

FIGHTING PIRACY PUBLIC PRIVATE PARTNERSHIPS

THE EXPERIENCE FROM THE FILM AND SOFTWARE INDUSTRY

**Oct.11, 2013
Frankfurter Buchmesse
„Anti-Piracy Breakfast“**



THE INTERNATIONAL CONTENT PROTECTION ORGANISATIONS NETWORK

Australia: Australian Federation Against Copyright Theft (AFACT); www.afact.org.au

Austria: Verein für Anti-piracy der Film und Videobranche (VAP); www.vap.cc

Belgium: Belgian Anti-piracy Federation (BAF); www.anti-piracy.be

Brazil: APCM - Association for the Protection of Movies and Music; www.apcm.org.br

Denmark: AntiPiratGruppen; www.antipirat.dk

France: Association de Lutte Contre la piracy Audiovisuelle (ALPA), www.alpa.asso.fr

Germany: Gesellschaft zur Verfolgung von Urheberrechtsverletzungen (GVU); www.gvu.de

Hong Kong: International Federation Against Copyright Theft – Greater China (IFACT-GC); www.ifact-gc.org

India: Motion Picture Distributors Association (India) Pvt. Ltd. (MPDA); www.mpaa-india.org

Ireland: Irish National Federation Against Copyright Theft Ltd (INFACT); www.infact.ie

Italy: Federazione Anti-Pirateria Audiovisiva (FAPAV); www.fapav.it

Japan: Japan & International Motion Picture Copyright Association (JIMCA); www.jimca.co.jp

Korea: Korea content and Technology Alliance (KCTA)

Malaysia: Malaysian Federation Against Copyright Theft (MFACT); www.mfact.org

Mexico: Asociación Protectora de Cine y Música México (APCM); www.apcm.org.mx

Newzealand: New Zealand Federation Against Copyright Theft (NZFACT); www.nzfact.co.nz

Netherlands: Bescherming Rechten Entertainment Industrie Nederland (BREIN); www.anti-piracy.nl

Poland: Fundacja Ochrony Twórczości Audiowizualnej (FOTA); www.fota.net.pl

Russia: Russian Anti-Piracy Organization (RAPO); www.no-piracy.ru

South Africa: Southern African Federation Against Copyright Theft (SAFACT); www.safact.co.za

Spain: Federación para la Protección de la Propiedad Intelectual (FAP); www.fap.org.es

Sweden: Svenka Antipiratbyrån (APB); www.antipiratbyran.se

Switzerland: Schweizerische Vereinigung zur Bekämpfung der piracy (SAFE); www.safe.ch

Taiwan: Taiwan Foundation Against Copyright Theft (TFACT); www.tfact.org.tw

Ukraine: Ukrainian Anti-Piracy Organization; www.apo.kiev.ua

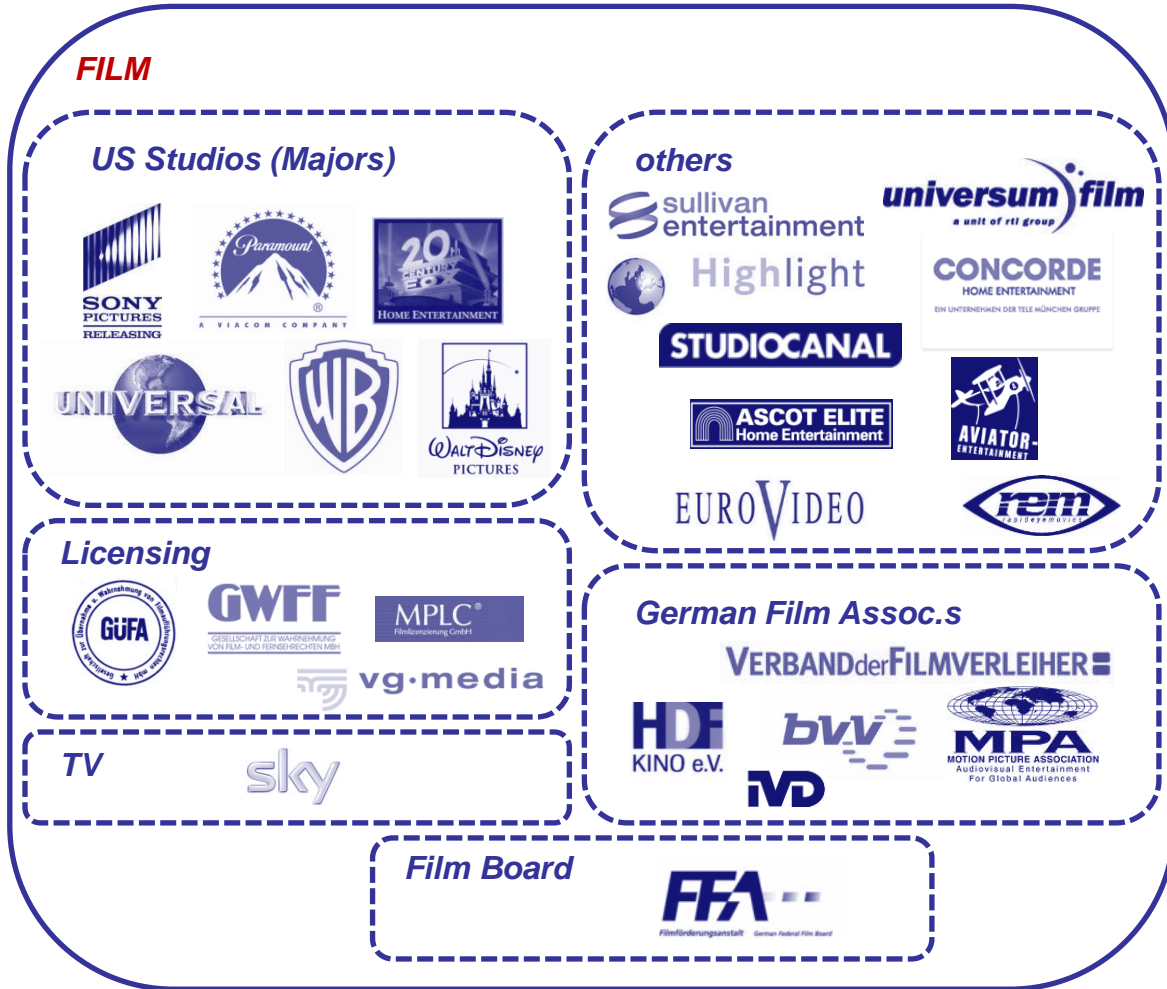
United Kingdom: The Federation Against Copyright Theft (FACT); www.fact-uk.org.uk

United States: Motion Pictures Association of America (MPAA); www.mpaa.org;

Country organisations: **Canada** www.mpa-canada.org, **China**, **Singapur** www.mpa-i.org, **Thailand** www.mpathailand.co.th)



