



representing the  
recording industry  
worldwide

## **IFPI'S WORK ON EDUCATION, TRAINING AND AWARENESS BUILDING IN THE AREA OF ENFORCEMENT OF RIGHTS**

May 2006

*IFPI, the International Federation of the Phonographic Industry, represents the recording industry worldwide, with a membership that includes more than 1,400 producers and distributors in over 70 countries in Europe, North and South America, Asia and the Pacific, and Africa. IFPI's membership includes the major multinational recording companies, hundreds of independent record companies, large and small, located throughout the world, and 48 national affiliated industry associations. The members of IFPI are involved in the production and distribution of sound recordings representing human musical impression of all kinds, popular, classical and culture, jazz, and folklore.*

An important aspect of IFPI's mission is to promote the value of music worldwide and to work closely with governments, legislators and enforcement authorities around the world. IFPI dedicates substantial resources to education and public awareness of decision makers and the general public. IFPI develops teaching and educational materials and programs and contributes to the training of law enforcement officers.

The following report explains the work of IFPI's enforcement team in raising awareness and training law enforcement agencies, and then sets out in more detail IFPI's educational campaigns as part of IFPI's PR and communications work.

### **I. AWARENESS RAISING ON THE BASIS OF THE EXPERIENCE OF THE INDUSTRY IN THE ENFORCEMENT OF COPYRIGHT.**

IFPI's international office in London, and the national groups in each country provide a valuable resource to governments on a wide range of industry issues. IFPI participates in consultation processes and comments on draft laws, providing the global recording industry perspectives and experience on a wide range of issues involving copyright and enforcement.

In reaction to physical piracy, i.e. the infringing production and dissemination of music carriers on e.g. CDs, DVDs, or burnt CD-Rs, IFPI develops publications targeted at raising awareness to the piracy problem in different countries of the world. One example is IFPI's Enforcement Bulletin, now published three times a year, and sent to enforcement authorities worldwide bringing up-to-date information about investigations and cooperation with local enforcement agencies.

IFPI's enforcement department publishes guides aimed at educating a broad range of people to recognise pirate product. IFPI also carries out surveys on the efficiency of investigation and enforcement techniques which are later used to produce instruction manuals.

### **II. TRAINING OF LAW ENFORCEMENT OFFICIALS**

IFPI devotes substantial resources to the training of law enforcement officials at training seminars and conferences. While we organise and run seminars, we more often contribute to seminars organised by our national groups and participate in seminars organised by third parties. Training is occasionally sponsored and cooperated with other creative industries such

as the MPA, BSA and Microsoft. IFPI has a particularly close relationship with the MPA and frequently share platforms with this organisation.

A significant amount of training and liaison has been conducted by IFPI's secretariat with IFPI national groups, to ensure the quality of cooperation of national industry bodies with customs authorities in particular.

An intranet based training programme has been rolled out and is available to national recording industry bodies. This programme is currently updated to include versions in Spanish and Portuguese following demand from IFPI Latin America.

For enforcement purposes, IFPI maintains an optical disc forensics lab, which is recognised by many specialist law enforcement units around the world. IFPI has trained many national law enforcement units by inviting personnel for training or by visiting their respective countries to advise specialist forensic teams in setting up laboratories.

Regional IFPI offices and national industry bodies take responsibility for training programmes in their respective regions, assisted with product support, presentations, videos and other material from the central office in London. Where such individually sponsored programmes are conducted they are now more frequently targeted at specific training needs such as 'Optical Disc Forensics' and assisting specialist training units to establish training facilities in their own country. Training programs often include visits to IFPI's office for a period of intensive training or by IFPI personnel visiting the country concerned.

Training seminars organised by third parties with IFPI participation include programmes in cooperation with the EU, WCO (World Customs Organisation), Interpol, and UNESCO. Training is regularly carried out with members of EU customs and the WCO. Training techniques aim to create an interactive environment, encouraging participation of the students in problem solving exercises. Close working relationships have been built up with DG Taxud of the EU and joint training programmes specifically targeted at customs officers have been among the best prepared and resourced events. We have also conducted training seminars under various other EU sponsored programmes such as CARDS, PHARE and SECI.

The majority of training programmes organised by IFPI are targeted at law enforcement and administrative bodies with IP powers but a significant number of attendees come from the judiciary and prosecutors departments. Where possible, training is targeted at the trainers within training establishments in the sole called 'Training the Trainers' events.

#### ***Training the trainer.***

This concept is designed to enhance the effectiveness of training conducted by IFPI and other rights holders teaching those responsible for training in LEA academies and training schools, thereby multiplying the effect of individual training sessions. The idea has been around for some years now and has been used by IFPI on several occasions. Other organisations such as the WCO and UNESCO also use this method bringing in recognised trainers for intensive 3 and 4 day courses designed to cover all aspects of IPR enforcement.

One such training session organised by UNESCO took place in Sofia, Bulgaria in May 2004 for representatives from seven S.E. European countries. IFPI played a very active role in the preparation and delivery of this seminar, which was widely seen as being a model for other regional programmes. One of the effects of this particular programme was that those attending were encouraged to conduct seminars within their own countries within one year. As a result training sessions were conducted in Croatia, Bosnia Herzegovina, Serbia & Montenegro, Macedonia and Romania. In each of these follow up sessions IFPI either provided some training material and publications or was invited to attend.

#### ***Booklets and material.***

IFPI has published various training materials from a video called 'Tracking the Music Pirates' in 2000 to a very comprehensive 'Manual of Guidance'. Training material has been translated into several languages including Arabic, Chinese and Spanish. Chapter three of this manual which deals with identification of product has been translated into other languages some of

which are available of the IFPI website (<http://www.ifpi.org/site-content/apresources/materials.html>).

