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representing the  
recording industry  
worldwide

## World Anti-piracy Conference: Madrid

IFPI's Enforcement unit held its worldwide anti-piracy conference in Madrid in June 2006. For the first time it was linked to Internet training sessions for both IFPI and MPA investigators. The conference was attended by more than 120 delegates from IFPI and National Groups.

On the first day, the delegates who were joined by almost 80 senior members of Spanish Law enforcement units, heard overviews from China, Mexico and Spain - three countries with endemic piracy and differing approaches to investigation.

The conference was addressed

by the Secretary General from the Spanish Ministry of Culture, Concepción Becerra on behalf of the Spanish Minister of Culture, stating that the creative capacity, "is one of the great riches of a society" and stressed the Spanish government was committed to the fight against piracy in all forms. She added that the government had recently adopted 'a global strategy' to confront the problem for the first time.

The delegates then heard from a well known Spanish composer and singer, Carmen Paris who gave a passionate address to the conference, referring to the profound damage that piracy

caused to artists. She said, "it is a question of public understanding, although for the public, intellectual property is something abstract and ethereal". During her presentation she explained that her music was very popular in Latin America but no sales were made due to high levels of piracy.

Tim Phillips, author of 'Knockoff: The deadly trade in counterfeit goods', spoke of the insidious effects of 'Knockoff Incorporated' that threatened global well being. He stated that many industries and associations representing rights holders do not actually have a joined up policy to fight the global menace of counterfeiting.



Concepción Becerra, Spanish Ministry of Culture and Carmen Paris, singer and songwriter with industry representatives, address the conference.

The conference was addressed on the second day by Arlene McCarthy, Member of the European Parliament (MEP) on the EU anti-counterfeiting strategy, including information amongst other topics on the Criminal Sanctions Directive, EU Enlargement, bi-lateral I.P. Engagement with China and Russia and the EU-US IPR dialogue.

(Cont. page 2)

## Thai Government Unveils Forensic Unit

The Thai authorities received a boost in their fight against music and film piracy in August when the U.S. government handed over an integrated forensic system originally designed by IFPI, the organisation that represents the recording industry worldwide.

The technology has been used by IFPI and the MPA, to successfully detect copyright infringing disc production in 17 countries since 2000. Malaysia is the

only other Asian country to have such a capability modelled on the IFPI/MPA process, and use of the technology there has resulted in the filing of criminal cases and optical disc license revocations across the country. The new equipment will enable the Thai authorities to identify the manufacturing sources of pirate product originating from local optical disc factories. All Thai government agencies engaged in optical disc anti-pira-

cy activity will be able to use the facility to track pirate manufacturing sources. The equipment will be operated by the Royal Thai Police's Forensic Division under the command of Police Lieutenant-General Ukrit Patchimsawat, deputy commissioner of police.

This new forensic programme will benefit all industries using optical disc formats in Thailand, including software and gaming

Continued from Page 1

Jane Earl, the Director of the UK Assets Recovery Agency, followed to outline the work of her team in sequestering criminal assets including those of the counterfeiters. Phil Lewis, Director of the UK Patent Office then facilitated a series of presentations by IFPI National Groups in which asset confiscation played an important role.

The third day started with presentations by three very experienced customs officers, John Pulford and Danny Struys of EU (DG Taxud) and Pierre Bertrand WCO, stressed the need for cooperation with industry, the provision of up to date intelligence and the need for customs applications to be completed. The importance of these three points cannot be overstated as customs require applications and information to provide essential details for effective risk analysis to be conducted.



Delegates in Madrid



Frances Moore, IFPI Brussels office and Arlene McCarthy MEP address the conference

Feedback from the conference which was jointly hosted by IFPI and PROMUSICAE, the Spanish National Group was very positive. The conference was widely seen as very successful with delegates from all regions meeting together for the first time in two years benefiting greatly from the expert presentations and the opportunity to exchange experiences.

Source: IFPI Enforcement

## UNITED KINGDOM ANTI-PIRACY OPERATION LEADS TO GUILTY VERDICT IN BEATLES CASE

A man has been found guilty at Southwark Crown Court of trying to sell stolen tapes recorded by the Beatles during the making of the band's final album, 'Let It Be', following a sting operation set up by the City of London Police and assisted by IFPI. He was given a four month prison sentence, suspended for two years.

Another defendant, was found unfit to stand trial and sentenced to a two year supervision order under the Mental Health Act.

The tapes, known as the 'Get Back Sessions', disappeared shortly after the recording of the album in 1969 at the Beatles' Twickenham Studios and since then have only been heard via pirate copies that were made widely available across Europe and the USA.

Investigations by IFPI and BPI, organisations that spearhead the recording industry's anti-piracy fight internationally and in the UK, culminated in a series of raids in Lisse in Holland and England by City of London Police and their Dutch counterparts FIOD-ECD in January 2003. These raids led to the seizure of more than 500 original reel-to-reel tapes belonging to the Beatles.