GVU: MEMBERS AND SUPPORTERS



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OpSec inram

INTERNET-“PIRACY“

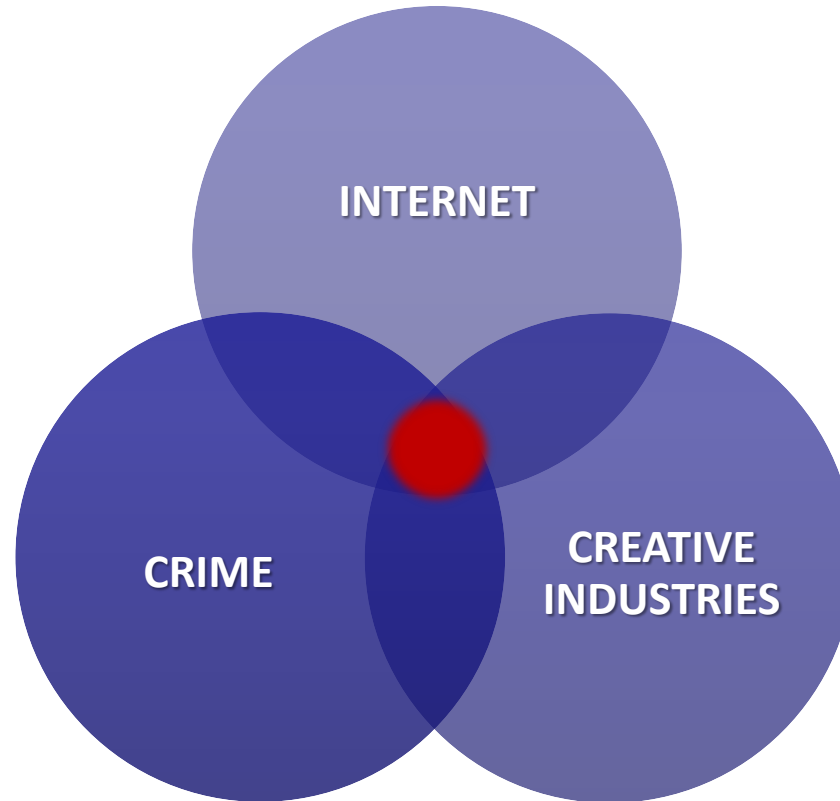
**WHAT
IS IT?**

**WHO
DOES IT ?**

**BENEFIT &
DAMAGE**

**WHAT
TO DO**

HOT SPOT INTERNET-“PIRACY“

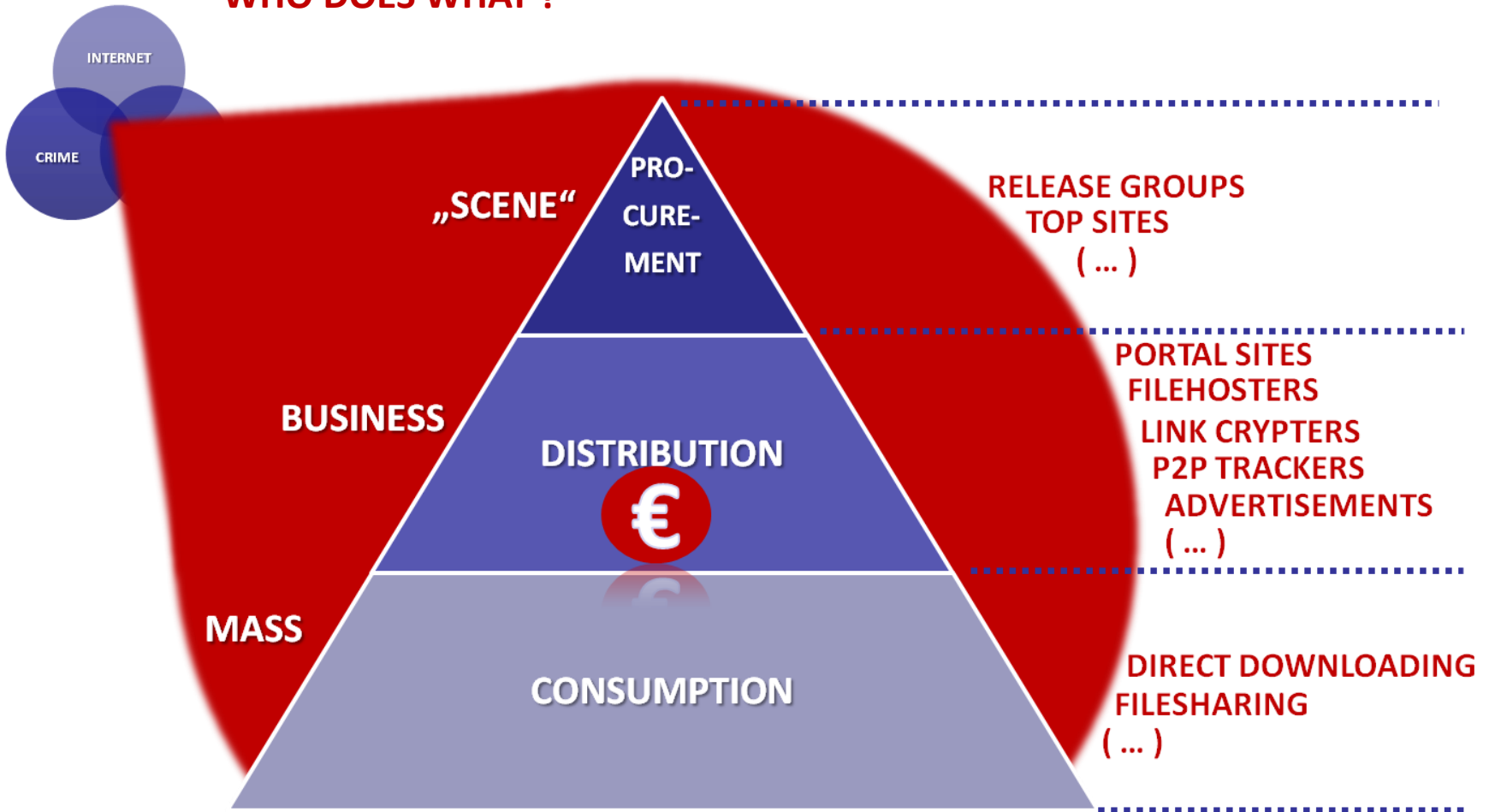


... MEANS:

ILLEGAL COMMERCIAL EXPLOITATION OF CREATIVE WORKS BY MAKING THEM PUBLICLY AVAILABLE ONLINE

I.E: „DIGITAL CONCEALMENT OF STOLEN GOODS“

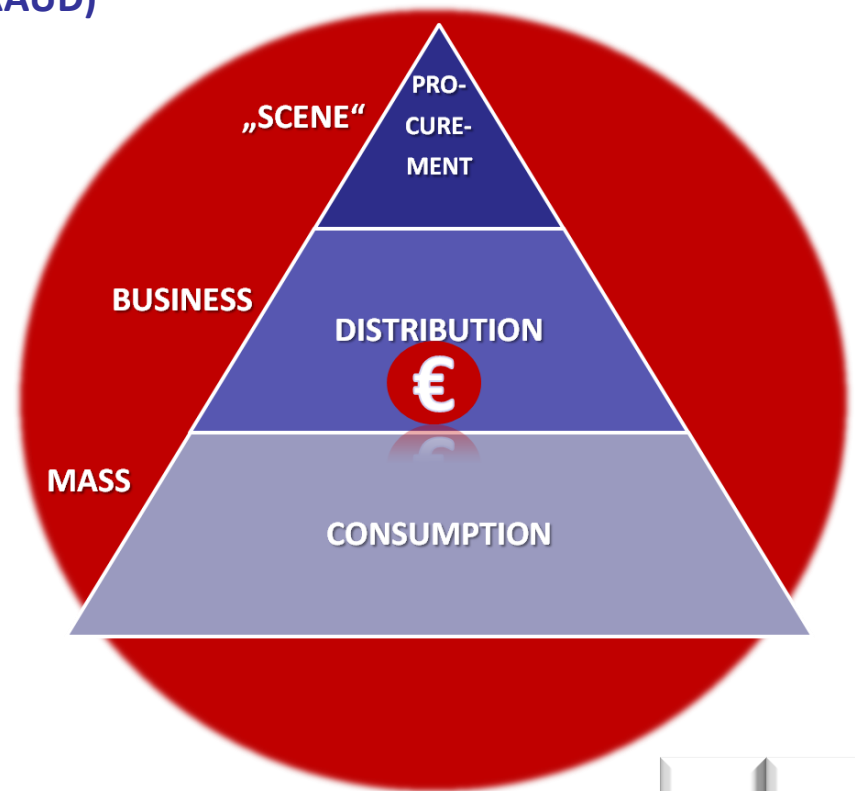
INTERNET-“PIRACY” WHO DOES WHAT ?



INTERNET-“PIRACY” BENEFICIARIES



1. OPERATORS OF **INTERNET PIRACY SERVICES** (REVENUES)
(ONLINE ADS, PREMIUM ACCOUNTS, FRAUD)
2. **ONLINE AD BUSINESS** (REVENUES)
 - A) BRAND OWNERS
 - B) AD AGENCIES
3. INTERNET **INTERMEDIARIES** (REVENUES)
 - A) PAYMENT PROVIDERS
 - B) ACCESS PROVIDERS
 - C) (...)
4. **CONSUMERS** (SAVINGS)



INTERNET-“PIRACY” VICTIMS



THESIS :

„INTERNET PIRACY IS AFFECTING ONLY THE SALE OF **DIGITAL MEDIA**. WHEN THE DIGITAL MEDIA MARKET IS (STILL) SMALL, DAMAGES RESULTING FROM ONLINE PIRACY ARE NEGLIGABLE.“

wrong !