One of the most popular publications is the Z card, a folding pocket sized guide jointly produced by IFPI and the MPA, that has been published in Arabic, Bulgarian, Chinese, Croatian, Dutch, English, German, Japanese, Malaysian, Spanish and Thai.

#### ***Cooperation with Interpol.***

IFPI was one of the original members of the Interpol Intellectual Property Crime Action Group (IIPCAG). As part of the groups' long term strategy to improve IPR awareness for the Interpol members (Police in 161 countries), the IFPI training unit wrote a generic IPR training manual. The Interpol manual which has been published in electronic format on CD-R, is available in Arabic, English, French and Spanish, the four Interpol languages.

#### ***Examples from selected countries.***

##### **Cyprus**

IFPI was invited to attend a seminar at the Police academy in Cyprus. Following four days of training, officers were able to obtain search warrants for various sites on the island known to sell infringing products and conduct raids with participation of private sector experts. The Cyprus Police now maintain a small dedicated IPR unit.

##### **Iceland**

Two training seminars were held for Icelandic customs officers and one third of the islands customs officers received training. Within two days of the seminar customs officers had made a seizure of counterfeit discs in a container.

##### **Spain**

Due to burgeoning piracy rates training schedules were stepped up. Approximately 3000 officers are trained per year and seizures of illegal product have multiplied. The net result is that street sellers have disappeared from view and sales of genuine product have increased.

##### **Panama**

IFPI and the Panamanian customs authorities have concluded an MOU. A close working relationship has since been developed.

##### **Thailand**

The Thai Government is currently exploring the possibility of acquiring an optical disc forensic capability. As part of the project, IFPI undertook to train the Dept. of Intellectual Property and Royal Thai Police officers in exemplar and plant visit protocols and the fundamentals of Optical Disc Forensics. As a direct result of the training, IFPI subsequently participated in a plant visit program, with over 30 optical discs plants inspected under new optical disc laws.

### **III. RECORDING INDUSTRY EDUCATION PROGRAMMES**

Education and public awareness of copyright have a vital role to play in the future success of the music and creative industries in the digital era. The recording industry has been extremely proactive in this area internationally in recent years. In some countries it has enjoyed significant support from government, in forms ranging from ministerial endorsement of industry initiatives to financial sponsorship.

IFPI has launched a series of multi-country educational projects in the last three years, each aimed at enhancing public awareness of copyright and of the issues surrounding music on the internet among specific audiences. These have variously been cited as best practice by the European Commission, endorsed by the International Chamber of Commerce, and jointly launched by the Governments of Austria, Italy, Ireland, Hong Kong and Netherlands. They include:

- The cross-sector [www.pro-music.org](http://www.pro-music.org) campaign branded "Everything You Need To Know About Music Online". The website, launched in six languages, is the most

comprehensive international education resource on legitimate digital services and copyright issues. It is supported by an international alliance of musicians, performers, artists, major and independent record companies and retailers across the music industry.

- A guide produced with children's welfare charity Childnet International and the music sector's "pro-music" alliance - '*Young People, Music and the Internet*' - which has been distributed widely in 11 countries. The guide is cited in the EU Commission's proposed 'Charter of Commendable Practices' needed to stimulate the growth of film online. Available at [www.pro-music.org](http://www.pro-music.org)
- A publicly-available software programme, *Digital File Check*, that helps to remove or block any of the unwanted "file-sharing" programmes commonly used to distribute copyrighted files illegally. It also allows the user to delete copyrighted music and video files from the "shared folders" of the computer from where they are commonly swapped illegally on the internet. The system is available in Belgium, Denmark, Finland, Germany, Greece, Ireland, Italy, the Netherlands, Poland, Portugal, Sweden and the United Kingdom. It can be obtained at [www.pro-music.org](http://www.pro-music.org)
- A *Copyright and Security Guide* for companies, produced jointly by the music, film and video industries and endorsed by the International Chamber of Commerce. The guide has been distributed to companies in the UK and seven other countries.

### Pro-music

In June 2003 IFPI joined with an alliance of music sector groups to launch [www.pro-music.org](http://www.pro-music.org) - a major educational tool raising awareness of legitimate ways to download music, of the creative processes in making music and of copyright laws internationally. Over the last three years, pro-music has been rolled out in national versions in five countries - Germany, France, Netherlands, Austria and Portugal. Pro-music remains the most authoritative central repository information about legitimate digital music. It provides a library of links to the more than 300 legitimate digital music sites. It is branded "Everything You Need To Know About Music Online".

Pro-music features a step-by-step guide to the processes in making music and the teams of people involved, viewpoints on the piracy debate from a cross-section of artists, the media and the public, and answers to frequently asked questions about copyright laws for online music.

## Content of the Pro-music website

The Pro-music site divides into six sections: Making Music, Artists Speak, Music Online, Viewpoints, 'Free Music?' and On Copyright.

**Making Music** takes a look behind the scenes at the specialist skills and practical experience needed to do some of the hundreds of different jobs that help musicians and artists attain their vision and get it out to the world. Making Music also expresses views from across the music-making community, from top successful managers to aspiring music students at the very start of their career.

**Artists Speak** features a range of artists and musicians, from different genres, and from different countries around the world, explaining how they feel about having their music taken without permission, how it affects the work and livelihoods of all those involved and how it stunts the development of new talent.

**Music Online** has the largest international listing of online digital music services and retailers. This section carries links to scores of music download sites and other sources of information about online music. It also contains news, commentary and a timeline of the music sector's moves to create an online music business.