One of the persons arrested had worked at the Twickenham Studios, and both were charged with the possession of stolen goods. They had tried to sell the tape spools and George Harrison's passport to undercover officers who had gained their confidence as part of a sting operation.

The investigation which has previously been reported in earlier editions of the Enforcement Bulletin also led to the seizure of 1259 stampers in Austria, illegal pressing facilities in Germany and more than one million bootleg discs in a warehouse in Luxembourg.



Bootleg copies of original stolen tapes found in Luxembourg

Some of the 500 original tapes recovered in Holland



Source: IFPI Enforcement

## POLAND

### Polish Police make biggest single seizure at border market for five years

The border towns along Poland's western frontier have long been attractive to German shoppers keen to purchase the illegal music and film titles on offer in their pirate markets.

In August police from Gorzow and Zielona Gora raided the market in Slubice which is at the border crossing with Frankfurt Oder in Germany. The raid which involved over fifty law enforcement officers was hailed as a great success with over 50,000 discs seized. Computer replication equipment was also seized during the action. This represents the largest seizure in any single action in the border markets for over five years.

A total of ten arrests were made and one of those arrested was kept in custody by the prosecutor. Over 45 retail outlets were closed down during the raid and the prosecutor has insisted that the stall holders all have to appear before him to obtain permission to re-open.



Market Stall with illegal product

Cont: Page 4

## NETHERLANDS

### ZOEKMP3 LATEST VICTORY IN INTERNATIONAL CAMPAIGN AGAINST PIRATE MUSIC WEBSITES

The music industry's global fight against illegal website piracy was boosted by a landmark judgment in June against a major "deep links" site in the Netherlands.

The ruling against Techno Design, the operator of www.zoekmp3.nl, clarified that making available a searchable website of deep links to unlicensed mp3 files for download is illegal in the Netherlands. The judgment by the Dutch Court of Appeal, in favour of the anti-piracy organisation BREIN, overturned a June 2004 decision of the Haarlem District Court.

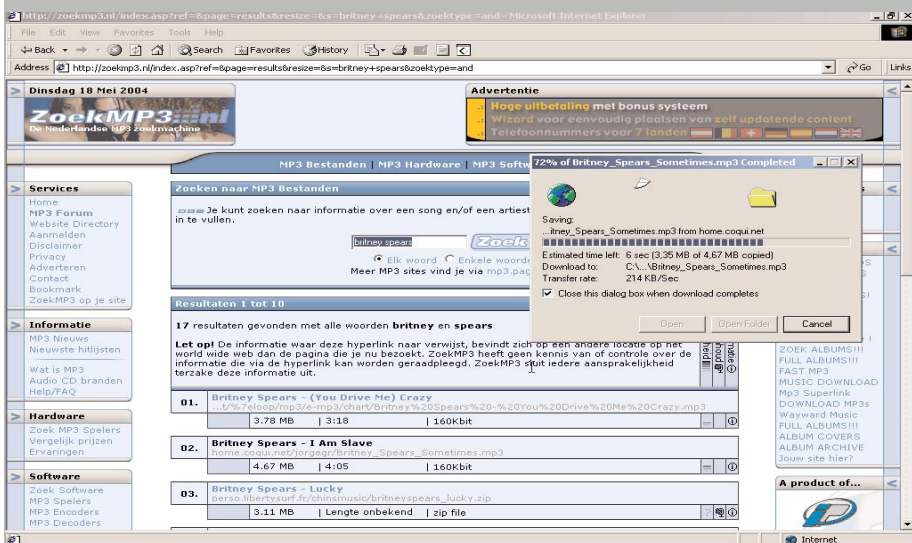
It was the latest in a series of judgments against "deep link" websites offering thousands of unauthorised links to copyrighted music. Similar websites have been found to be illegal in Australia (mp3s4free.net) and China (Baidu).

The Dutch Court of Appeal ruled that Techno Design was aware that its mp3 search service referred systematically to infringing files and that it benefited commercially from this without taking into account the interests of content owners.

Techno Design was ordered to stop offering deep links to infringing mp3 files through zoekmp3.nl or any other website, and to pay costs and damages (to be assessed). Failure to comply with this injunction would lead to fines of €10,000 per day, or €1,000 per infringing file.

#### Key elements of the ruling:

- + Making mp3 files available on the internet is illegal "publication" under Dutch law, where it is done without the permission of the copyright owner.
- + A warning to users on zoekmp3.nl not to infringe copyright did not excuse Techno Design from liability.
- + Techno Design benefited commercially from the infringements, since the availability of unlicensed files drove traffic to zoekmp3.nl increasing the revenue it gained through advertising.
- + The court rejected Techno Design's argument that the database of links was constructed largely automatically - it could not "hide behind its webspiders".
- + Techno Design did not qualify for the protections available to ISPs under the World Intellectual Property Organisation (WIPO) Treaties, as its conduct goes significantly further than the mere provision of facilities for communication.



