objectives.

Luciano Daffarra

Legal Advisor Federazione per la Tutela dei Contenuti Audiovisivi e Multimediali (FAPAV)
Attorney C-LEX Law Firm

The International Content Protection Summit in Warsaw was an eye-opening experience which allowed to grasp the scale and diversity of the problem of Internet piracy. The various interventions proved that the aim of pirate services is not to fight for freedom of expression or making protected content more accessible, but rather to maximise financial profits from illegal, and often low-cost, activity, which often hides other criminal operations. The EU citizens and policymakers should be aware of this, especially in the context of the current negotiations on the modernisation of copyright law, and in particular on Article 13 of the draft directive. Maintaining liability exemptions for platforms providing access to content may benefit not only platforms like YouTube, but will also be abused, as it is the case today, by pirate services. The governments of Member States and MEPs today have the occasion to change this situation and help build a fair and safe Internet environment.

Agnieszka Horak

Director of Legal and Public Affairs, Association of Commercial Television in Europe, ACT

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