**Viewpoints** features quotes from music specialists, including large and small record labels, music associations, retailers and the media. The section also provides an overview of other campaigns launched by music groups from around the world.

'**Free Music?**' confronts some of the biggest myths about online music piracy.

**On Copyright.** Copyright is often misunderstood or misrepresented as serving only the interests of big business. 'On Copyright' explains why copyright is needed and what the laws mean. This section also provides a more technical explanation on how to reset or uninstall p2p software to stay legal, and provides guidance for companies and colleges who wish to implement policies to avoid copyright theft.

### 'Young People, Music and the Internet' - a guide for parents



In June 2005 IFPI and its music sector partners in Pro-music joined up with children's Internet charity Childnet International to launch a new information campaign aimed at educating parents about file-sharing and music on the internet.

A leaflet - 'Young People, Music and the Internet - a guide for parents about p2p, file-sharing and downloading' - was distributed via record stores, supermarkets, schools, libraries and websites in six languages and in 19 countries worldwide.

The guide aims to help parents to keep up with the music downloading habits of their children. While millions of young people are regularly downloading music from legal services and peer-to-peer networks, Childnet believes that many parents are struggling to understand how the technology works and are unable to give advice to their children on how they can stay safe, secure and legal on the internet.

In 2004 alone Childnet worked in over 190 schools across the UK and carried out informal polls with pupils which revealed that in any given class at least 50 per cent of the pupils will have used p2p. This is backed up by research published last year by the London School of Economics which showed that among the 84 per cent of 9-19 year olds who use the internet daily or weekly, 45 per cent download music. The same report also revealed that only one in ten parents, when asked, knew how to download music from the internet.

The campaign was initially launched in the UK, Germany, Italy, Spain and the US. This was followed by later roll-outs in Netherlands, Sweden, Ireland, Singapore and Portugal with launches planned in Iceland, Mexico and Croatia for 2006.

A number of leading charities and non-governmental bodies supported the Childnet campaign including UNICEF and Save the Children in Spain, the Safe Internet Foundation in the Netherlands and The National Association for Childhood Protection in Italy.

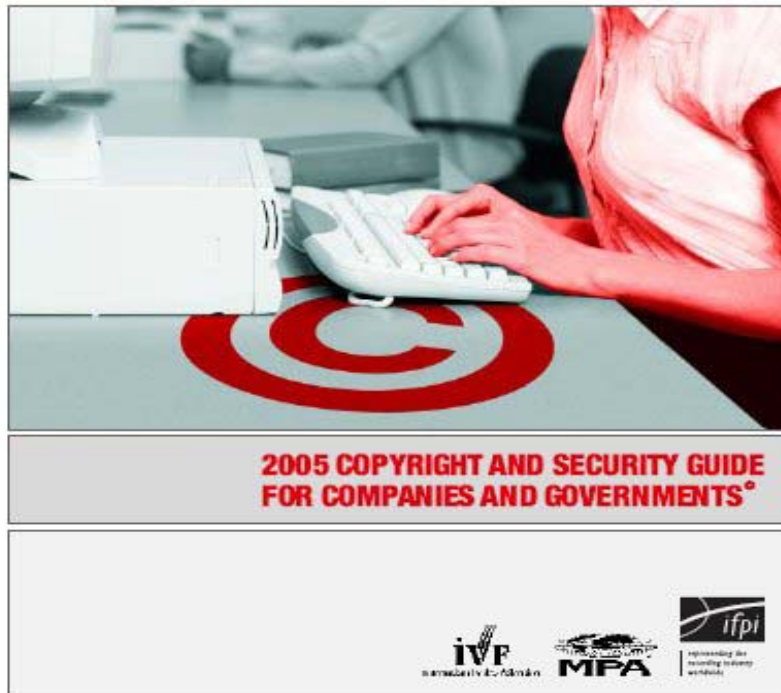
In the US, the campaign was launched by MusicUnited at the time of the Grokster decision and supported by the College Parents Association of America.

The guide is available at [www.pro-music.org](http://www.pro-music.org), and linked via a banner from the websites of individual members of Pro-music and of other campaign partners. The banner also appears on the home-pages of the affiliated charities, on online music services, on some record label sites and the websites of reputable parent/children online resources.

The Childnet guide explains what p2p services are, outlines the security and legal risks to children and the family computer as well as the benefits, and gives practical advice to help ensure that children's enjoyment of music on the internet is safe and legal.

Although seven out of ten consumers are now aware of the illegality in sharing copyrighted material online, many parents are still unaware of the potential wider security and online safety risks such as harmful content, unsolicited advertising, or other 'malware' such as spyware and viruses. The guide also gives advice on the rapidly expanding legal online sites - now numbering over 300 worldwide - where fans can download music safely and legally. These sites are listed on the pro-music website, [www.promusic.org](http://www.promusic.org), which has given advice to Childnet on producing the guide.

**Copyright Use and Security Guide for Companies and Governments**



Originally launched in February 2003, IFPI's *Copyright Use and Security Guide for Companies and Governments* was updated and relaunched in September 2005 together with a separate initiative, Digital File Check.

It was designed as a guide for employers, making clear their responsibilities to clean their computer networks from copyright infringement and was distributed to companies internationally.

The guide was issued with a joint 'call to action' to company chiefs from John Kennedy, Dan Glickman and Charlotte Lund-Thomsen, respective heads of IFPI, MPA and IVF. The guide was officially endorsed by the International Chamber of Commerce (ICC).

In a joint letter launching the guide they wrote: "In a new initiative, our industries are turning to the responsibilities in this area of companies and organisations. Illegal peer-to-peer distribution is not just happening on the home PC. Employees are involved in their work place as well. This not only wastes the organisation's time and money – it can put them at risk of legal prosecution. Today employers have no excuse for being uninformed of these risks, and for not addressing them in a responsible manner."