Screen shot of website

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Cont: From page 3

### POLAND

Michael Ellis European co-ordinator said 'the action that took place today again highlights how a public private partnership approach can pay dividends. We applaud the work undertaken by law enforcement and the great commitment they have shown. It is very encouraging to see that the prosecutor has taken a firm line. This sends a clear message to the pirates.'

Source: IFPI Secretariat

### Belgium Linking to illegal music websites is held to be a "wrongful act"

A Belgian court has upheld the position that it is illegal to offer links to illegal music sites even though there was no financial gain for the person posting the links.

IFPI Belgium discovered a website - run by a university student - that had several tens of thousands of links to infringing sites.

The defendant tried to argue that linking is not a wrongful act and that he did not aim for any economic advantage. The judge held that the defendant had promoted the distribution of illegal reproductions via the internet by offering hyperlinks to illegal music websites and that he did not act in the way that a normal and careful person would.

The defendant was sentenced to pay full damages, including costs of the proceedings, to IFPI Belgium.

Source: IFPI Belgium

Cont: From page 3

Article 10 of the European Convention on Human Rights, which protects freedom of expression and the right to information, does not override the rules of copyright which are necessary to protect creative content in a democratic society.

Tim Kuik, managing director of BREIN, says: "This verdict provides the clarity that many have been asking for. "It is unlawful for a search engine, a p2p website or other intermediary to knowingly use the massive infringements by others. Your site is prohibited if it provides structural and systematic linking to illegal files. We will continue to pursue such sites which make it their business to facilitate abuse of rights. The verdict fosters a climate for reliable trade on the internet. Enforcement against internet piracy and those who facilitate it is crucial for the growth and development of legitimate commerce in creative content on the internet. That is in everybody's interest, from creator, producer and distributor to consumer."

Source: BREIN

### NETHERLANDS

#### Servers seized by Dutch Fiscal and Economic Police

A criminal investigation into mass copyright infringements using the p2p network BitTorrent bore fruit when the Dutch fiscal and economic Police (FIOD-ECD) conducted searches of premises in The Hague and Den Helder, confiscating computers and relevant documents as well as arresting two suspects who were taken into custody.

The Functioneel Parket, the public prosecution service for IP fraud, authorised the police to begin the criminal investigation in April. It was directed at the owners and administrators of the websites [www.liquidtorrent.org](http://www.liquidtorrent.org), [www.liquidtracker.org](http://www.liquidtracker.org) and [www.phoenixtorrent.org](http://www.phoenixtorrent.org).

Visitors to these websites used them to illegally exchange copyright-protected content such as films, music, games and software. A user had to upload as many files as he had previously downloaded otherwise he would be denied access to the website. It is suspected that the owners/administrators controlled these systems remotely from their own premises. In order to take the websites down, a server hosting them was confiscated from an internet service provider.

These police activities follow earlier civil actions by Dutch anti-piracy organisation BREIN, who investigated these sites for months, sending out 'cease and desist' letters and finally filed a complaint to the criminal authorities because the site operators continued their illegal activities.

BREIN carries out a structural campaign against illegal p2p-sites. To date, 71 infringing p2p websites with hundreds of thousands of registered users have been taken down by the organisation. Illegal p2p sites are pivotal in the unauthorised exchange of pirate files. The operators of BitTorrent sites control the offer of such files. The majority of these sites are well organised and contain illegal offers of popular films, music, games and software.

Source: BREIN

## BULGARIA Increased actions against Internet pirates

Bulgaria stepped up its actions against internet piracy in a series of actions across the country.

Officers from the National Service Combating Organised Crime (NSCOC) carried out operations in the towns of Veliko Tarnovo, Gorna Orqhovica and Lqskovec. These led to the discovery of the largest two servers in Gorna Orqhovica - the largest in northern Bulgaria dedicated to spreading infringing files on the internet. The servers contained five terabytes of pirate music, movies and software - content equal to 7,000 compact discs.

One suspect, a 26-year-old from Liqskovec, had provided more than 500 gigabytes of infringing files to consumers visiting the site. Two people are now helping the police with their enquiries.

In a separate initiative, action was taken for the first time against the exchange of files of illegal software, music and movies by users of torrent software. Three of the most active uploaders of illegal content in Bulgaria were arrested by NSCOC. They had allegedly uploaded 22 terabytes of infringing files over the past year and made them available to an unlimited numbers of users. A computer with a 500 gigabyte hard drive and discs containing more than 15 terabytes of illegal content were found during a house search and these three suspects have now been indicted.