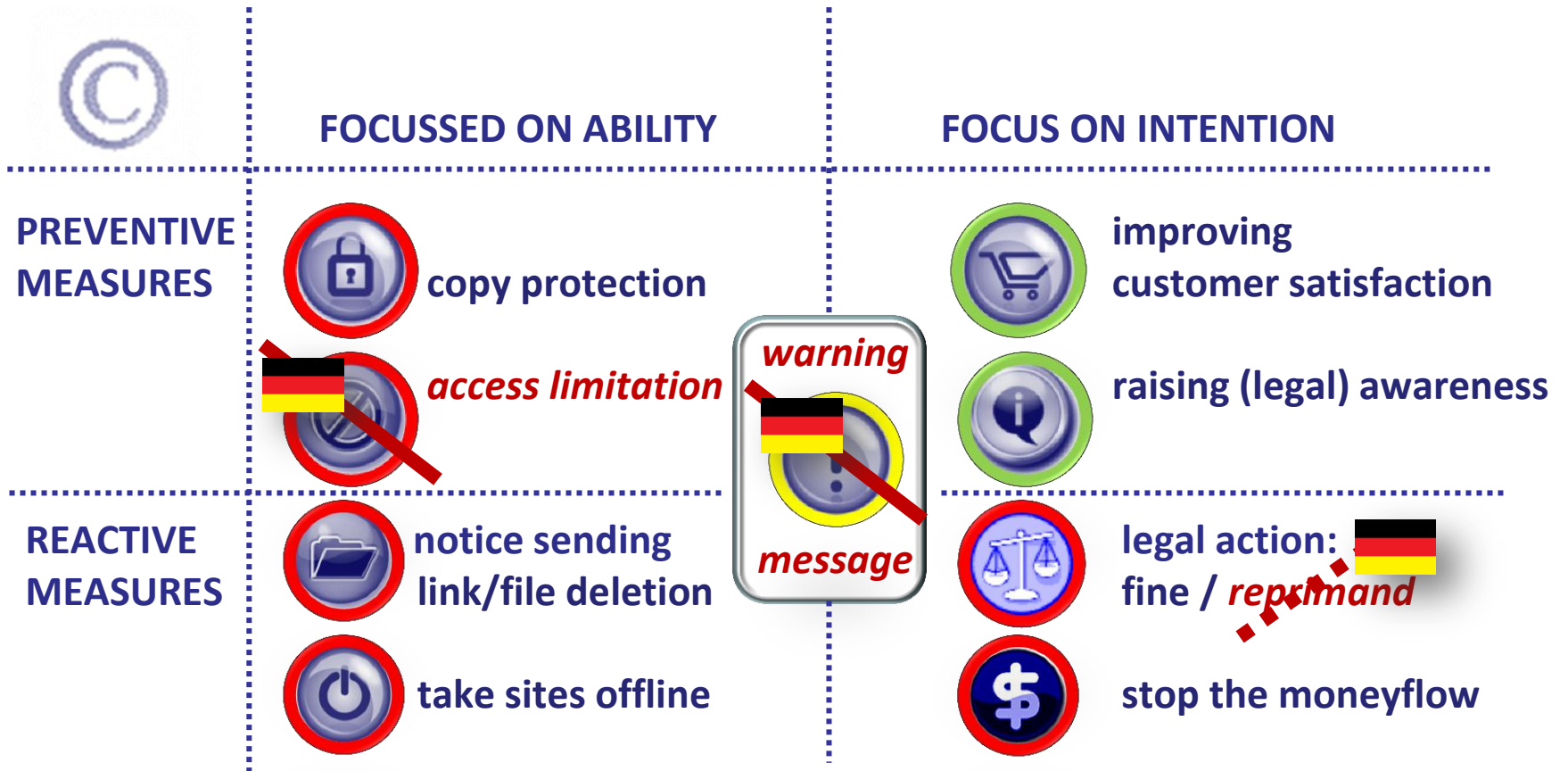
ANTITHESIS #1:

„TO SOME (!) EXTENT, THE CONSUMPTION OF PIRATED DIGITAL(ISED) MEDIA ONLINE ALSO SUBSTITUTES THE CONSUMPTION OF TRADITIONAL „**PHYSICAL**“ MEDIA PRODUCTS.“

ANTITHESIS #2:

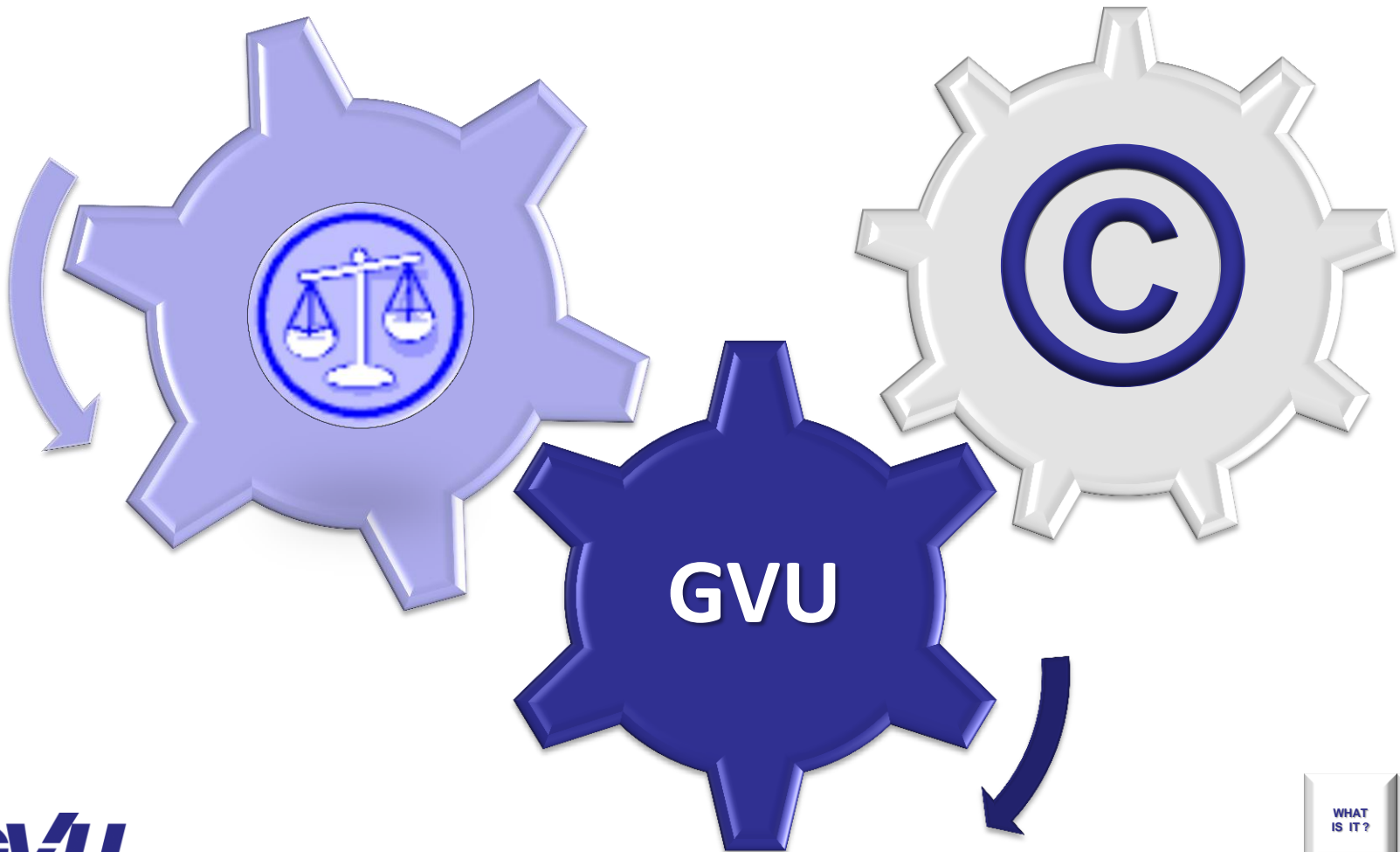
„INTERNET PIRACY IMPEDES THE DEVELOPMENT OF THE **EVOLVING MARKET** = THE ONLINE MARKET FOR DIGITAL MEDIA.“

CONTENT PROTECTION OPTIONS : JUST PUSHING BUTTONS ?