The guide was translated by several National Groups and launched with tailored campaigns:

**Spain:** Spanish guide was sent to 3,000 Spanish companies and organizations.

**Netherlands:** Launched Feb 2006 and sent to 4,000 companies, addressing the CEO and the communications representative.

**UK:** Sent to the IT managers at the top 500 FTSE companies and to 500 local councils

**Denmark:** Launched in digital form by the Danish anti-piracy group.

**Greece:** Copies of the guide were sent to top Greek companies.

**Belgium:** Produced with support of the Belgian Authors' society SABAM, local MPA group, BAF and the Belgian branch of BSA. The guide was launched with a press conference on 6<sup>th</sup> March 2006 for the campaign "It's Your Business". It was also launched on IFPI Belgium's website and sent to more than 14,000 companies.

The guide has also been launched in Italy and Germany with a Swedish version due to launch later.

### **Copyright Use and Security Guide for Academic Institutions**

IFPI's network of National Groups stepped up their efforts with academic institutions in 2003 with the distribution of Copyright Use and Security Guides to educational establishments in up to 20 countries

The guide's recommendations address the problem of the legal and technical risks they run when copyright material is copied and transmitted over computer networks without permission from the rights owner including injunctions, damages, costs and possible criminal sanctions against the institutions and senior executives where systems are used for copyright theft.

It also highlighted the security and practical concerns when copyright material is copied and transmitted indiscriminately on the systems of academic institutions. It advised that it is in their interest to address such activities, which:

- clog universities' computers and internet bandwidth, impairing the legitimate academic pursuits of staff and students
- expose academic systems to viruses and other harmful programs
- bring other types of illegal material onto their systems
- damage their reputation and send the wrong message to students who are expected to avoid plagiarism in their academic work and otherwise obey the law.

### **INTERNATIONAL RESULTS FOLLOWING LAUNCH OF *COPYRIGHT USE AND SECURITY GUIDE FOR ACADEMIC INSTITUTIONS***

**Austria:** Following the distribution of the brochure to 115 universities and teaching institutions in Austria, IFPI Austria is cooperating with universities and infringements are brought to the attention of the university or institute.

**Canada:** The Canadian group CRIA made contact with the head of the association of Universities and Colleges of Canada to help further cooperation and understanding between students and the music industry.

**Czech Republic:** There has been a particular problem at Prague University's dormitories (called Silicon Hill by students), which was the biggest and fastest downloading hub in the capital. As a result of pressure from the industry, the university introduced measures and policies to address the infringement of rights.

**Italy:** Following a comprehensive mail-out, there were follow-up meetings with managers of a number of Regional Educational Offices. Some Regional Educational Offices instructed schools in their region to adopt measures to address the sale of pirate CDs and measures to prevent use of unauthorised music files on the institutions' servers.

**Netherlands:** The anti-piracy wing Brein agreed with technical universities (after finding widespread infringing files and related activities on their servers) to implement policies and procedures. NVPI and Brein also gave presentations to students at various universities and worked on a copyright awareness campaign for schools.

**Poland:** The Polish group ZPAV engaged in an information campaign. In the first stage letters were sent both to 84 academic institutions and to 627 large businesses.



**Sweden:** The guides triggered responses from institutions and IFPI had meetings with those responsible for IT security at Sweden's universities. Some decided to close down all types of file-sharing networks, and others implemented policies.

### Digital File Check



Launched alongside the Copyright Use and Security Guide for Companies and Governments in September 2005, Digital File Check (DFC) is a simple educational tool that aims to guide computer users, many of whom might be new to the world of online music. Digital File Check helps to show how they, or their families, colleagues and friends, can enjoy music and film legally and responsibly without risking legal action by copyright holders.

Digital File Check helps to remove or block any of the unwanted "file-sharing" programmes commonly used to distribute copyrighted files illegally. It also allows the user to delete copyrighted music and video files from the "shared folders" of the computer from where they are commonly swapped illegally on the internet.

Developed by IFPI in conjunction with the Motion Picture Association, representing the film industry, DFC is available online and on CD in countries including Denmark, Finland, Germany, Italy, Netherlands, Spain and the UK.

Digital File Check is an initiative aimed at all individual computer users as well as organisations. It could be especially useful for parents who want to encourage their children to enjoy music responsibly on the internet. It is free, voluntary and for private use only and does not tip-off any anti-piracy organisations.

Digital File Check can be downloaded from <http://www.ifpi.org/site-content/antipiracy/digital-file-check.html> which offers a full demonstration of the programme and an FAQ for any queries. The user can select a language option and then follow the simple instructions.

There are three main options within the programme; it can:

- 1) Identify what file-sharing software is on your computer – which can help you stop illegal file-sharing
- 2) Find out what files are in your "shared folders" – these are likely to be illegal files

3) Conduct an inventory of all music, video and image files on your computer

If a user runs a search on file-sharing software available on the computer, DFC will list what it has found and there is the option to delete the file-sharing software. If someone does choose to delete the software he or she will no longer be file-sharing with others.

There is also an option to delete "shared" files or to move them to another folder so they are no longer available to be 'shared' by other people.

The inventory option is a useful tool for checking through all the files on your computer but it will not affect whether you are illegally file-sharing or not.

