

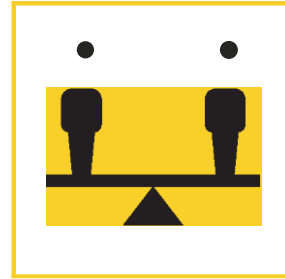
**The Role of the Communications
Regulatory Authority of Italy
(AGCOM)
in Addressing Online Advertisements
on Websites that Infringe IP Rights**

AGCOM

ITALIAN COMMUNICATION REGULATORY AUTHORITY



Independent Authority established according to EU electronic communications framework. The two main tasks assigned to it by Law:



to ensure equitable conditions for fair market competition



to protect fundamental rights of all citizens in the audiovisual, electronic communications and postal sectors.



Agcom is accountable to **Parliament** which has established its powers, defined its statutes and elected its members.



Agcom is first and foremost a **guarantor** for **operators and consumers**. **Independence** and **autonomy** are the elements which typify its activities.

AGCOM

LEGAL BASIS ON COPYRIGHT PROTECTION



Law no. 633/1941

According to article 182-bis, the Authority is in charge of preventing and identifying IP violation



E-commerce Decree 70/2003

Agcom is the administrative authority with monitoring functions competent in the sector of copyright

According to articles 14, 15 and 16 the administrative authority with monitoring functions may request ISPs to terminate or prevent an infringement

THE PROCEEDING

RIGHT HOLDER
FILES A COMPLAINT
WITH AGCOM

(NO EX OFFICIO
INITIATIVE)

DIGITAL FORM
AVAILABLE ON
WEBSITE

DISMISSES
THE CASE WHEN:

right holder doesn't use the AGCOM
form

a litigation before Court is started by
the right holder

the complaint is out of the scope
of the regulation

the complaint is plainly groundless

the complaint is withdrawn before
the AGCOM decision

STARTS THE PROCEDURE
BY SENDING
THE KICK-OFF
COMMUNICATION TO:

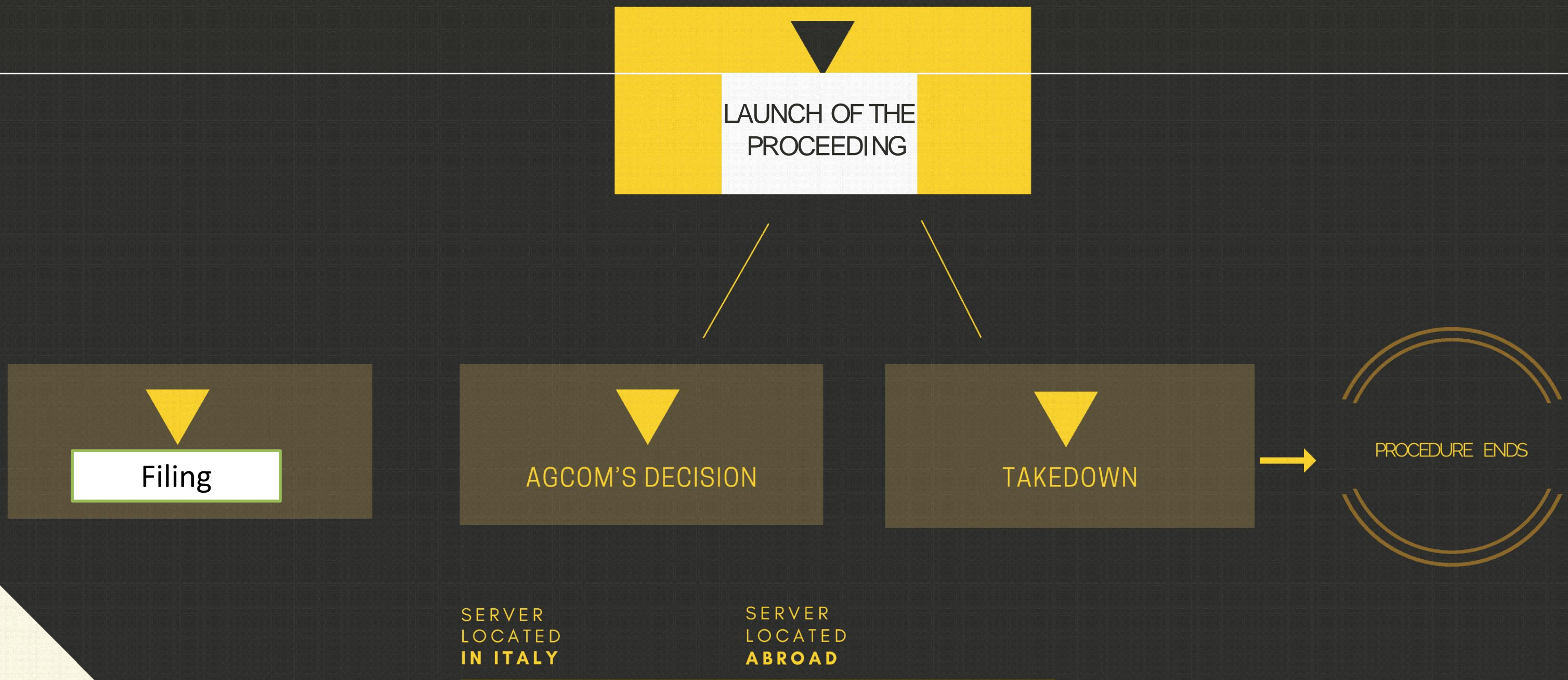
service providers

website manager

webpage manager and
uploader, if identified

3 / 7 DAYS

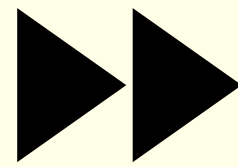
COMPLAINTS TO AGCOM



Types of lanes

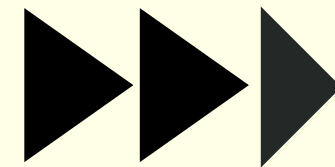
**Fast
lane**

12 DAYS



**Precautionary
measures**

3 DAYS



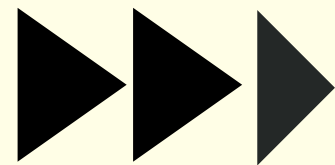
**Ordinary
lane**

35 DAYS



**Repeated
infringement**

3 DAYS



DIFFERENT MEASURES

DECISION

IF THE SERVER IS LOCATED IN ITALY

AGCOM may order the hosting provider under the Italian jurisdiction to remove the digital work from the website