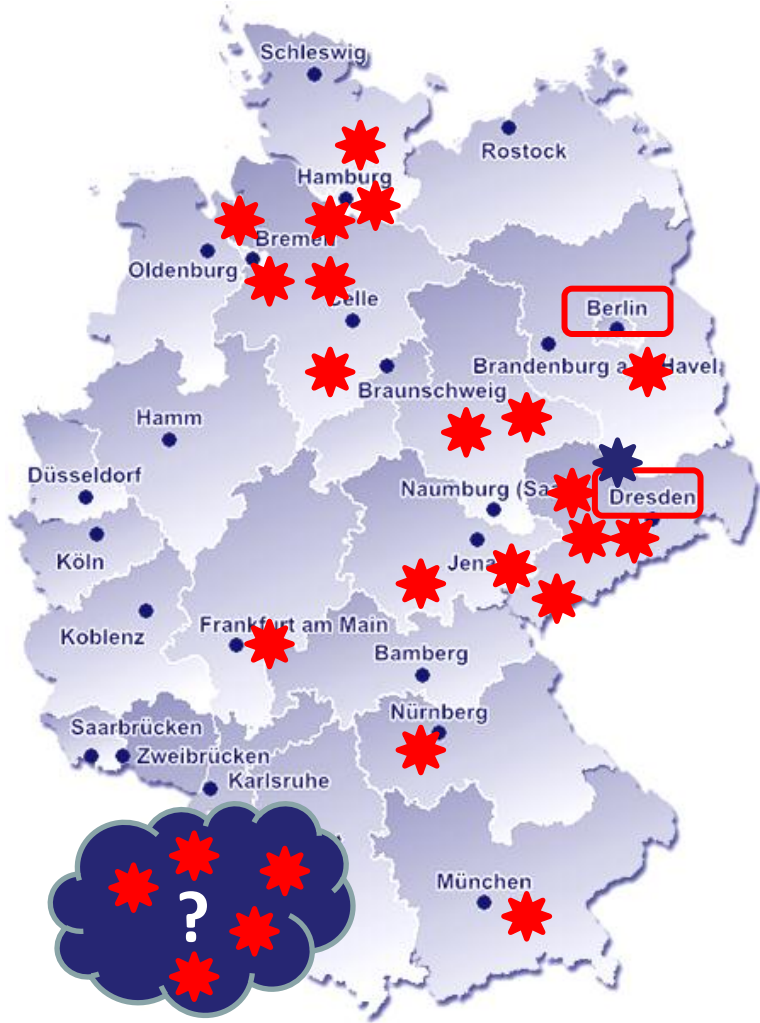
PUBLIC PRIVATE PARTNERSHIP FOR COPYRIGHT PROTECTION

THE IDEA





PUBLIC PRIVATE PARTNERSHIP FOR COPYRIGHT PROTECTION REALITY IN GERMANY



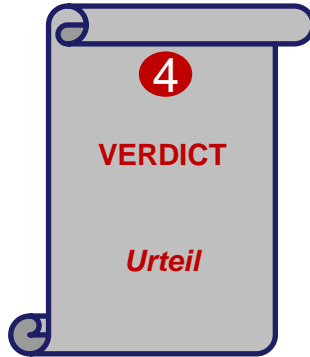
LAW ENFORCEMENT & JUSTICE AUTHORITIES
IN FEDERAL GERMANY
LEGAL DISTRICTS

EXAMPLE : **KINO.TO** CASE:
BEST ONLINE MOVIE STREAMS

- SUSPECT(S)
- COORDINATING L.E.A.
- LEGAL DISTRICT



PUBLIC PRIVATE PARTNERSHIP PHASES OF OPERATION



WHAT IS IT ?	WHO DOES IT
BENEFIT / DAMAGE	WHAT TO DO



PUBLIC PRIVATE PARTNERSHIP PARTNERS



1

CRIMINAL COMPLAINT

Strafanzeige

GVU
Gesellschaft zur Verfolgung von Urheberrechtsverletzungen e.V.

2

POLICE REPORT

Ermittlungs-Bericht

3

INDICTMENT

Anklage

Staatsanwaltschaft

4

VERDICT

Urteil

WHAT IS IT ?	WHO DOES IT
BENEFIT / DAMAGE	WHAT TO DO



PUBLIC PRIVATE PARTNERSHIP PRACTICE (GERMANY): DETAILS



1

CRIMINAL COMPLAINT

Strafanzeige

GVU
Gesellschaft zur Verfolgung von Urheberrechtsverletzungen e.V.

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POLICE REPORT

Ermittlungs-Bericht

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Urteil

WHAT IS IT ?	WHO DOES IT
BENEFIT / DAMAGE	WHAT TO DO



PUBLIC PRIVATE PARTNERSHIP PRACTICE (GERMANY): **GVU INVESTIGATIONS**



1

CRIMINAL COMPLAINT

Strafanzeige

GvU
Gesellschaft zur Verfolgung von Urheberrechtsverletzungen e.V.