***Copyright Awareness Campaigns around the World***

Many IFPI National Groups have launched website and audiovisual campaigns promoting awareness of copyright and value of music, many of which can be downloaded from the following link:

<http://www.promusic.org/viewpoints/labelspeak.htm> (select a country under 'Viewpoints')

These include a video of 'The Drummer', available in several languages plus others, some of which are listed below



## Argentina

IFPI's Argentinian group CAPIF launched an ad campaign promoting the value of music, available to download at the IFPI link above



## USA

RIAA launched the 'Music United' website (<http://www.musicunited.org/>)

musicunited.org

WHO REALLY CARES | THE LAW | WHAT ARTISTS & SONGWRITERS SAY | WHY YOU SHOULDN'T DO IT | PRESS ROOM  
TAKE IT OFF | LEGAL SITES | COPYING FAQS | WHAT OTHERS SAY | PARENTS PAGE | EDUCATIONAL EFFORTS

In one month, 243 million files were illegally downloaded from P2P services.

The explosion in illegal copying is affecting the entire music community. And contrary to what some people would tell you, it's having a very real and harmful impact on countless musicians, songwriters, and performers—virtually everyone, from recording engineers to record-store clerks, who dreams about making a living providing music to the public.

**It's illegal!**  
The unauthorized reproduction and distribution of copyrighted music is JUST AS ILLEGAL AS SHRIFFUTING A CD. Burning CD's from peer-to-peer networks like KAZA!, Morpheus or Grobella is against the law. The rules are very simple. Unless you own the copyright, it's not yours to distribute.

For a list of corporate network management companies, [click here](#).

To view the Copyright Use and Security Guide, [click here](#).

**FEATURED CONTENT**

**MUSIC ON THE WEB**  
There's plenty of music on the Internet you can get legally.  
▶ [MORE](#)

**PRESS ROOM**  
Get the latest news.  
▶ [MORE](#)

**MUSIC UNITED FOR STRONG INTELLECTUAL COPYRIGHT**

- ABC One Stop Group
- Alliance of Artists and Recording Companies
- American Assn. of Independent Music
- American Federation of Musicians
- American Federation of Television and Radio Artists
- American Society of Composers, Authors and Publishers
- Association of Independent Music Publishers
- Broadcast Music, Inc.
- Christian Music Trade Association
- Church Music Publishers Association
- Country Music Association
- Gospel Music Association
- Hip Hop Summit Action Network
- Jazz Alliance International

Singapore

The Singapore group RIAS launched a similar campaign promoting the value of music - <http://www.keepthemusicalive.com/>



Japan

RIAJ launched a poster campaign promoting the tagline 'Love Music? Save Music!' which drew on the support of several artists:

**LOVE MUSIC?**

私たちの音楽を大切に聴いて下さい。

愛内里菜	河村隆一	杉山清貴	TOKIO	VE
alia	RICH THE CAN CREW	Shiny On Somebody	DREAMS COME TRUE	藤井フミヤ
上原真央	弦子	スシフ	中島美嘉	藤本美貴
安室奈美恵	清貴	SMAP	美保 純	FLAME
嵐	Kisso	RJ&A	中森明菜	SeA
YELLOW Generation	Keisuke	ZONE	夏川りお	松岡修造
wands	キンモクセイ	ソニン	実乃とせ	松たか子
上戸 聡	久保田利伸	SOPHIA	若★花	松任谷由実
宇多田ヒカル	GLAY	高橋真知子	宮崎まゆみ	MINMI
ウルフルズ	glabe	竹内ひら	浜田貴音	モーションズ
Every Little Thing	CHEMISTRY	タッキー&翼	林道ゆづみ	矢野田 謙
岡本真実	ロスベローズ	DA PUMP	Bump of Chicken	山崎まよし
奥田民生	怪傑青春	Chang	矢野まよし	山下智博
小田和正	小柳ゆき	TUBE	一青 梨	ゆず
島崎雪穂	the brilliant green	チンパンジー	Nhame	LOVE PSYCHEDELIC
orange pekoe	朝倉未来	TRICERATOPS	平野 聖	L'Arc-en-Ciel
Osaki	島谷ひとみ	天童よしみ	Nina	Lead
斉藤唯生	スガシホ	De As Infinity	広瀬香美	RIP SLYME

音楽の不正コピーや不正アップロードは犯罪になることを知っていますか？

他人のみに音楽の複製から複製でコピーする、複製を複製でインターネット上に複製（アップロード）する、これは著作権法に違反する行為として新しい「複製の製造」となります。そして、これらの不正利用は、アーティストや音楽家、音楽家など、音楽を創出する人たちに悪い影響を与えています。

**SAVE MUSIC!**

(株)日本レコード協会 株式会社音楽著作権協会 www.oricon.co.jp www.jasrac.or.jp Copyright © 2006

## New Zealand

RIANZ produced a series of posters with an anti-piracy message 'Brn & Get Brnt' and promoted it as an 'awareness' campaign



### **BRN&GTBRNT - Its A Crime Against Our Music**

CD Piracy is not cool

Campaign based on awareness

**WHAT:** New Zealand music industry companies have joined forces to address a growing problem in their industry - - wholesale duplicating of music CDs. It's branded BRN>BRNT. **WHY:** The objectives are to stop people burning CDs illegally by educating them about the issue and if necessary taking action against offenders.

**WHO:** It is a combined effort initiated by the New Zealand record companies and supported by many New Zealand artists.

**WHERE:** It is a national campaign devised in New Zealand in which international interest has been shown. Initially it is New Zealand-wide and refers to New Zealand-sold CD music only. Survey reveals extent of music theft in New Zealand Nearly 20 per cent of respondents to a new music industry survey admit to illegally burning music CDs. And younger people are the biggest offenders. While the predominant reason for burning music CDs is for private use, many people also burn for friends and three per cent of those who admitted to having burned music CDs did so to sell them.