IF THE SERVER IS LOCATED OUTSIDE OF ITALY

AGCOM may intervene only towards mere conduit providers under the Italian jurisdiction who may be ordered to disable the access to the website

GUIDELINES

INTERNET SERVICE PROVIDER

MERE CONDUIT

- Notification letter
- Copy of resolution
- File html format
- File txt. format (site list)

HOSTING

Notification letter
Copy of resolution
File txt. format (site URL)

RELATION BETWEEN
THE ADMINISTRATIVE
AND
THE JUDICIAL
PROCEDURE

AGCOM'S
PROCEDURE

does not replace the judicial process, but is alternative and freezes in the event of an appeal of either party to the Court

LIKE ALL AGCOM
DECISIONS

the orders regarding copyright can be opposed presenting complaints to the TAR (the Administrative Court) of Latium

AVVISO

L'accesso al presente sito è stato disabilitato in esecuzione di un provvedimento adottato dall'Autorità per le garanzie nelle comunicazioni, ai sensi del regolamento in materia di tutela del diritto d'autore online approvato con delibera n. 680/13/CONS.

Per maggiori informazioni visiti il sito www.agcom.it

Mappa dei contenuti

OFFERTA DIGITALE IN ITALIA



Confindustria Cultura Italia
Federazione Italiana dell'Industria Culturale

CHI SIAMO | GLOSSARIO | FAQ | APPROFONDIMENTI | CONTATTI



E-BOOK

NARRATIVA, SAGGISTICA,
PUBBLICAZIONI
PROFESSIONALI



FILM

SCEGLI LA TUA SOLUZIONE
PER GUARDARE FILM DI
OGNI TIPO



MUSICA

LE TUE CANZONI
PREFERITE SONO ONLINE,
COSA ASPETTI?



B2B^{MEDIA}

PRODOTTI EDITORIALI,
PROFESSIONALI E
SPECIALIZZATI



TV

EVENTI TELEVISIVI, SERIE
TV, CARTONI E TANTO
ALTRO



VIDEOGIOCHI

SCARICA O GIOCA ON LINE
INSIEME A TANTI
ALTRI GIOCATORI

MUSICA

MP3 LEGGERI E PRATICI, ALTA DEFINIZIONE SONORA PER I MELOMANI PIÙ ESIGENTI, DOWNLOAD O STREAMING? TROVA LA SOLUZIONE MIGLIORE PER ESPRIMERE IL TUO AMORE PER LA MUSICA.

DI SEGUITO TROVERAI TUTTI I MODI IN CUI PUOI ASCOLTARE MUSICA IN RETE:



DOWNLOAD

Il download musicale ha rappresentato il primo passo verso la distribuzione della musica in formato digitale. Mentre una volta gli utenti ascoltavano un numero inferiore di brani singoli, in quanto le uniche sorgenti erano l'acquisto di cd e la radio, ad oggi gli stessi ascoltano centinaia di brani all'anno. La carta vincente, inizialmente, è stata l'uso in mobilità: creare, in tempi brevi, senza fatica e competenze particolari, una compilation personalizzata da ascoltare con un lettore portatile o in macchina.



SERVIZI IN ABBONAMENTO

Siti che permettono di accedere a contenuti musicali dietro il pagamento di una somma mensile.



SERVIZI LEGATI ALLA PUBBLICITÀ

Siti che includono delle inserzioni pubblicitarie e, grazie a queste, permettono all'utente di ascoltare musica gratis.



LYRICS

In questa sezione troverete siti dove è possibile consultare e conoscere tutti i testi delle canzoni.