2

POLICE REPORT

Ermittlungs-Bericht

3

INDICTMENT

Anklage

Staatsanwaltschaft

4

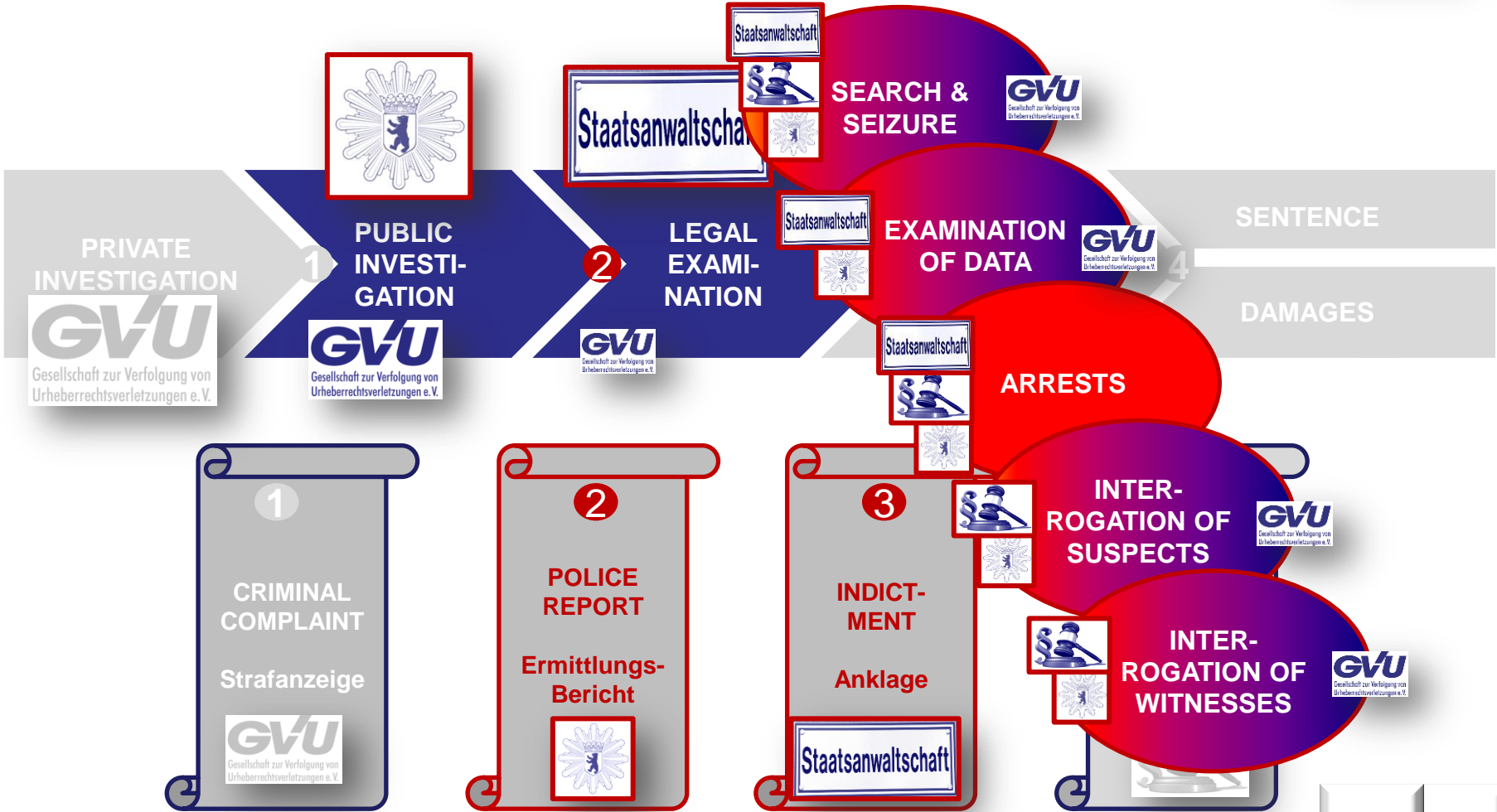
VERDICT

Urteil

WHAT IS IT ?	WHO DOES IT
BENEFIT / DAMAGE	WHAT TO DO

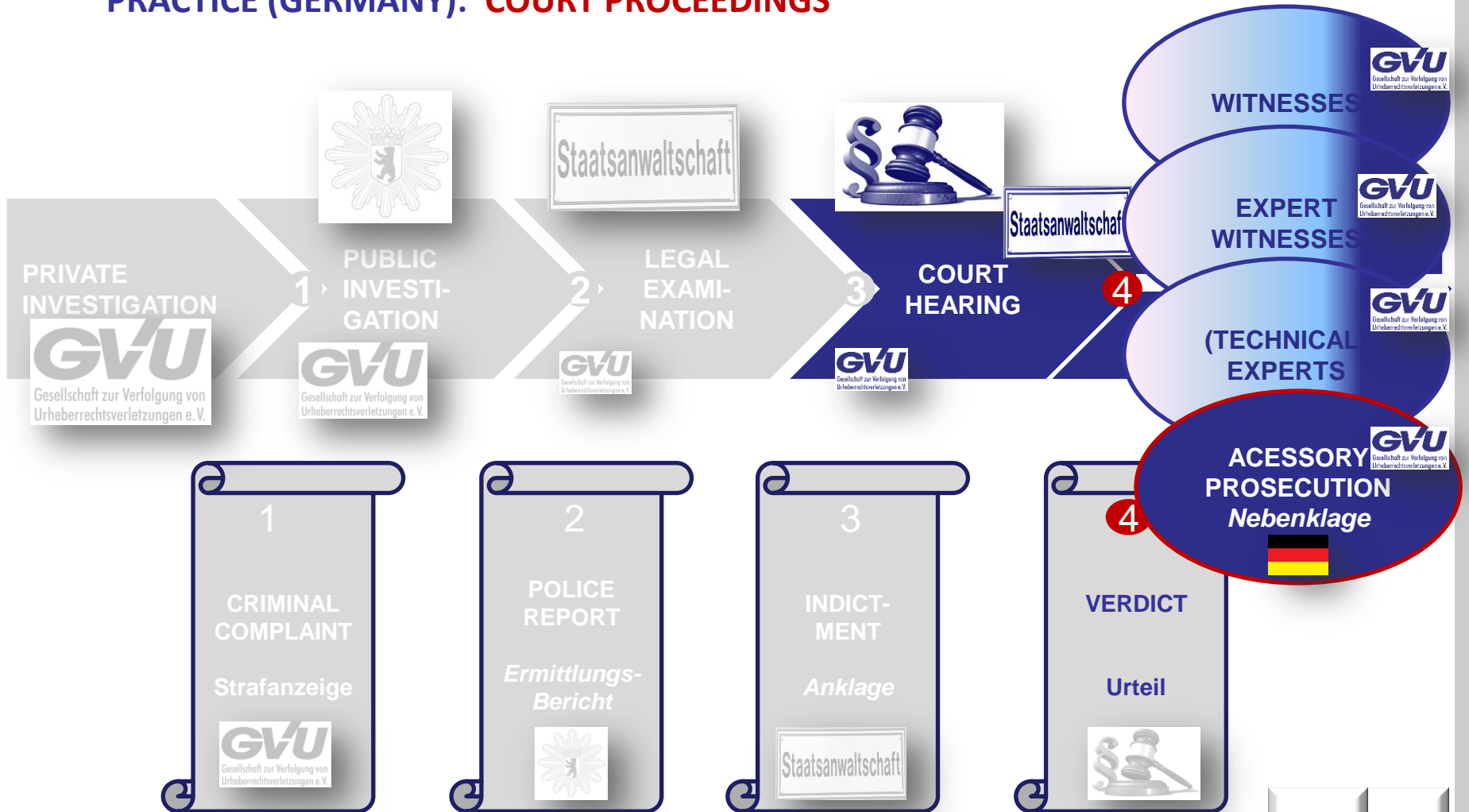


PUBLIC PRIVATE PARTNERSHIP PRACTICE (GERMANY): PUBLIC INVESTIGATIONS



WHAT IS IT ?	WHO DOES IT
BENEFIT / DAMAGE	WHAT TO DO

PUBLIC PRIVATE PARTNERSHIP PRACTICE (GERMANY): COURT PROCEEDINGS



PUBLIC PRIVATE PARTNERSHIP: GVV

CO-OPERATION WITH LAW ENFORCEMENT & JUDICIARY

- INVESTIGATIONS; CRIMINAL REPORTS
- OPERATIONAL SUPPORT (ANALYSIS, IP RIGHTS CLEARING) AND LEGAL CONSULTING
- IN COURT: (EXPERT) WITNESS, ACCESSORY PROSECUTION
- SEMINARS & TRAININGS FOR LAW ENFORCEMENT OFFICIALS

CONSULTING

- MANAGEMENT CONSULTING
- EMPLOYEE TRAINING
- LEGAL CONSULTING
- CONGRESS „DACH-BRANCHENFORUM“

COMMUNICATION

- MEDIA WORK
- LECTURES

LOBBYING

- POLICY CONSULTING RE: COPYRIGHT PROTECTION



INTERNET-“PIRACY“ IN A NUTSHELL

WHAT IS IT?

- UNAUTHORISED **COMMERCIAL EXPLOITATION** BY WAY OF MAKING AVAILABLE (ONLINE)
- **PROFIT ORIENTED**: REVENUES FROM ONLINE ADS, USER CHARGES, FRAUD
- „**DIVISION OF LABOR**“: SEARCH, HOSTING, CAMOUFLAGE, PAYMENT
- **CONSUMER ORIENTED**: FROM „SCENE EXPERT“ TO „JOHN DOE“

WHO DOES IT ?

- PROCUREMENT = **SCENE**; DISTRIBUTION = **BUSINESS**, CONSUMPTION = **MASS**
- SITE OPERATORS ARE BECOMING INCRISINGLY **PROFESSIONAL**
- AD BUSINESS, PAYMENT PROVIDERS AND ISPS ARE „**MEN IN THE MIDDLE**“

BENEFIT & DAMAGE

- **BENEFICIARIES**: SITE OPERATORS, AD BUSINESS, SEARCH AND PAYMENT SERVICE PROVIDERS, ISPS, CONSUMERS
- DAMAGES FOR BOTH **DIGITAL + PHYSICAL MARKET**: DEVELOPMENT OF DIGITAL MARKET IS BEING IMPEDED; CONSUMPTION OF DIGITAL MEDIA ALSO SUBSTITUTES THE CONSUMPTION OF PHYSICAL GOODS

WHAT TO DO

- CONTENT PROTECTION:
 - MEANS **CURTAILING**, NOT ELIMINATING „PIRACY“
 - COMPRISES **COMPLEMENTARY + SPECIFIC MEASURES** (NO SILVER BULLET)
 - IS „**POLITICAL**“ !
 - IS AN **INVESTMENT** IN BOTH ESTABLISHED AND EVOLVING MARKETS
 - IS OFTEN MORE EFFECTIVE IN A **COLLECTIVE** EFFORT, ESPECIALLY IN CRIMINAL LAW



Gesellschaft zur Verfolgung von
Urheberrechtsverletzungen e. V.