Extrapolated out over the New Zealand population aged between 15 and 44, that equates to up to 10,000 Kiwis who have at some time burned a music CD to sell for profit. The survey was conducted by Market Pulse International on behalf of the Recording Industry Association of New Zealand (RIANZ).

## Netherlands

NVPI launched a Pro-music initiative in May 2006 called True Fan (<http://www.truefan.nl/truefan/home.asp?paginaam=homepage>)



**Annex**

- 1) A sample of music education programmes carried out by IFPI national groups
- 2) Factsheets which accompanied IFPI's announcement of the latest wave of litigation against file-sharers (4<sup>th</sup> April 2006)
  - Factsheet: Copyright Overview & FAQ
  - Factsheet: The Legitimate Digital Music Market Takes Off
  - Factsheet: The Risks of P2P



representing the  
recording industry  
worldwide

A Sample of Music Education Programmes  
carried out by IFPI National Groups

**[Summary of national programs as provided by national industry bodies]**

***Austria***

**"The Value of Ideas" ("Ideen sind etwas wert")  
Educational materials for Austrian schools.**

Initiated by IFPI Austria,  
written by a team of experts,  
accompanied by a steering committee of teachers/academics  
supported by the Austrian Ministry of Education.

**Aims of "The Value of Ideas"**

Educating about the value of music and the economic importance of the Austrian music industry  
Awareness raising about intellectual property rights  
Contributing to a better understanding of how the music industry works and the jobs at stake

**Printed content: 120 pages, 7 chapters**

Chapter 1: The creative industry in Austria  
Chapter 2: The production of a music recording  
Chapter 3: Music and the Internet  
Chapter 4: Jobs in the music business  
Chapter 5: Games demonstrating the importance of intellectual property  
Chapter 6: Legal basics  
Chapter 7: Glossary

**DVD: 50 minutes**

30 Min: Interview section with 20 personalities from the Austrian music scene (from the off-mainstream artist to the board member of a CD pressing plant)  
20 Min: Feature showing the start of the career of a young singer  
30 Sec: The Drummer Spot (brief video ad developed by SNEP)

**Website**

[www.ideensindetwaswert.at](http://www.ideensindetwaswert.at)

**Press conference on 21 September 2005**

Presenting the education materials to the public. People on the podium:

- Chairman of the academic committee,
- The front man of an Austrian pop band (shiver),
- Director of IFPI Austria

A representative of the Austrian Ministry of Education gave statement in support of the press launch.

Broad coverage was achieved in the Austrian media and other sectors of the Austrian creative industry were interested in joining the educational "The Value of Ideas" initiative.

### **Distribution**

First edition: 2,500 units

Mailing to 3,000 Austrian schools offering the educational material

### **1500 orders from schools within five weeks.**

The educational programme "The Value of Ideas" will be continued in 2006 - very likely with the participation of other creative sectors.

### ***Belgium***

In 2003 an association organising festivals in schools asked IFPI Belgium organise a class debates as part of the festivals. IFPI Belgium organised and participated in debates, usually accompanied by an artist, in some 15 schools in Flanders. See website: [www.stressfactor.be](http://www.stressfactor.be)

IFPI Belgium also gives lectures on demand to high schools, colleges and universities. (Usually more than 20 lectures a year).

The national group also made a DVD with statements from a wide range of Belgium artists in favour of copyright protection and against illegal downloading.

See website; [www.ifpi.be](http://www.ifpi.be)

### ***Germany***

IFPI Germany is very active in education projects. Since 2003, the National group takes part in "School Tours" which have become a high profile project.

The "School Tours" are organised by the German Phono-Academy, the cultural branch of the recording industry association. Artists and music educationalists go to schools and create music together with 13- 16 year old pupils who are composing, performing, recording music and staging a school concert. The project aims at creating a sense of community, improving creativity and sharpening their awareness of the value of music. The "School Tour" is widely recognised, especially on a political level - as an initiative reflecting the music industry's sense of responsibility for musical culture and education.

IFPI Germany also supports the Pop Academy in Mannheim and the University of Music and Theatre in Hamburg. The National Group is also one of the participants in the German campaign "value of creativity". This included the publication of a magazine with the same title designed for music teachers, which includes material for some classroom lessons on this issue.

### ***Ireland***

IFPI's National Group in Ireland has the IRMA TRUST which is engaged in two main activities:

- an Instrument Bank which has made instruments available on loan to over 5,000 children;
- and master classes for more advanced skill levels.

Very recently, IRMA also provided via the Dept. of Education a tin whistle (the instrument with the basic notes) to every school teacher in Ireland (Primary Level). This initiative is



being supplemented with career training so that basic music skills can be passed on to every child.

The Instrument Trust is funded by PPI.

### *Italy*

Italian National Group, FIMI, has an education plan in co-operation with MPA, BSA and the Italian Ministry of Education. The main points of the plan are:

Production of an informative CD-Rom that has been sent to all the Italian high schools (for the music sector, we included in the CD all the materials published on the pro-music website). A dedicated support website is maintained ([www.controlapirateria.org](http://www.controlapirateria.org)).

Next year FIMI will have events in schools in four main Italian cities and a letter introducing the plan has been sent to the majors of all the Italian cities with more than 3.500 citizens.

FIMI is also planning training sessions for selected teachers and meetings with all the regional public school managers

### *Poland*

IFPI National Group, ZPAV, within the context of the Anti-Piracy Coalition\*, together with BSA (Business Software Alliance), FOTA (Polish branch of MPA) and the Authors' Society ZAiKS has initiated an educational project to raise IPR awareness among students aged 13-15. The project received the support of the Ministry of Culture and Ministry of National Education.