GUIDELINES

File txt. format

Allegato B Elenco URL 0000107_2019_14_03

0000107_2019.14.03

www.cineblog-01.net	stardelcinema.org	ezcast.tv	cb01.tube	torrentz2.eu	muzons.net
www.torrentdownloads.me	mp3ster.com	embedzcast.com	altastreaming.net	muzofon-online.ru	musicmega
www.torrentz.pro	itastream.net	kingmp3.party	cdn01.galaxyiptv.net	ovagames.com	happyhour
www.limotorrents.com	myfreemp3.biz	filmlinks4u.to	intergoles.info	fullcrackpc.com	filmstrea
www.torrentdownload.ws	busca.co	filmlinks4u.net	livesportbox24.com	cinemasubito.tv	thepirate
torrentroom.com	mp3cool.me	123savemp3.net	mp3red.cc	cinemasubito.top	thepirate
www.torrentroom.com	cinemalibero.net	iwannawatch.to	filmgratis.video	cinemasubito.biz	mp3zitro
torrent.cd	masmp3s.com	iwannawatch.net	filmgratis.uno	mp3.gisher.org	solarmov
www.torrent.cd	streamingdb.co	film-italia.tv	cb-01.net	ddlville.org	watchser
torrentvia.com	casacinema.bz	thecineblog01.com	livecdn.club	genteflow.vin	liberost
www.torrentvia.com	yoostreaming.com	redmp3.cc	italia-film.gratis	musica-mp3.bid	redmp3.r
yourbittorrent.com	mptri.net	mp3int.com	altadefinizione.estate	mis-mp3-gratis.com	imp3.cc
movie2k.tv	filmstreamitalia.org	calcion.xyz	altadefinizione01.dog	mp3band.ru	tubepus
movie4k.to	naitimp3.ru	musica-libera.lol	streamblog.me	bitmp3.ru	gen.lib.
btdigg.org	guardarefilm.com	cineblog01.fm	guardarefilm.biz	inaltadefinizione.c	lgmag.or
torrentzap.com	papystreaming.tv	mp3.plus	guardarefilm.gratis	gegas.net	libgen.u
demonoid.ph	mp3arhiv.net	foxsat.tv	iptvfree1.com	pdfmag.org	libgen.p
puntostreaming.com	itvmovie.eu	filmpertutti.co	sasuketv.iptvitalia.eu	fiesta-music.com	megasear
tantostreaming.com	altadefinizione.gratis	filmpertutti.eu	iptv.mondialiptv.net	marapcana.org	mp3da.su
mp3limone.net	rlsbb.com	solarmovie.ph	vip.groupiptv.com	ororo.tv	altadefi
psychocydd.co.uk	limotorrents.cc	solarmovie.com	iptv.iptvthebest.net	taimp3.net	altadefi
mp3limon.info	itastreaming.tv	solarmovie.eu	tv.hero.iptv.uno	server.iptvwatchbestiptv.com	altadefi
mp3lemon.ws	mondostreaming.net	taringamp3.me	beta.iptvstreaming.org	beta.iptvstreaming.org	altadefinizione.bl
putlocker.is	guardarefilm.net	streamingfilm.it	tvconnectx.com	www.watch-sportlive.ga	moommp3.xyz
watchseries.ag	levidia.ch	gamestorrents.com	www.watch-sportlive.ga	rojadirecta.xyz	ritamp3.xyz
mp3lemon.net	bongdaup.com	glodls.to	cineblog01.gratis	feed4u.tv	musiklagump3.com
portalzuca.net	project-sat.org	epubook.org	feed4u.tv	cinemanano.info	guardarefilm.tv
itsat.info	footballup.com	cineblog01.online	cineblog01.top	mp3fusion.net	cinemano.info
mp3zitronet.net	freecalcio.com	atdhe24.tv	holigantv.com	sportkeyf.net	mp3fusion.net
solarmovie.is	calcion.md	mp3cool.la	streamblog.tv	livetv111.net	livetv111.net
watchserieshd.eu	www.yompmh.com	mp3skull.press	connectionsmusic.org	livetv110.net	livetv110.net
liberostreaming.net	mp3freex.com	livetvcdn.net	cricfree.tv	livetv107.net	livetv107.net
redmp3.ru	webtivi.info	myfreemp3.website	igg-games.com	livetv106.net	livetv106.net
imp3.cc	miplayer.net	calcion.be	crichd.tv	livetv105.net	livetv105.net
tubepus.me	liveflashplayer.net	bongda24.com	livestream-l.info	livetv104.net	livetv104.net
cb01.tv	liveflash.tv	yify-torrent.org	muzofon.com	livetv103.net	livetv103.net
	freecalcio.eu	usagoals.com	darkstream.me	livetv102.net	livetv102.net
	calcion.in	cinemasubito.com	inaltadefinizione.tv	livetv101.net	livetv101.net
	www.torrentdownload.co	livetv.sx	redmp3.su	giostreams.eu	giostreams.eu
	www.goldenmp3.ru	e-mp3.ws	zamuziku.ucoz.com	live2all.me	live2all.me
	filmikz.ch	foxsat.info	onlinemacizle.org	onlinemacizle.org	onlinemacizle.org
			teump3.com	teump3.com	teump3.com
			mp3-center.net	mp3-center.net	mp3-center.net
			genteflowmp3.org	genteflowmp3.org	genteflowmp3.org
			junglevibe20.net	junglevibe20.net	junglevibe20.net
			cricfree.sc	cricfree.sc	cricfree.sc
			0eb.net	0eb.net	0eb.net
			lshunter.net	lshunter.net	lshunter.net
			live.shwidget.com	live.shwidget.com	live.shwidget.com
			0dt.net	0dt.net	0dt.net
			sportp2p.com	sportp2p.com	sportp2p.com
					seriestor