Officer searching for evidence



Powerful Servers

Meanwhile in Sofia, officers from NSCOC and Investigation Office-Sofia arrested the administrator and system operator of an illegal website. A computer system with a 500 gigabyte hard drive, a router computer system, laptop, three hard discs and over 200 recorded CDRs were seized from their homes, which had been turned into a control centre for the biggest illegal file exchange in Bulgaria.

The two people arrested in this action were using a high-speed optical internet service by which they were downloading the latest films and music from foreign sites and distributing them in Bulgarian internet space. It was ascertained that one suspect alone had uploaded over 112TB of suspected infringing music and film titles.

Source: BAMP

## Italy Operation against pirate traders on eBay

Italy's Fiscal Police (GdF) from Udine, assisted by industry's anti-piracy body FPM, executed several search orders in a nationwide operation against the online sales of pirate CDs and DVDs on eBay earlier this summer.

During the operation, the police seized music and video compilations offered by illegal traders. Twenty individuals were indicted for copyright violation and are facing up to four-year prison sentences as well as administrative fines of millions of Euros. Equipment including computers, burners and printers were also seized. During the investigation, aimed at stopping a major ring of online vendors, the police and the anti-piracy federation received cooperation from the anti-fraud office of eBay. Most of the vendors were found with dozens of packages ready for shipment and some of them were discovered downloading music and movies from file sharing networks. Bank accounts have been seized by the Fiscal Police and an investigation into the customers of the illicit traffic is underway. According to Italian law the purchaser of pirate goods can face an administrative sanction of up to 10,000 euros.

Source:FPM

## Belgian music and the audio-visual industry join forces.

In July 2006 IFPI Belgium and the Belgian anti-piracy federation (Belgian Video Federation, MPA and Sony Computer Entertainment Benelux) signed a collaboration agreement to work closer together and raise efficiency in combating piracy of sound recordings, films and play station games both on and offline.

Olivier Maeterlinck, director of IFPI Belgium, said: 'Music, film and games are victims of the same kind of piracy and it seems logical to join forces in order to step up the fight against piracy and counterfeiting and to increase efficiency by combining our expertise and resources.'

Source: IFPI Belgium VZW-ASBL

## China

### Action taken against pirate retail outlets in Shanghai and Guangzhou

Officials in Shanghai undertook a series of enforcement actions against pirate retail outlets in Xuhui and Yangpu Districts in July, acting on information supplied by IFPI. A total of 18 outlets were raided, resulting in the seizure of 28,000 illegal optical discs. The Shanghai Municipal Administrative Enforcement Authority on Cultural Market informed IFPI that each of the raided retail outlets had been fined RMB10,000 (approximately US\$1,250).

At the same time, the General Department of Guangzhou Administrative Law Enforcement of Cultural Market took action against pirate retail outlets in Liwan and Haizhu Districts. A total of seven pirate retail outlets were raided, resulting in 61,000 pirate optical discs being seized. IFPI received notification after the raids that the seven outlets would be subject to administrative punishment.

### Action taken against pirate warehouses

IFPI regional operatives joined with the Baiyun District Culture Market Administrative Enforcement Task Force and the MPA in July to raid three suspected pirate optical disc storage and distribution facilities resulting in the seizure of 267,000 pirate music optical discs carrying popular local and international music titles.

Source: IFPI Asia Pacific

## Indonesia

### ILLEGAL CD PLANT DISCOVERED BY POLICE OFFICERS

Police in Jakarta raided a pirate disc factory seizing discs and manufacturing equipment. Their suspicion was aroused after they stopped and searched a commercial van carrying a large number of pirate discs and traced it back to the plant.

The police found a concealed entrance to the hidden plant in an otherwise unremarkable industrial unit in the Pergudangan complex. This secret factory contained four lines of replicating machinery capable of producing a minimum of 40,000 finished discs per day.

Police seized 27,000 finished pirate VCDs and 500,000 unfinished discs as well as six stampers. In addition, half a million DVD substrates were recovered and there was enough stored polycarbonate present to produce an additional 700,000 discs.

Some 21,000 of the seized discs contained local music repertoire and the police found documentary evidence that the plant had produced a variety of other music titles since it was established in early 2006.

Five of those present were arrested for the operation of an unlicensed replicating facility and the production of pirate optical discs in the raid which was carried out by the Special Economic Crimes Unit of the Jakarta Polda Metro Jaya Police. The owner of the plant is an Indonesian national who has reportedly fled Jakarta.