In the preparatory stage of the project, a questionnaire-based study was conducted among 1,200 students from second and third grade of junior high schools in six chosen regions of Poland. The results of the research served as a basis for creating a 30-minute educational film showing the complicated process of developing computer software, making music and film.

Representatives of the Polish company, Techland, demonstrated how a PC game is created; a popular young group SISTARS spoke of how their music is produced; the actor and director Olaf Lubaszenko explained how a film is made. The film is narrated by a popular young actor Bartosz Obuchowicz and a 13-year-old student from one of the biggest Polish cities.

Thanks to the support of the Ministry of Education the film, together with supplementary materials for teachers, will be introduced as part of the curriculum in all junior high schools in Poland.

**\* The Anti-Piracy Coalition was founded in 1998, to unite in a fight against intellectual property infringements. The Coalition associates:**

- representatives of the music industry – Polish Society of the Phonographic Industry ZPAV,
- producers of computer software – Business Software Alliance BSA,
- representatives of the film industry – Foundation for the Protection of Audiovisual Works FOTA.



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## ***COPYRIGHT OVERVIEW & FAQ***

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### **What is copyright?**

- Copyright protects the expression of an idea - it allows people to benefit from what they create whether it is a painting, a book, a piece of music or a photograph.
- Owning copyright means the potential to earn a living by creating music, literature, films and other non-tangible products.

Copyright and other intellectual property belongs to the creators as much as other forms of property; a house, a car or a book.

### **Music and copyright**

- Copyright has been applied to works and recordings for decades and it has adapted to changes in technology - from the printing press through the vinyl record to the CD, the digital file and the internet.
- When someone creates a piece of music there are rights attached to it, and the creator is entitled to decide how that music is used and distributed.
- You can't make tapes of a blockbuster film and sell them in a car boot sale or copy software around from computer to computer, or use a photo in an advert, or play a music video publicly *unless* you have the permissions from the right holders to do so.

### **Copyright in the digital world**

- Copyright gives the people involved in creating music (artists, composers, publishers and producers) various rights over the copying, distribution, performance and internet transmission of their music.
- Rules vary slightly from country to country and some countries allow limited copying and performance that is truly 'private'.
- *However* "uploading" music (i.e. the copying and distribution of music files on the internet) is an infringement of copyright if done without the rights owners' permission. It is not considered 'private' copying, because other users have instant access to the uploaded material.

## **COPYRIGHT FAQ**

### **1) WHO ACTUALLY HOLDS THE COPYRIGHT IN A PIECE OF MUSIC?**

The person who wrote the tune and the lyrics and/or their publishers own authors' rights; the artist that performs that music has rights to his/her performance; and a record company has rights to its recordings.

**2) HOW DO I KNOW IF THERE IS COPYRIGHT ON A PARTICULAR PIECE OF MUSIC?**

All music and recordings of music are copyrighted and also subject to protections of 'related rights' as of the date they are created or published, as the case may be. In Europe authors and music publishers retain copyright for 70 years after the death of the author, and performers and producers enjoy protection for 50 years after the recording was first communicated to the public.

**3) HOW DO I KNOW IF WHAT I'M DOING IS LEGAL OR ILLEGAL?**

Under copyright (and related rights) in more than 150 countries it is not legal to copy, adapt, translate, perform, or broadcast a protected work or recording, or put it on the Internet, unless a specific exception exists in the copyright law of your country, or unless you have permission from all of the relevant owners of rights.

**4) IS IT ILLEGAL FOR ME TO COPY AND DISTRIBUTE MUSIC EVEN IF I'M NOT MAKING MONEY OUT OF IT?**

The question of whether you are doing copying for profit may affect what penalties apply, but does not determine whether you are in breach of copyright.

**5) ISN'T IT LEGAL TO MAKE COPIES FOR MY OWN PERSONAL USE?**

The laws of some countries have limited exceptions to the rights owners' rights to control copying, which allow copying for your own private use. These exceptions do not apply, however, if you make available or transmit copyright material over the internet, distribute copies, or (in most countries) copy from illegal sources.

**6) IF I HAVE BOUGHT A LEGITIMATE CD, CAN'T I DO WHAT I LIKE WITH THE MUSIC ON IT?**

In buying a legitimate CD you have paid for the right to own the physical disc, to play it privately as often as you like. You have *not* bought the right to make copies or distribute copies, whether on CD-R or over the Internet.

**7) SO WHAT IF I BREAK THE LAW - WHAT CAN ANYONE DO ABOUT IT?**

Where people persistently make music available on the Internet in breach of copyright laws, they are in effect engaged in copyright theft, and that exposes them to the risk of legal action by the copyright holders.

**8) IS THERE A COPYRIGHT ON ALL MUSIC, INCLUDING MUSIC THAT MAY NO LONGER BE AVAILABLE COMMERCIALY?**

Generally, yes. While some old recordings may have fallen into the public domain, the vast bulk of those that appear on the Internet are still under copyright protection.

**9) WHAT IF I JUST WANT TO DOWNLOAD A FEW SONGS TO SEE IF IT'S WORTH BUYING THE ALBUM?**

That's fine if you're allowed to do so by the holder of the rights. Some legitimate sites let you listen to clips from particular songs, or sample a limited download of tracks from their service, as a 'taster' of the music.

**10) CAN I DOWNLOAD MATERIAL OVER THE INTERNET IF IT IS MARKED WITH 'DELETE WITHIN 24 HOURS', 'FOR EVALUATION PURPOSES', OR A SIMILAR DISCLAIMER?**

No, these disclaimers are invalid unless authorised by the right holder. The law looks to the reality of what is happening - unauthorised transmission and reproduction of somebody else's music.