SOCIAL NETWORK

VIDEO SHARING PLATFORM



DEDICATED CONTACT

Immediate measures

ACTIVITIES AND TRENDS FROM 2014

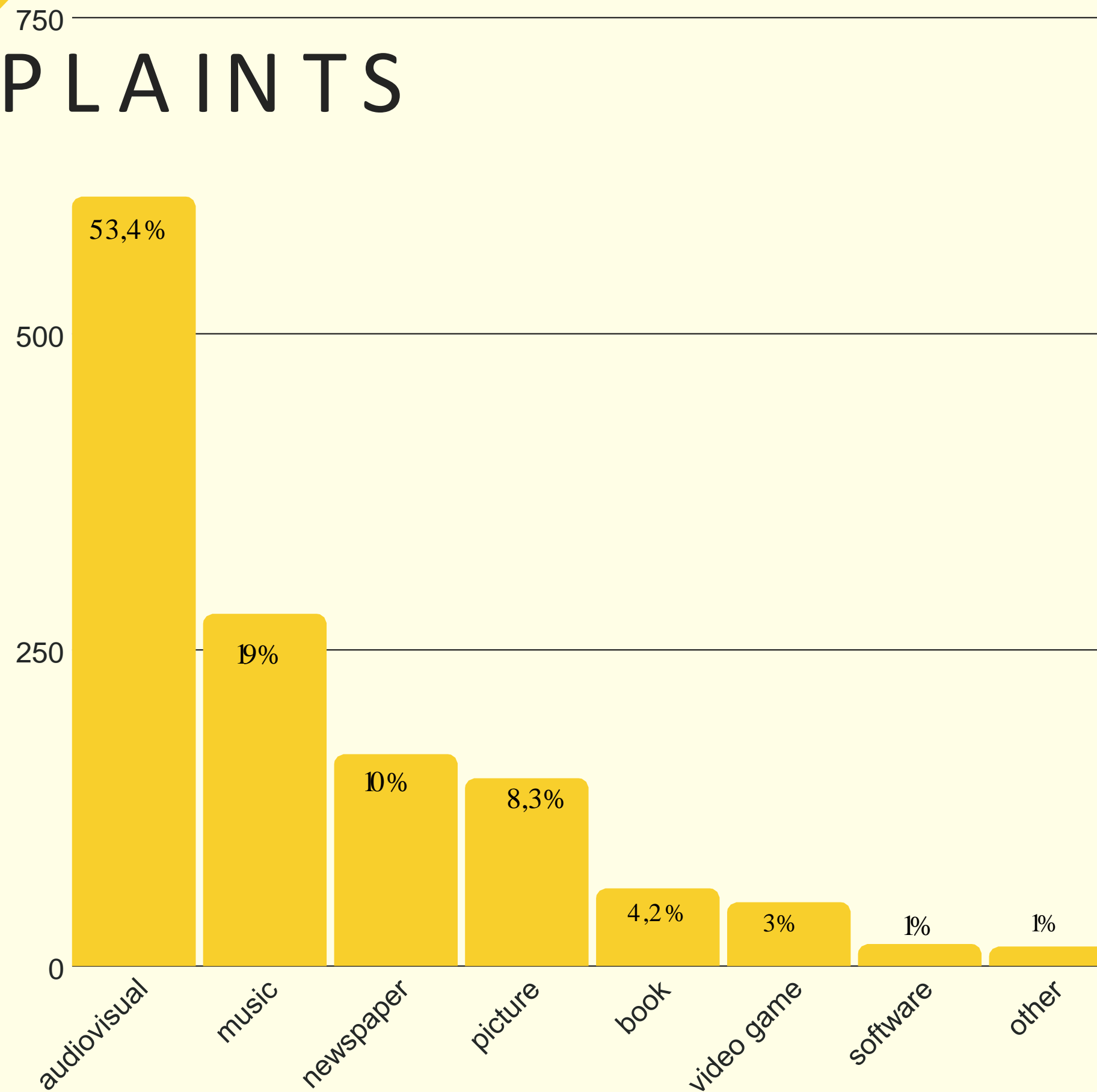
All data as of 18 July 2019



DIGITAL WORKS IN THE COMPLAINTS

1778

complaints



all data are updated to 19 July 2019



10 9 9

Proceedings

FAST LANE _ 71,52 %

ORDINARY LANE _ 28,48 %

REPEATED INFRINGEMENT _ 28,11%

PRECAUTIONARY MEASURES _ 2,09%

ITALIAN
RIGHT HOLDERS
ASSOCIATION

FAPAV: 32,8%

SIAE: 12,5%

DCP: 11%

TF Group: 9,2%