John McGuire regional investigator who attended the scene to assist the local officers said: *"From an examination of the facility it is very evident this was a sophisticated and large scale illegal replication facility that had been established to produce very significant quantities of pirate optical discs. The presence of a concealed escape hatch inside a nondescript cupboard indicates the plant owners were fully aware and prepared for raid action by the authorities"*



DVD line sealed by Police



Hidden doorway to illegal plant

## Malaysia

### Royal Malaysia Police raid unlicensed facility

Royal Malaysia Police concluded a month-long surveillance operation this summer with a 15-man raid on a factory premises on the outskirts of Malacca. The team scaled a perimeter fence and gained access through the roof. The raiding team surprised the two men in charge of the production line, despite surveillance cameras on the external walls of the building, and both were remanded in custody pending further enquiries and charges, under both the Copyright and Optical Disc Acts.

IFPI attendance at the raid helped the authorities uncover valuable production-related evidence which subsequently led to the disclosure of illegal music production. A total of 9,000 suspected infringing discs were found inside the facility, as well as 3 replication lines and a printer.

### CDR-Burning on the rise in Malaysia

Pirate producers are increasingly using CDR / DVDR burners instead of bulky pressing machinery. This enables them to operate in smaller premises where they hope they may better avoid detection by the authorities. IFPI and MDTCA officers have responded by conducting raids on burner facilities, including a 315 burner operation in a residential unit in Bandar Mahkota, Cheras. At first officers could find no evidence of pirate production, but a search of the building revealed a passage knocked through to the adjacent premises, concealed behind a wardrobe in a first floor bedroom. Entry into the adjoining house found a 45 tower burner facility (seven trays per tower) and 11,473 infringing discs. One man was arrested as a result of the raid.



### Net tightens on infringing Licensed Plants

The Malaysian authorities have filed criminal charges against the directors of two previously licensed optical disc plants - Syarikat Crystal Disc Industrial (M) Sdn Bhd and Syarikat Lasermatic Sdn Bhd - three years after initial raids against them were carried out.

Both companies were charged with failing to display SID codes on 7,032 discs found in the immediate vicinity of their factories which operated out of shared premises in the Resources Industries Centre, Jalan Klang Lama, in contravention of Section 19(1) of Malaysia's Optical Disc Act.

At the hearing, in the Kuala Lumpur Sessions Court, directors of both companies pleaded not guilty to the charges and the cases have been set for a hearing in December 2006. Both plants have had their manufacturing licenses revoked in the interim.

IFPI will assist all plants in developing and maintaining 'Good Business Practices', which include the verification of repertoire and licenses before accepting orders for replication.

## PHILIPPINES

### Enforcement Actions

The Optical Media Board (OMB) has continued enforcement actions against pirate retailers in the Philippines, conducting raids outside the capital. In mid-May they struck against retailers in Lucena City, netting 26,000 mixed format pirate optical discs. Three other provincial raids including one in the Philippines' second city of Cebu, netted in excess of 170,000 discs. Meanwhile back in Manila three further raids netted more than 115,000 illustrating the scale of the problem on the islands.

### Disposal of confiscated items.

As can be seen in the photograph below, the Chairman of the OMB, Eduardo Manzano, is dwarfed by the mountain of seized discs stored by the Board. In a recent development, Executive Judge Eugenio, of the Manila Regional Trial Court, has moved for support to change the handling of seized pirate product, and diminish the burden of storage and disposal of items seized under warrant. If agreed the authorities could retain representative samples to support legal action against the distributors and retailers, and then destroy the bulk of the seizures a short period after the enforcement actions.



*Counterfeits waiting destruction*

Source: IFPI Asia Pacific

## Internet Cafe Raids cover 12 cities in 7 countries

Anti-piracy groups across Latin America have carried out a co-ordinated campaign to fight the growth of illegal music downloading at internet cafes. The operation, named 'Cyber Shutdown', took place in cities across Brazil, Mexico, Costa Rica, El Salvador, Colombia, Chile and Argentina with the support of more than 2,000 law enforcement officers.

The strategy behind this campaign was based on intelligence developed through local research that indicated internet cafes were becoming a significant factor in the growth of digital and physical music piracy throughout Latin America.

The most recent surveys conducted in Buenos Aires, Sao Paulo and Mexico City indicated that at least a hundred internet cafes in each city were involved in some sort of illegal downloading and facilitated 25 to 50 per cent of all illegal music burning in each country. In addition, the surveys revealed that approximately 500 million songs are being illegally swapped or downloaded in Argentina and Mexico and close to one billion in Brazil.

A total of 310 Cyber cafes were raided in seven countries and the authorities seized 12 servers, 343 computers (normally with two burners per machine) and approximately 10,000 optical discs. The computer hard drives were found to contain 300,000 separate music files and 79,000 film files being used to generate illicit discs. In Colombia 22 people were arrested following in-depth investigations by authorities and IFPI's anti-piracy team.

Based on the success of these efforts, Operation Cyber Shutdown will become an integral part of the overall anti-piracy campaign and will lead to more training for the cyber-crime police unit in each major city.