**11) DOES IT MAKE A DIFFERENCE HOW MUCH I'M UPLOADING?**

You are likely to be breaking the law whether you are uploading one copyrighted song or thousands.

**12) IS ALL FILE-SHARING ILLEGAL?**

Unauthorised peer-to-peer 'file sharing' is copyright infringement. For the time being the vast majority of all peer-to-peer file-sharing is unauthorised, since it is not licensed by copyright holders, and is therefore illegal.

**13) WHAT IF I DOWNLOAD MUSIC FROM A SITE FROM A DIFFERENT COUNTRY THAN THE ONE I'M IN, WHERE THE LAW MIGHT BE DIFFERENT?**

Internet activities of this sort typically involve acts of copying, transmission, or distribution in both countries, so both countries' laws would apply.

For more information go to [www.pro-music.org](http://www.pro-music.org) or contact IFPI Communications:

Tel: +44 (0)20 7878 7935

Email: [press-office@ifpi.org](mailto:press-office@ifpi.org)



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## The Legitimate Digital Music Market Takes Off

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### Tracks available

- There are at least **two million tracks** or **165,000 albums** now available on some online music services.
- There are at least 500,000 tracks on any one service, across Europe.

### Sites

- There are **more than 190 online music sites in Europe** and **over 325 globally**. The cross-industry [www.pro-music.org](http://www.pro-music.org) site now features a comprehensive worldwide directory of legitimate online services.
- Legal download services are **present in 23 countries in Europe**.
- Some **18 services in Europe have a presence in two or more** markets.
- As well as the big pan-European players a variety of **specialised services** are also appearing, for example independent label content only.
- The expansion of services in Europe is being driven by a mix of major players and independent services. **Loudeye** - owners of OD2 - **power a variety of services in over 20 countries** and **iTunes has a presence in 17 European markets**.
- **iTunes sold its one billionth** song on February 23<sup>rd</sup> 2006

### Legal music downloading catches up

The number of people using legal online music services is now on a par with those using p2p services in the US and UK, while legal users are rapidly catching up in other markets.

- In the US, the latest survey by Pew internet and American Life (released November 2<sup>nd</sup>, 2005) found that equal proportions of teenagers – previously the core constituent p2p users – now use legal services as those using p2p – about 30 per cent of teenagers in both cases. This suggests major progress for legal services, since the previous teen user ratio measured by Pew was 3:1 in favour of p2p use.
- In the UK, 10 per cent of the population frequently use p2p vs. seven per cent who use legal services (Jupiter, Nov 04)

Meanwhile outside the US and UK, P2P use still outweighs legal – but with a steady catching-up of legal use:

- Europe: 51 per cent digital music users use P2P vs. 29 per cent who use legal services (Indicare, Feb 05)

- Germany: 85 per cent downloaders use P2P vs. 51 per cent who use legal services (GfK, Jan 05)
- Canada: 22 per cent downloaders use P2P vs. 12 per cent who use legal services (Pollara, Jun 05).

However actual download **volumes from legal sources are still very low** compared with unauthorised sources. For example in Canada, research has revealed that for every one legal download there are some 14 illegal downloads.

### Sales

- **Single track downloads** in the US, the UK, Germany and France rose to **180 million** in the first half of 2005 compared to 157 million for the whole of 2004. This is **more than three times the 57 million downloads of the first half of 2004**.
- In the US, to end October 2005, year to date digital album sales reached 10.9 million, up 226 per cent on 2004. Single track downloads have sold 251.3 million, up 160.3 per cent. Digital albums represent 2.6 per cent of total album sales (CD, MC, digital and other) compared to 0.7 per cent a year ago.
- In UK single track downloads in the nine months of 2005 were at 16.9 million, up from 2.7 million in the same period of 2004 (BPI)
- Global **subscriptions to legal online services reached 2.4 million by September 2005**, up from 1.5 million subscriptions estimated in IFPI's Digital Music Report in January.



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## THE RISKS OF P2P

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Consumers have found that possible legal consequences of using p2p networks are not the only risk they face when illegally file-sharing.

- One of the world's most used p2p applications, Kazaa, was named as a major violator of StopBadware.org's guidelines. The group, based in Harvard and Oxford Universities, say that more than 59 million people's computers in the US have software that hampers the machine's performance (March 2006).
- Kazaa was also named as the number one spyware threat by Computer Associates International (November 2004). Spyware (small applications that install themselves on a machine and then transmit information back to somewhere else on the Internet) can be downloaded with files without the users' knowledge.
- Research from TruSecure showed that 45 per cent of the executable files downloaded through Kazaa contain malicious code like viruses and Trojan horses, after a test of 4,478 files in August 2004.
- Websense, the Internet security firm, said that almost half of executable files downloaded through Kazaa contain malicious code (December 2004).
- Many users find themselves downloading the wrong files as the names and descriptions for them can be misleading and consumers can end up with inappropriate materials.
- Paedophiles have used p2p communities to distribute pornographic materials and make contact with children.
- p2p network worms spread using the networks. The most widespread are Kazaa P2P network worms. They usually locate a Kazaa client shared folder and copy themselves there with an attractive name, of a popular song for example. Sometimes such worms replace real sound files with their copies and add executable or double extension to such files.
- Such viruses and worms open up the risk of sharing private files, unintentionally, with others over the Internet.



For further information, please contact The IFPI Secretariat, 54 Regent Street, London W1B 5RE, United Kingdom, Tel: +44 (0)20 7878 7900; Fax: +44 (0)20 7878 7950; e-mail: [info@ifpi.org](mailto:info@ifpi.org), Website: [www.ifpi.org](http://www.ifpi.org).