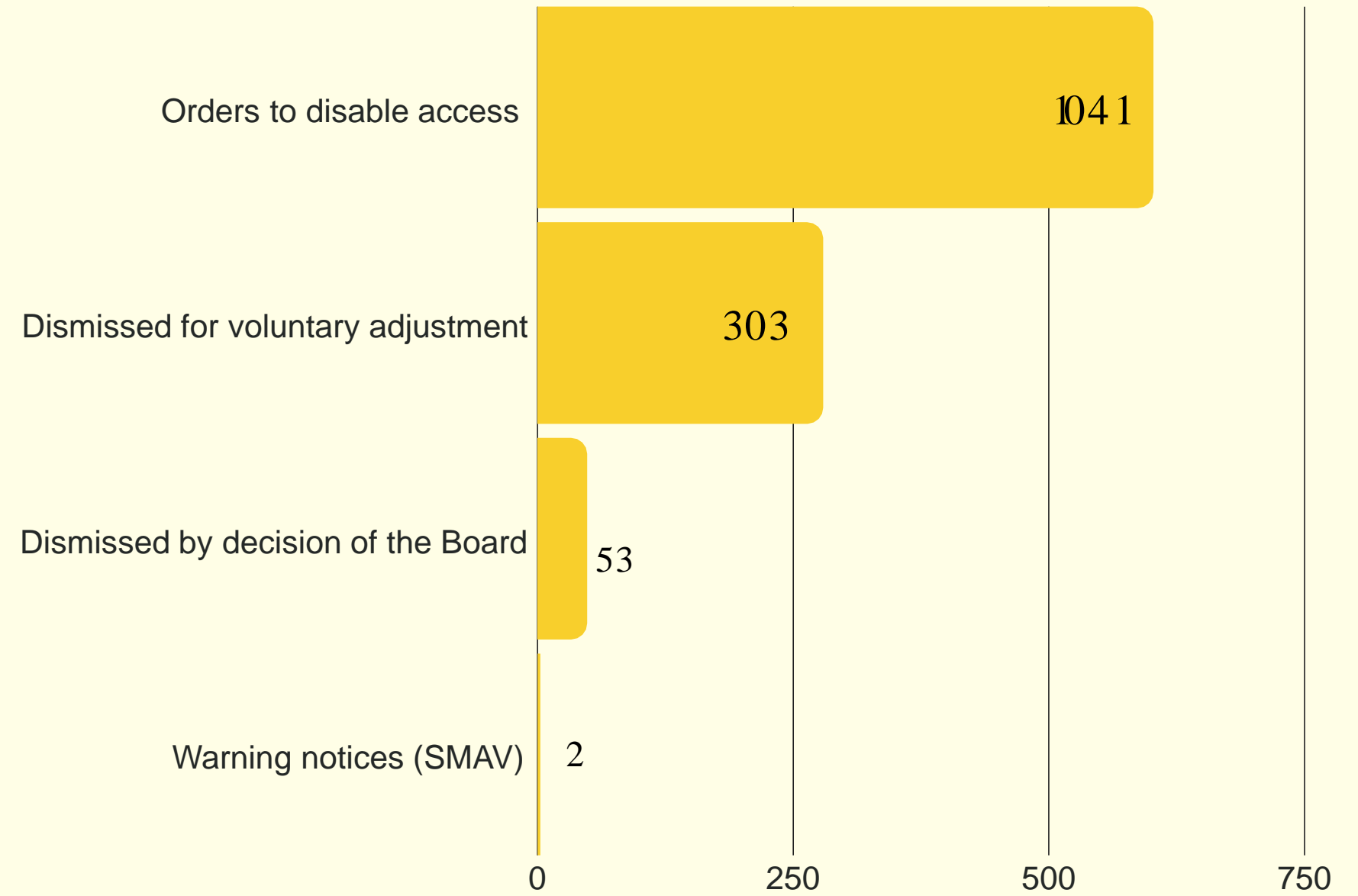
FPM: 6%

Others: 28,4%

all data are updated to 19 July 2019

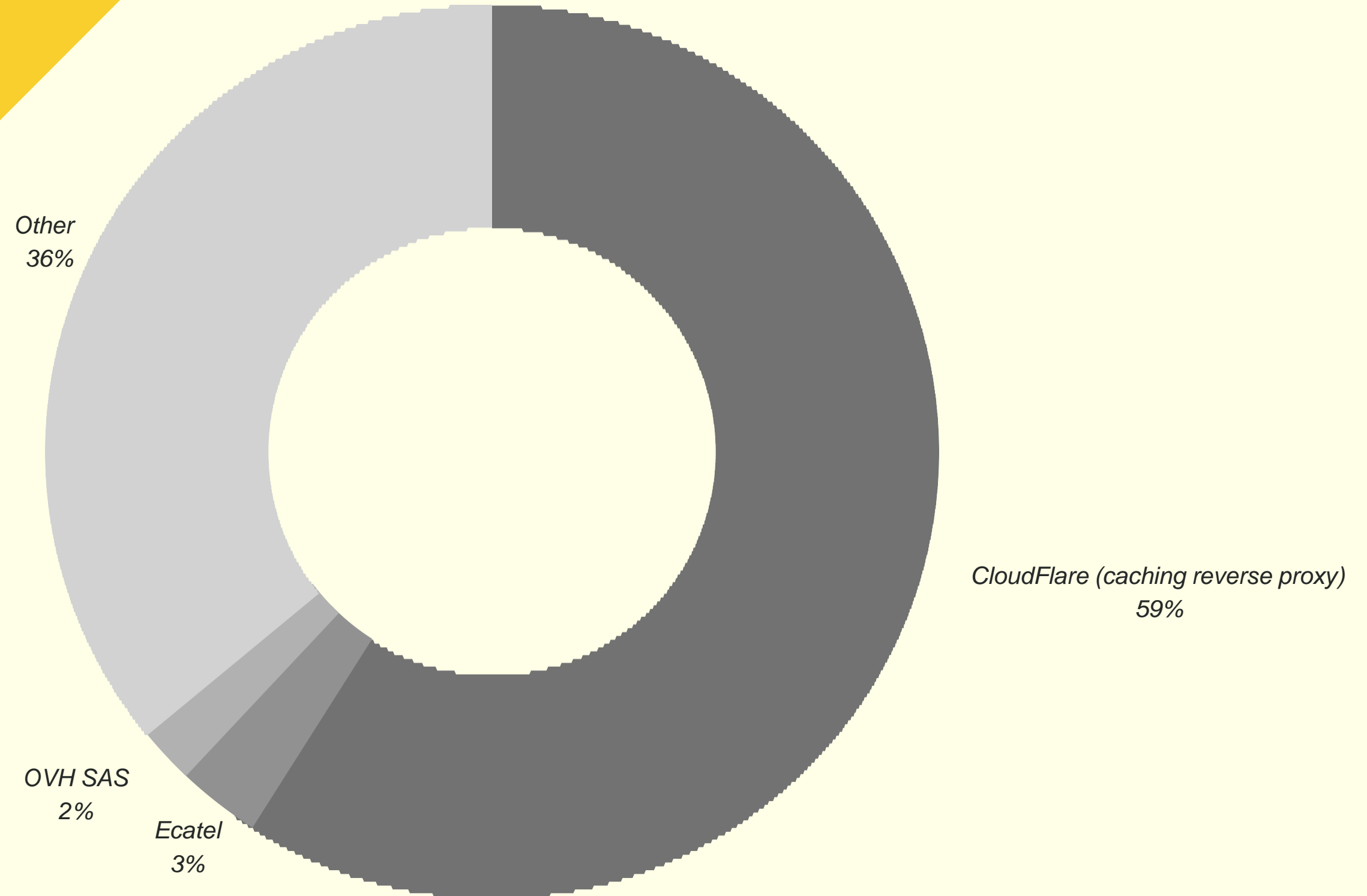
THE FORMAL PROCEEDINGS: CONCLUSIONS

10 9 9



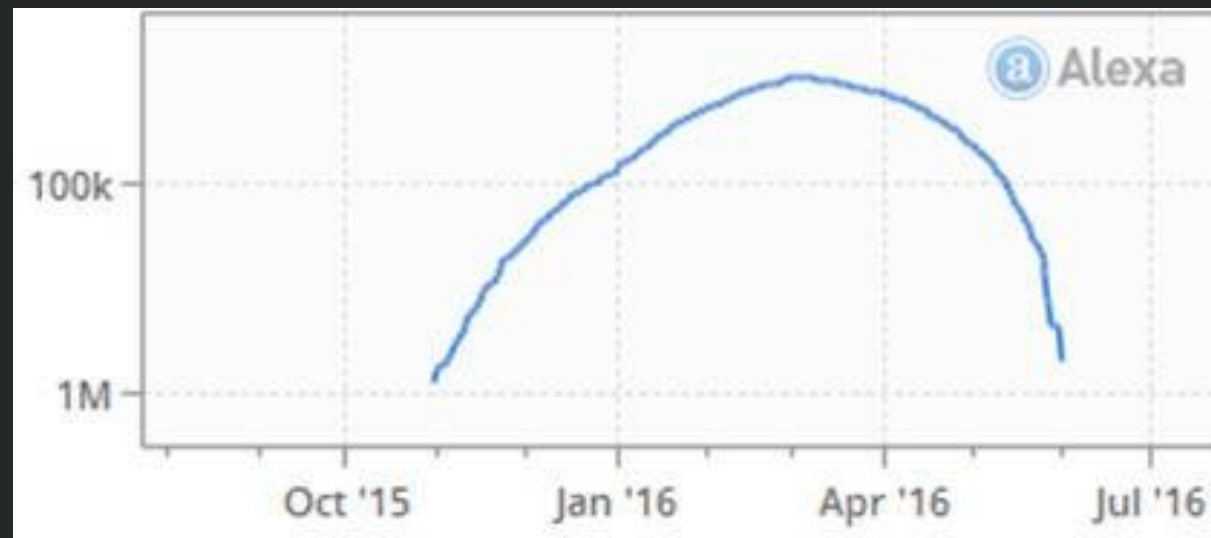
MAIN HOSTING PROVIDER

10 9 9



THE EFFECTS OF REGULATION

ALEXA



SEMRUSH



SIMILAWEB



DDA/ 667

WEBSITE

www.mp3lio.net

TYPE OF WORK

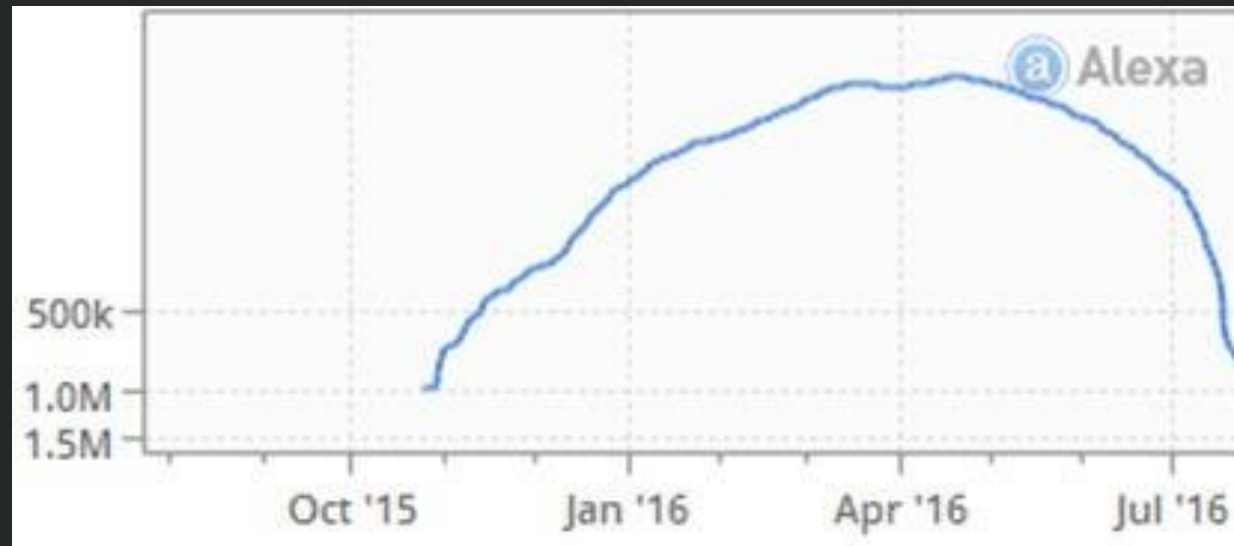
Music

METHODS OF USE

Streaming +
Download

THE EFFECTS OF REGULATION

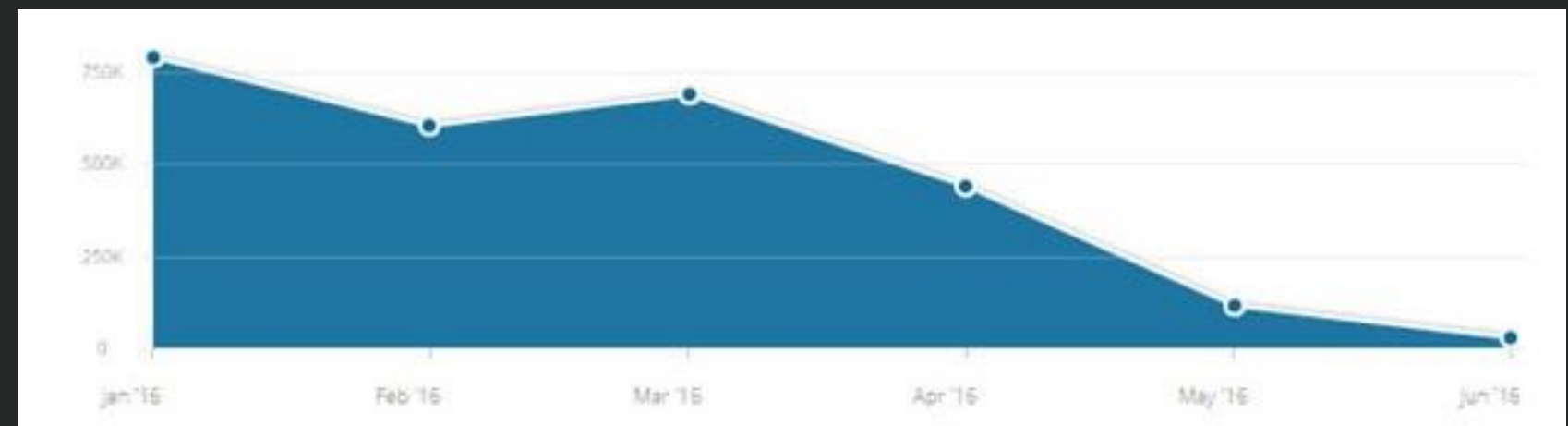
ALEXA



SEMRUSH



SIMILAWEB



DDA/ 682

7-apr-2016

WEBSITE

instreaming.info

TYPE OF WORK

Film and series

METHODS OF USE

Streaming +
Download

Strengths of Regulation



CHEAP AND QUICK
ALTERNATIVE TO
TIME CONSUMING
AND EXPENSIVE
JUDICIARY
PROCEDURES



THE WHOLE
PROCESS IS
DIGITAL



COLLECTING
SOCIETIES AND
ANTIPIRACY
FEDERATION AS A
HUB FOR THE
MONITORING OF
WEBSITES

Brand safety

An opportunity
to advertise
in a digital environment

There are key content categories that brands have
identified as risky (IAB)