*Source: IFPI Latin America*

## ARGENTINA

### Illegal "Home delivery" organization dismantled in Argentina

An illegal "home delivery" organisation was shut down in July when the Special Tactical Operation Unit from the Province of Santa Fe raided two commercial premises in the city of Rosario. The raids were a culmination of a year long investigation into the network that supplied both music and films on custom-made discs.

The authorities discovered the service advertising on two websites and subsequent investigations confirmed that these sites were major suppliers of film and music product to most of the Province of Santa Fe, catering for both retail and wholesale clients. Fifteen CPU, 26 burners, almost 20,000 recorded CDRs, 22 monitors and over 1,000 blank CDRs /DVDRs were seized in the raid. Four people were arrested and remain in prison.

The head of the organisation will be charged with several criminal violations including running a criminal organisation, tax evasion, money laundering and using the official mail system to deliver pirate goods, as well as using underage children as couriers to facilitate a felony.

Rosario, the second fastest growing city in Argentina, is the home of several well-known artists and has several legitimate record stores throughout the city. Actions against 'home delivery' operations are set to increase as recent surveys indicated this mode of custom-made service accounts for 23 per cent of all piracy in Argentina.

IFPI Latin America aims to combat physical piracy online by ensuring its internet anti-piracy experts work closely with law enforcement investigators. The closure of this service is an example of the success of this strategy.



*Burning operation*



*Discs awaiting despatch*

## PARAGUAY

### Pirates dealt a hard blow in Ciudad del Este

Officers from the UTE and the Economic Crime Department of the Policía Nacional conducted eight simultaneous raids on shops and warehouses distributing pirate music and film products in July. In total 158,042 optical discs containing infringing material and 1,530,000 inlay cards all containing details of infringing titles were seized. The discs which consisted of over 43,000 DVDRs containing both films and music and more than 114,000 CDRs containing music titles remain in the hands of the authorities whilst further evidence is gathered. The raids which received wide coverage in the local press were reported as a hard blow against the 'pirate mafia'.

Source: IFPI Latin America

### India First major plant raid

India saw its first major plant raid when the Indian Censor Board joined members of the Indian Music Industry (IMI) team in visiting Deepak Arts, a division of Rhythm Music Technology.

The plant in New Delhi was closed as 21,065 illegal discs and over 350,000 inlay cards, 650,000 VCD film inlay cards and machinery - including two complete production lines - were seized by the authorities.

The raid received widespread television and newspaper coverage and the owner of the plant and three other suspects were remanded in custody pending further investigation. It is suspected that as many as 28 video companies were involved in the piracy of Indian music and films.

The IFPI / MPA plant visit programme in India seeks to advise owners and replicators at such plants of the procedures they should take to avoid producing illegal or infringing titles.

Source: IMI

## SOUTH AFRICA

### Johannesburg

The Recording Industry of South Africa's Anti-Piracy Unit (RAPU) scored yet another victory recently when two pirates were convicted of selling infringing copies of music.

The two music pirates had set up "production" at the Mabopane Train Station in Pretoria where they were burning albums, by high-profile South African and international artists like Malaika, on a computer.

Oupa Moloi from RAPU said: "These two individuals were operating blatantly at the station, out of an ordinary hawkers store. They had their computers set up and you could ask for an album, which they would select on their computer and then burn them and there." Both offenders received suspended sentences provided they desist from engaging in the production of infringing copies of music.

Says Moloi: "We were able to identify the location as a potential piracy hotspot. It is astonishing how blatantly these two operators were working - out in the open, burning CDs to order for customers at a price of either R25.00 or R30.00. I don't believe that the people who are buying from them understand what damage they are doing to South African musicians and artists by buying infringing copies of music."

In June, RAPU saw a high-profile pirate convicted of infringing the Copyright Act and fined R300,000 or three years imprisonment of which R200,000 or two years were suspended for a period of five years, provided the accused is not found guilty of the same offence during the period of suspension.

This conviction was described as a "major victory" by Braam Schoeman, the head of RAPU. It arose out of a raid on the China City premises of a major music counterfeiter in June. That bust saw RAPU work with the Organised Crime Unit of the SA Police Services and yielded close to 10 000 CDRs, more than 40 000 cassettes and more than 500 DVD-Rs, together - worth over R1-5 million.



Cataloguing the evidence in South Africa

Source: RISA

## Nigeria

### Raid on Alaba International market in Lagos

- 2 police officers wounded by gun shots
- Nigerian National IFPI/MPA coordinator wounded
- Several thousand pirated CDs and VCDs seized
- 4 men arrested
- 1 police vehicle 'burnt out'

The occasional dangers of piracy investigation were brought sharply into focus when the Nigerian authorities raided the notorious Alaba Market in Lagos in June. This market area is a renowned centre of counterfeit distribution and when raided by the authorities the pirate distributors fought back firing guns and throwing a hail of stones and bottles.