Rechtsanwalt

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email: Leonardy@gvu.de

www.GVU.de

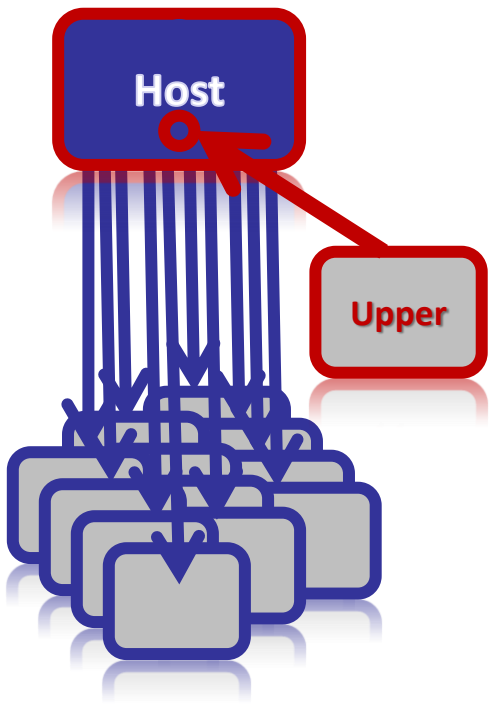
INTERNET-“PIRACY”...



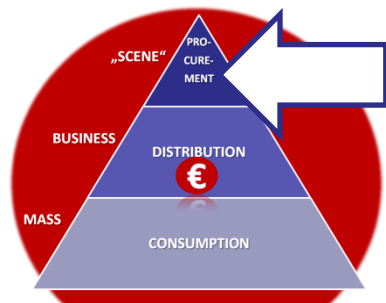
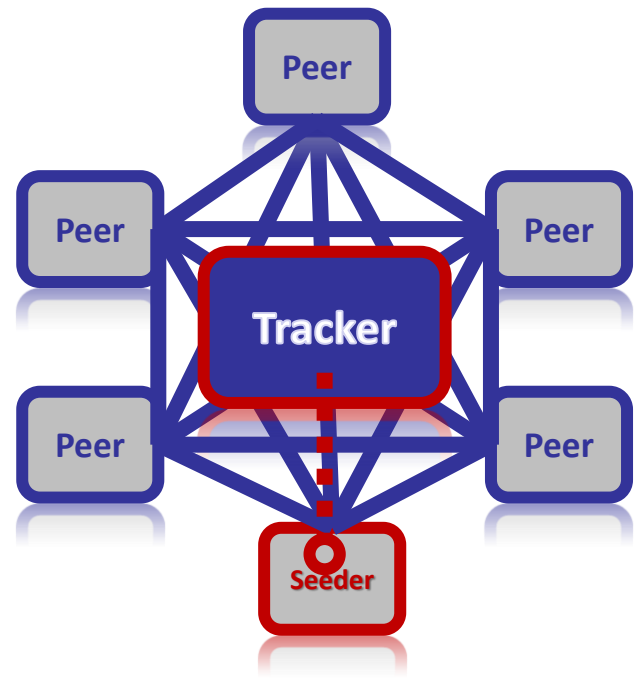
WHO DOES WHAT ? (1) UPLOADING



DIRECT DOWNLOADING



PEER TO PEER



WHAT IS IT ?	WHO DOES IT
BENEFIT / DAMAGE	WHAT TO DO

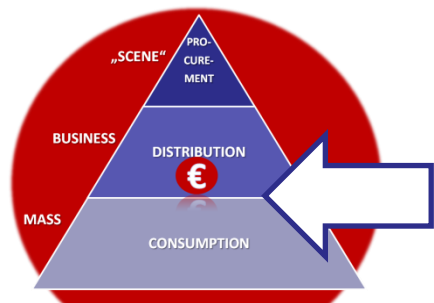
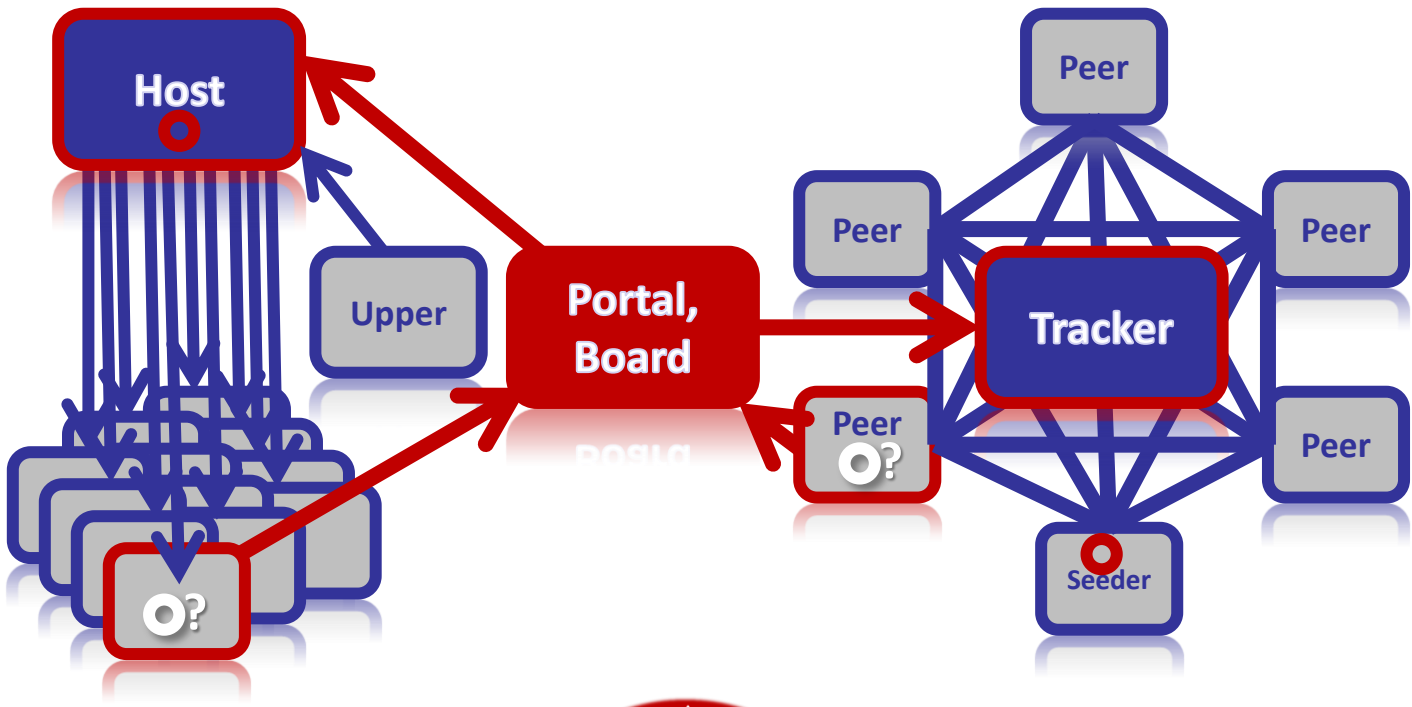
WHO DOES WHAT ?