Adult content



Facilitation of
illegal activities



Controversial
subjects



Copyright
infringement



Drugs/Alcohol/controlle
substances



Extreme graphic/explicit
violence



Incentivating
manipulation
of measurements



Hate/profanity



Nuisance/
spyware/malware



Political/religion



Unmoderated
user-generated content

Advertising on copyright-infringing websites



Audiovisual

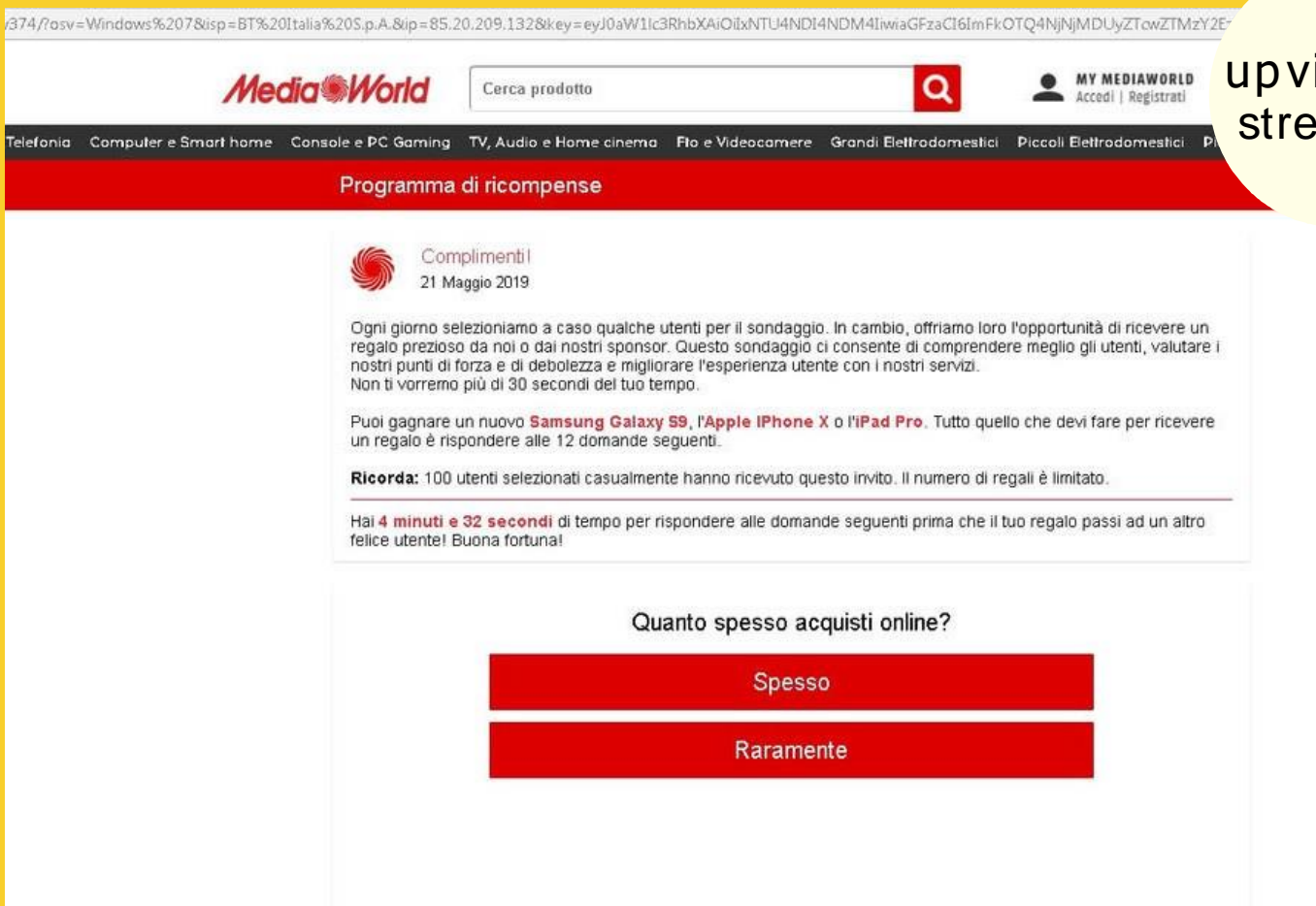
eztv.io
streaming



aiosearch.com
streaming



upvid.pro
streaming



openloadmovie.review
streaming



Music

ipesni.ru
streaming
download

DNCE ft Nicki Minaj
Kissing Strangers

JEEP® GRAND CHEROKEE
Реклама Jeep® Grand Cherokee Up, tua a 48.000€.
Jeep
SCOPRI DI PIÙ

TCTS feat. Sage The Gemini & Kelis
Do It Like Me (Icy Feet) 02:57

Filatov & Karas
Time Won't Wait 03:20

Portugal. The Man
Feel It Still 02:43

Елена Темникова 03:22

radio.it
ACCEDI/ISCRIVITI
Cerca stazioni, podcast...
radio.it/s/selfie
streaming
download

Radio Selfie

STAZIONI TOP VICINE A TE GENERI MUSICALI NOTIZIE SPORT CULTURA VISUALIZZA PIÙ ARGOMENTI

ALFA ROMEO MITO

SCOPRI TUTTE LE CARATTERISTICHE E GLI ALLESTIMENTI PENSATI SU MISURA PER TE!

VIENI IN CONCESSIONARIA
AUTO STORE ROMA
ROMA

RICHIEDI PREVENTIVO

ipesni.ru
Поиск — введите название песни или отрывок из песни

Топ 100 · Популярные 2017 · Rap и Hip-Hop · Рок · Легкая · Танцевальные · Instrumental · Metal · Альтернатива · Dubstep · Джаз и Блюз · Drum & Bass · Трансэ · Народные · Acoustic & Vocal · Классическая · Indie Pop · Дискотечная

Registrati ora e aggiudicati €15 di credito iniziale.
Реклама Registrati ora e aggiudicati €15 di credito iniziale!
car2go Roma
Visita il sito

Популярные песни, топ 100

Даша Шульц
Балерина 03:29

Paul Damixie
Get Lost 03:16

radio.it
ACCEDI/ISCRIVITI
Cerca stazioni, podcast...
radio.it/s/selfie
streaming
download

Radio Selfie

STAZIONI TOP VICINE A TE GENERI MUSICALI NOTIZIE SPORT CULTURA VISUALIZZA PIÙ ARGOMENTI

Pagina iniziale > Stazioni > Pop > Radio Selfie

#radioselfie tutto un altro stile

Radio Selfie
Aggiungere </> Inserire

Canada / Pop, Top 40 & Classifiche internazionali, Musica

Scarica su App Store DISPONIBILE SU Google Play

AIR Action Vigorsol
#BeFreshGetNoticed
BE FRESH GET NOTICED

WHERE WE ARE HEADED



**IPTV AND
PROTECTION OF
LIVE
SPORTING EVENTS**



**COOPERATION
BETWEEN RIGHTS
HOLDERS AND
SERVICE PROVIDERS**



**WIPO
BRIP DATABASE**



**ROLE OF INTERMEDIARIES,
INTERNET SEARCH
ENGINES, PAYMENT
PROVIDERS AND
ADVERTISING INDUSTRY**

**Thank you
for your attention**

GIORGIO GREPPI

g.greppi@agcom.it

Study on Advertising on Copyright-infringing Websites and Its Impact on the Value of the Advertised Brands in the Republic of Korea