Two Police officers were shot and the IFPI / MPA coordinator Akeem Aponmade, wounded when he was struck on the head by a stone. Fortunately all those wounded have made a good recovery.

The raid was led by the Director of Special Operations of the National Copyright Commission (NCC) and the Nigerian National Coordinator for the combined IFPI/MPA office. More than 100 anti-riot policemen surrounded the market whilst 10 armed officers took up positions on the rooftops. They supported the 12 Copyright Inspectors and 15 packers who went into the Alaba market to inspect suspect merchandise.

Almost immediately the Copyright Inspectors were attacked by a large crowd of traders. Some warning shots were fired into the air and a strategic withdrawal commenced for fear of events getting out of control.

It was then noticed that three NCC inspectors were trapped inside a shop in the market place and had to be rescued under cover of tear gas in an attempt to hold back the hostile crowd. It was during this tense rescue that the three persons mentioned above were injured.

The hostile crowd continued to throw a hail of missiles at the officers but fortunately the three trapped NCC inspectors were able to escape in a Police vehicle which managed to force its way to the shop where they had been surrounded. During this rescue one Police vehicle was set on fire and burnt out by the rioters.

Four persons were arrested and several thousand suspected pirate CDs and VCDs were recovered from the market prior to officers having to withdraw.

Mr Adebambo Adewopo, Director General of the NCC said, *"We are determined to rid the industry of piracy and we will not allow resistance to discourage the NCC from pursuing its goals in implementing the Strategic Plan Against Piracy. We have established our position to confront piracy which has eaten deep into the fabric of the entertainment sector and left the creative industry seriously plundered. The level of piracy at Alaba and other notorious markets in Lagos has become unacceptable. So the challenge facing everyone, including journalists and the public is to mount the campaign against the pirates of creative works."*



Police car totally destroyed by rioters

Source: Joint IFPI /MPA office Lagos

## PAKISTAN

### CDR duplication centre raided in Pakistan

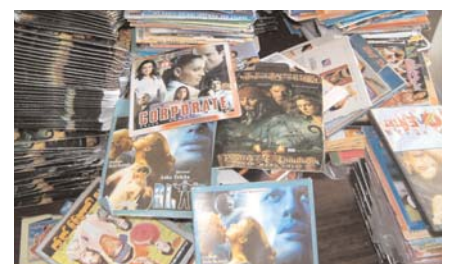
In a little over a year since six large illegal replication plants were shut down in Pakistan by the authorities, the first major CDR duplication facilities have been raided, demonstrating once again that the pirates quickly adapt their mode of production when livelihoods are threatened.

The IFPI / MPA office in Pakistan has maintained a close working relationship with the Federal Investigation Agency (FIA), and this led to a recent FIA raid by the Lahore office of that agency and the seizure of 273 CDR burners (39 stacks each with 7 burners) from a private apartment in Lahore.

During the raid approximately 18,000 pirated CDRs containing Pakistani TV drama, stage play and songs were seized. Around 2,000 pirated CDRs containing Hollywood and Bollywood films, about 20 pornographic films and 1,983 blank CDRs were also seized.



In total the FIA confiscated more than 22,000 pirated CDRs and arrested two people - brothers - who run a CD shop in Hall Road, Lahore. The investigation continues.



Product seized in Lahore

Source: Joint IFPI /MPA office Karachi

## UKRAINE

### Police raid yields counterfeits and a loaded firearm

Ukrainian police conducted a raid on a storage warehouse in Melitopol in July as part of their long-term campaign against music and film piracy throughout the country.

The warehouse was used for storing and distributing pirate music and films to retail outlets - mainly markets - in the Zaporozhie region. Intelligence linked the warehouse to previous raids in the cities of Dnepropetrovsk and Zaporozhie. The same organised crime group was believed to be running all three outlets, sourcing their pirate CDs and DVDs from Russia.

This latest raid was particularly significant as during the operation a loaded firearm and large quantities of cash were seized from the warehouse as well as more than 9,000 film DVDs, 3,000 music CDs and 1000 game discs. Four colour printers for making inlays and a large quantity of forged Ukrainian tax hologram stickers were also found.



It is the normal modus-operandi of this syndicate to obtain the pirate discs on spindles and then prepare their own inlays and documentation locally. One Ukrainian man was arrested inside the warehouse and is currently facing criminal charges.

Figures released by the Ukrainian police have shown a large increase in the number of anti-piracy actions initiated by their officers in the major regions of Kiev, Donetsk, Transcarpathian, Crimea, Zaporozhie and Zhytomir. During the first six months of June 2006, they instituted nearly 500 criminal prosecutions.