(2) SEARCH



DIRECT DOWNLOADING

PEER TO PEER



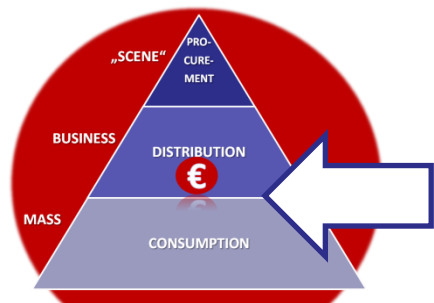
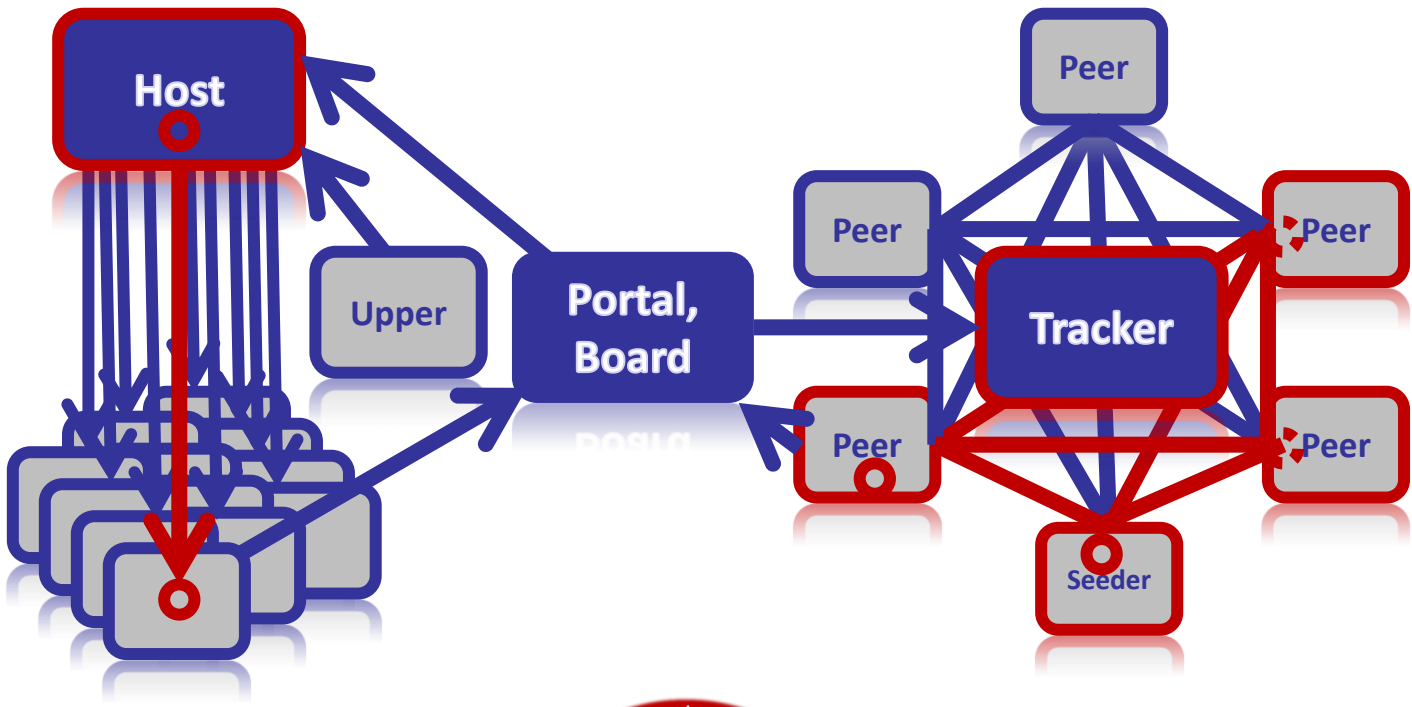
WHAT IS IT ?	WHO DOES IT
BENEFIT / DAMAGE	WHAT TO DO

WHO DOES WHAT ?
(3) DOWNLOADING



DIRECT DOWNLOADING

PEER TO PEER



WHO DOES WHAT ?

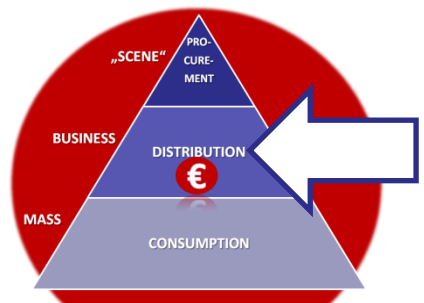
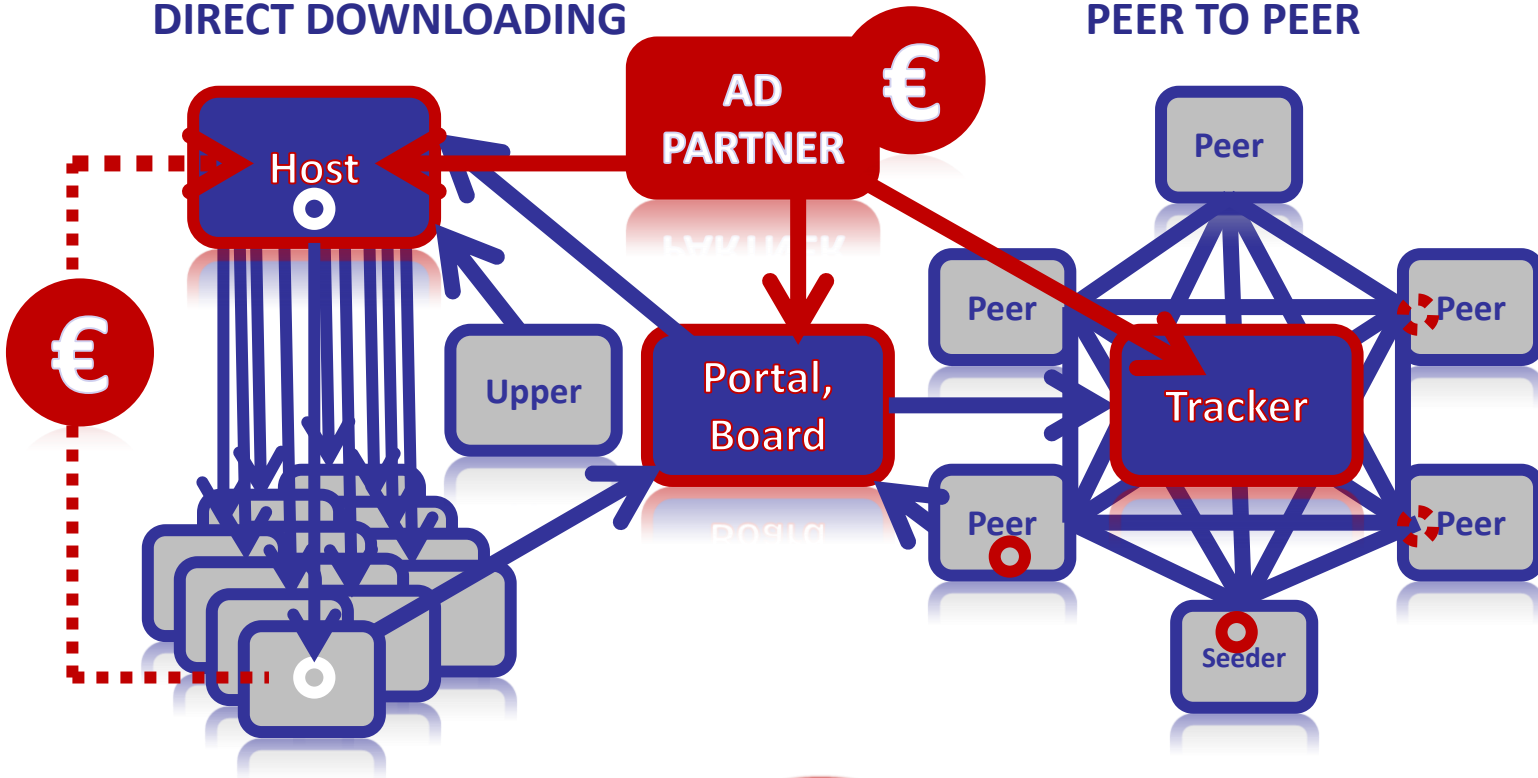
(4) BUSINESS MODEL „INTERNET PIRACY“

****AD REVENUES****



DIRECT DOWNLOADING

PEER TO PEER

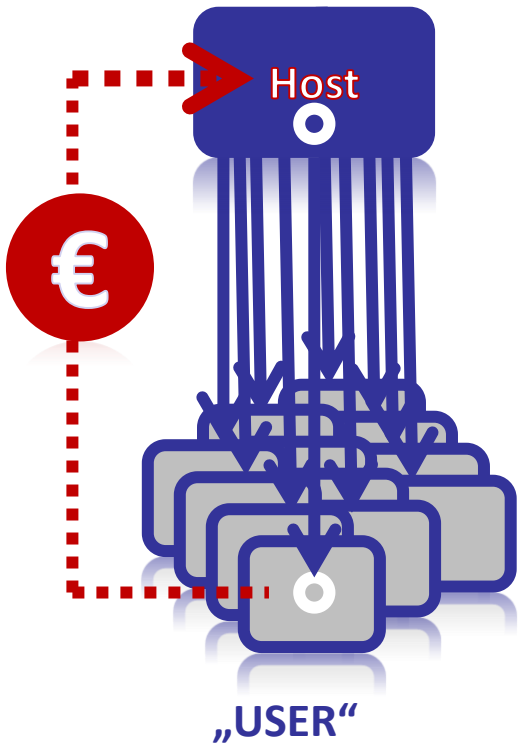


WHAT IS IT ?	WHO DOES IT
BENEFIT / DAMAGE	WHAT TO DO

WHO DOES WHAT ?

(5) BUSINESS MODEL „INTERNET PIRACY“

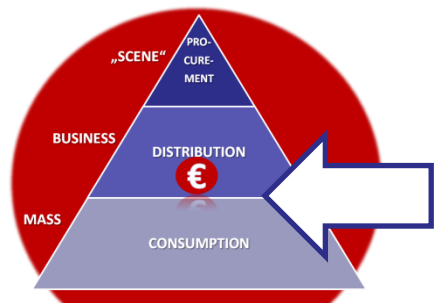
****PREMIUM ACCOUNTS****



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WHAT IS IT ?	WHO DOES IT
BENEFIT / DAMAGE	WHAT TO DO

INTERNET-“PIRACY“



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TYPE 1: „EASY TO USE LIKE GOOGLE“



ILLEGAL E-BOOK-SITES

TYPE 2: „FULL RANGE OFFERING“

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 - Windows
 - Dauerangebote
 - iPhone Apps
 - iPad Apps
 - Macintosh
 - Audiosoftware
 - PDA / Handy / Navi
 - Portable Apps
 - Symbian 3rd & 5th
 - Scriptz & Templates
- » **Spiele**
 - PC
 - MAC
 - Sony PS2
 - Sony PS3
 - Sony PSP
 - Nintendo Wii
 - Nintendo DS
 - Microsoft XBOX
 - Microsoft XBOX360
- » **Video**
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 - Kinocharts
 - Serien
 - Serienccharts
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 - DVD9
 - HD Area
 - HD Sammelthread
 - HD2DVD
 - Dokumentationen
 - Musikvideos / Sonstiges
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 - Neuveröffentlichungen
 - Top 20 Sampler Charts
 - Top 20 Alben Charts
 - Top 100 Single Charts
 - Diskographien
 - Lossless
 - Soundtracks
 - Hörbücher
 - Suche Audio
- » **Dokumente**
 - Digitale Bibliothek
 - Der Spiegel
 - Die Zeit
 - EBooks
 - FOCUS
 - GameStar
 - Heimkino
 - Penthouse
 - Welt kompakt
- » **Suchanfragen**
 - Suche Musik
 - Suche Video
 - Suche Software
 - Suche Spiele
 - Suche Dokumente
- » **Talk**
 - Off Topic
 - Funecke
 - Film
 - Grafik
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 - Netzwelt
 - Sport und Ernährung
 - Szene Talk
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 - Zwischenmenschliches
- » **Support**
 - Apple
 - Microsoft
 - PC Spiele
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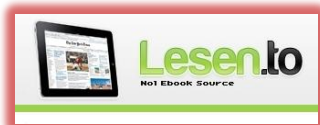


» Dokumente

Digitale Bibliothek
Der Spiegel
Die Zeit
EBooks
FOCUS
GameStar
Heimkino
Penthouse
Welt kompakt

PIRATED PERIODICALS

RANDOM SAMPLE #1 (08-20-2013)



- Tageszeitungen (3054)**
- Berliner Morgenpost (27)
 - BILD (144)
 - Der Tagesspiegel (19)
 - Die Presse (16)
 - Financial Times (33)
 - Frankfurter Allgemeine (124)
 - Handelsblatt (57)
 - Hannoversche Allgemeine (78)
 - Junge Welt (13)
 - Leipziger Volkszeitung (20)
 - Süddeutsche Zeitung (288)
 - TAZ (325)
 - Welt Kompakt (8)

- Kategorien**
- Action (26)
 - Biografien (107)
 - Bücher für Kinder (108)
 - Comedy/Satire/Humor (199)
 - Comic (11159)
 - Drama (63)
 - Englische und US Ebooks (68)
 - Fachbücher/Sachbücher (2452)
 - Fantasy (1503)
 - Gesellschaft/Politik (74)
 - Horror (285)
 - Krimi (1993)
 - Magazine/Zeitschriften (8671)
 - Manga (401)
 - News (312)
 - Papiermodelle (9)
 - Pen & Paper Rollenspiele (310)
 - Romane (3734)
 - Science Fiction (710)
 - Serien (919)
 - Thriller (1495)

Tageszeitungen (3054)

Kategorien

Action (26)
Biografien (107)
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Serien (919)
Tabletop Spiele (22)
Tageszeitungen (3054)
Thriller (1495)

Magazine/Zeitschriften (8671)

20 Minuten Friday (19)
360 Live (19)
Abenteuer & Phant
ADAC Motorwelt (2
Apple & Mac (76)
Auto Bild (91)
Bild der Wissensc
Blickpunkt Film (20
Boerse Online (32
Boote Exklusiv (5)
brand eins (19)
CHIP (140)
CHIP Foto Video (4
com! (49)
Computer Bild (90)
ct (92)
Der Aktionär (37)
DER SPIEGEL (229)
DIE ZEIT (8)
Digital Photo Magazin (41)
Docma (14)
Elektor (5)
Epoc (15)
Eulenspiegel (10)
FHM (15)
Finance Magazin (1)
Finanz und Wirtschaft (7)
Focus (125)
Foto Magazin (26)
Games Aktuell (7)
Gamestar (43)
Gärtnern leicht gemacht (12)
Gehirn und Geist (3)

MAGAZINE/ZEITSCHRIFTEN

Auto Motor und Sport - 17/2013

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COMPUTER BILD, MAGAZINE/ZEITSCHRIFTEN

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Öko Test (51)
P.M. (100)
PC Games (24)
PC Games Hardware (32)
PC Magazin (29)
PC Praxis (18)
PC Welt Magazin (55)
PCgo (31)
PCtipp (14)
Playboy (430)

PS3M (23)
Psychologie Heute (21)
Retro Gamer (4)
SatVision (10)
Selber Machen (47)
SFT (21)
Spektrum der Wissenschaft (21)
Sport Bild (44)
Sterne und Weltraum (2)
Stiftung Warentest (8)
Surf Magazin (7)
TecChannel Compact (9)
Triathlon Training (2)
Universum (12)
Vegetarisch Fit (10)
VideoMarkt (5)
Videospiele (100)
Waffen Revue (4)
Wander Magazin (7)
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Wii Magazin (2)
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RANDOM SAMPLE #2



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 Fantasy

Previous 1 2 3 4 5 6 7 8 9 10 ... 50 Next

- ✓ content protection as a joint effort of the creative industries in Germany
- ✓ non-profit organisation
- ✓ fighting piracy at its source and distribution networks
- ✓ almost 30 years of experience
- ✓ international network
- ✓ centre of competence for copyright protection
- ✓ partner of creative industries, law enforcement and political decision makers



Gesellschaft zur Verfolgung von
Urheberrechtsverletzungen e. V.

CONTACT

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