Much of this success can be attributed to the work of IFPI Kiev who, with joint funding from the MPA, maintains a team of four investigators who work from their office in Kiev. Through the twin strategies of sharing intelligence and specific anti-piracy training, they have formed an excellent working relationship with the Ukrainian police and work closely on all of their anti-piracy initiatives.



*Discs awaiting distribution*



*Cash and burners found during raid*

Source: IFPI / MPA Kiev

## USA

### Largest burner lab in US history.

The RIAA Anti-Piracy Unit working with the Atlanta Police Department's Narcotics Unit, on a joint investigation executed a search warrant at a suspected "Burner Lab" located in a warehouse complex. The target location became the subject of an investigation after RIAA investigators heard what they thought to be the "hum and whiz" of hard drives and / or burners.

Officers from the Atlanta Police Department who had also witnessed a narcotics deal at the suspected location obtained a search warrant. Inside the complex, a "Burner Lab" was located consisting of 281 high speed burners, four commercial grade copiers, two heavy duty paper cutters, 1400 DVDs and 400 CDRs.

There was evidence that a substantial amount of raw product had been at the scene, however due to the increased amount of enforcement in the general area it is believed that the finished product was being swiftly moved from that location to local distribution points.

In addition to this location being a "Burner Lab", authorities also seized a total of eleven pounds of marijuana. Two suspects were arrested on the scene and charged under the Georgia State Code.

Source: RIAA



*Burners seized in Atlanta*

## Sweden

### Training in Stockholm.

IFPI were invited to participate in a training seminar sponsored by the Swedish Patent Office, the Swedish International Development Cooperation Agency and WIPO.

This event which has become a regular event in the IFPI calendar brings together IPR professionals from around the globe for a three week intensive course in all IPR related matters.

The participants, all from the developing world and from countries with varying standards of IPR legislation were able to participate in a seminar aimed at improving protection and adopting efficient and effective development assistance in a changing world.

The IFPI presentations were welcomed enthusiastically by the delegates who raised many questions about the investigation of music piracy, the pernicious effects of organised crime and best practice in dealing with the pirates, including the confiscation of assets.

Source: Training at IFPI

## Thailand

Cont: from Page 1

companies. Such developments will also promote and protect the future of Thailand's own legitimate optical disc manufacturing industry with all the employment and revenue opportunities such a growing sector provides.

The ability of the forensic unit to effectively identify pirate discs made in Thailand is reliant on the well-established excellent inter-agency cooperation between the Royal Thai Police and the Department of Intellectual Property which will be further enhanced as a result of this joint endeavour.



Police Lt. Col. Anuchit Boonyapatipark, Forensic Scientist and Thanassis Zemberis launch the Thai forensic unit at the press conference.

A specialist unit of the Department of Intellectual Property, headed by Deputy Director-General, Mr Banyong Limprayoonwong has, since February this year, worked with the Royal Thai Police and industry trade associations, including IFPI and MPA, to provide essential support services for the forensic laboratory unit. These services include training, supporting formal visits to all licensed Thai plants as well as information and exhibit exchanges.

IFPI's Asia Regional Director Maysee Leong said: "IFPI welcomes the cooperation between the US Government, Thai Authorities and the private sector in using state of the art scientific investigative tools to bring to justice major pirates. This forensic technology is a proven and effective weapon in tackling pirate disc manufacturing which, together with the Optical Disc Production Act passed last year, positions the Thai Government at the forefront of anti-piracy enforcement, not only regionally, but globally. IFPI will continue to support Thailand's enforcement agencies in their ongoing anti-piracy efforts, particularly with IFPI's own forensic capabilities based at the IFPI Secretariat in London."

Source: IFPI Asia Pacific

## People

### Appointments/Movements

Michelle Middleton	Executive Assistant Secretariat (July 06)
Anna Rozanska	Team Secretary Secretariat (July 06)
Paul Warren	Promoted RAPEC (Sept 06)
Peter Scott	Promoted Dep. RAPEC (Sept 06)

### Departures

Michael Ellis	RAPEC Europe (Sept 06)
Tracy Corrigan	Executive Assistant (July 06)

## Diary 2006

8-15 Sept	Visit to IFPI by AP Director from CRIA
18-21 Sept	UNESCO regional training (Namibia)
27-29 Nov	RAPEC Meeting (Hong Kong)

## Last word

General anti-piracy enquiries and requests for information relating to enforcement issues should be sent to the following email address:

[enforcement@ifpi.org](mailto:enforcement@ifpi.org)

Information is also available from IFPI's website: [www.ifpi.org](http://www.ifpi.org)

The next EB will be **January 2007**.

Contributions / comments are welcomed and these should be forwarded to the editor no later than **5 December 2006** (see below for details).

Mailing list enquiries should also be addressed to the editor.



ENFORCEMENT BULLETIN

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