Taejin Lee
Director, Overseas Cooperation Team
Korea Copyright Protection Agency (KCOPA)

WIPO 14th ACE, Geneva
September 3, 2019



-
- 1. Background**
 - 2. Overview of the Study**
 - 3. Analysis of Copyright-infringing Websites and Ads placed on These Websites**
 - 4. Experimental Consumer Survey**
 - 5. In-Depth Expert Interviews**
 - 6. Conclusion**

Background

Background – The Problem

· Copyright Infringement Running Rampant in the Digital Environment

- Estimated damage to the web-comic content industry (2017) : KRW 990 billion ≙ USD 820 million (Korea Creative Content Agency, 2018)
- Several measures to fight copyright-infringing webpages where the servers were located overseas took place; yet, many challenges

Measures	Challenges
URL Blocking	Circumvention by HTTPS protocol, VPN, etc.
Criminal Investigation	Cryptocurrency, cloned phone, false-name account
Legal Penalties for Infringing Websites Operators	Tendency for prosecutors to demand monetary penalty
Raising Public Awareness	Opposition to the regulation of copyright crimes arising from some civic groups

Background – Breakthrough

• Formation of the Joint Government Task Force (Feb. 2018)

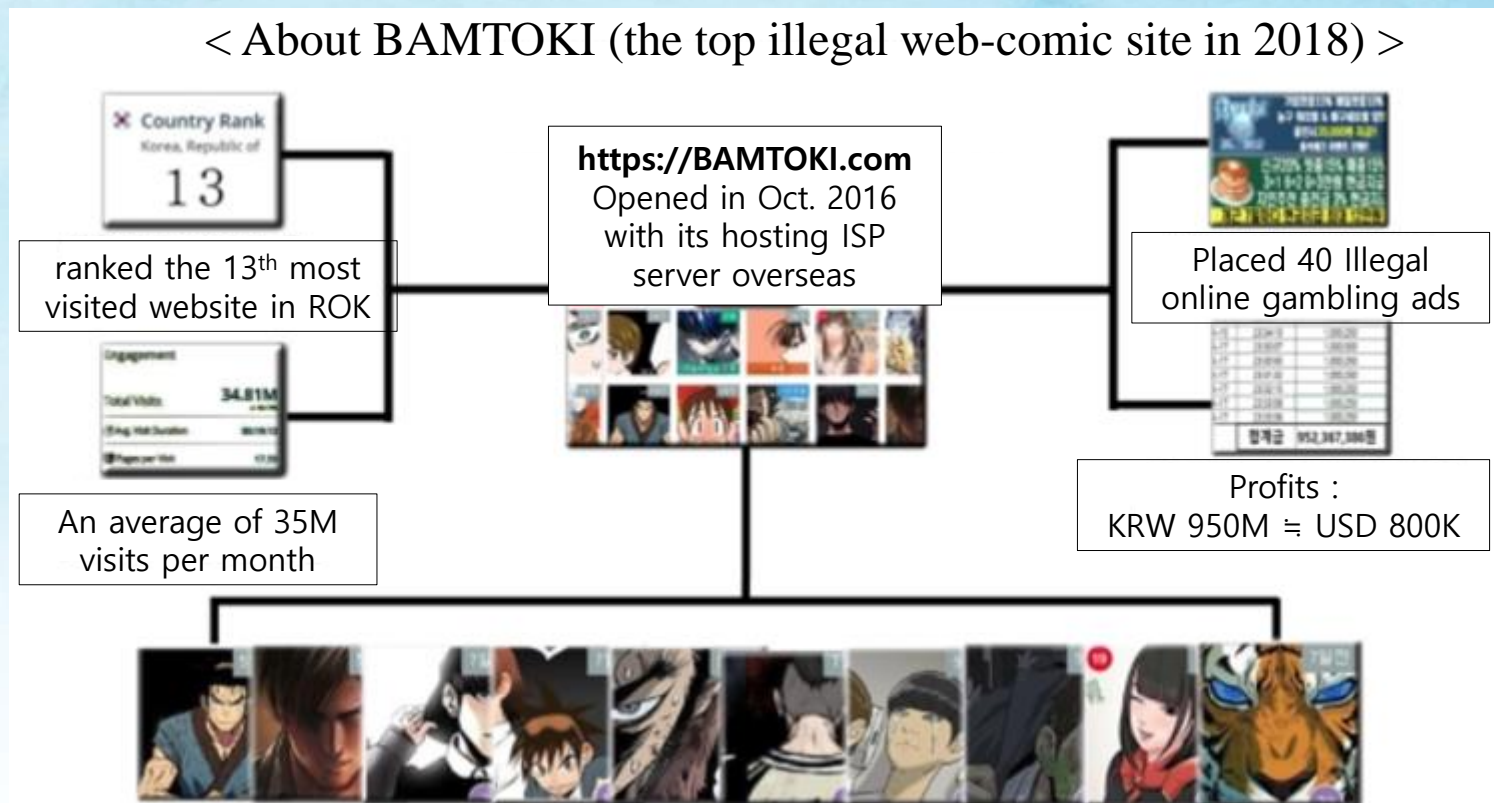
- Ministry of Culture, Sports and Tourism (MCST),
Korea Communications Commission (KCC),
National Police Agency (NPA),
Korea Copyright Protection Agency (KCOPA),
Korea Communications Standards Commission (KCSC),
Internet Service Providers (ISPs) (Korea Telecom, LG Telecom, SK Broadband)

Areas	Initiatives
Intensive Crackdown Activities	① Sharing criminal intelligence ② Demanding higher penalty ③ Adoption of DNS blocking (temporarily)
Improvement of supporting laws and technologies	① Shortening the period of proceedings for website blocking ② Developing technology to prevent the circumvention of blocked websites
Public awareness-raising activities	① Producing ads featuring celebrities speaking about copyright-infringing websites, and airing them on broadcasters' ads panel ② Publicizing the ads on social media and government publications

Background – Outstanding results

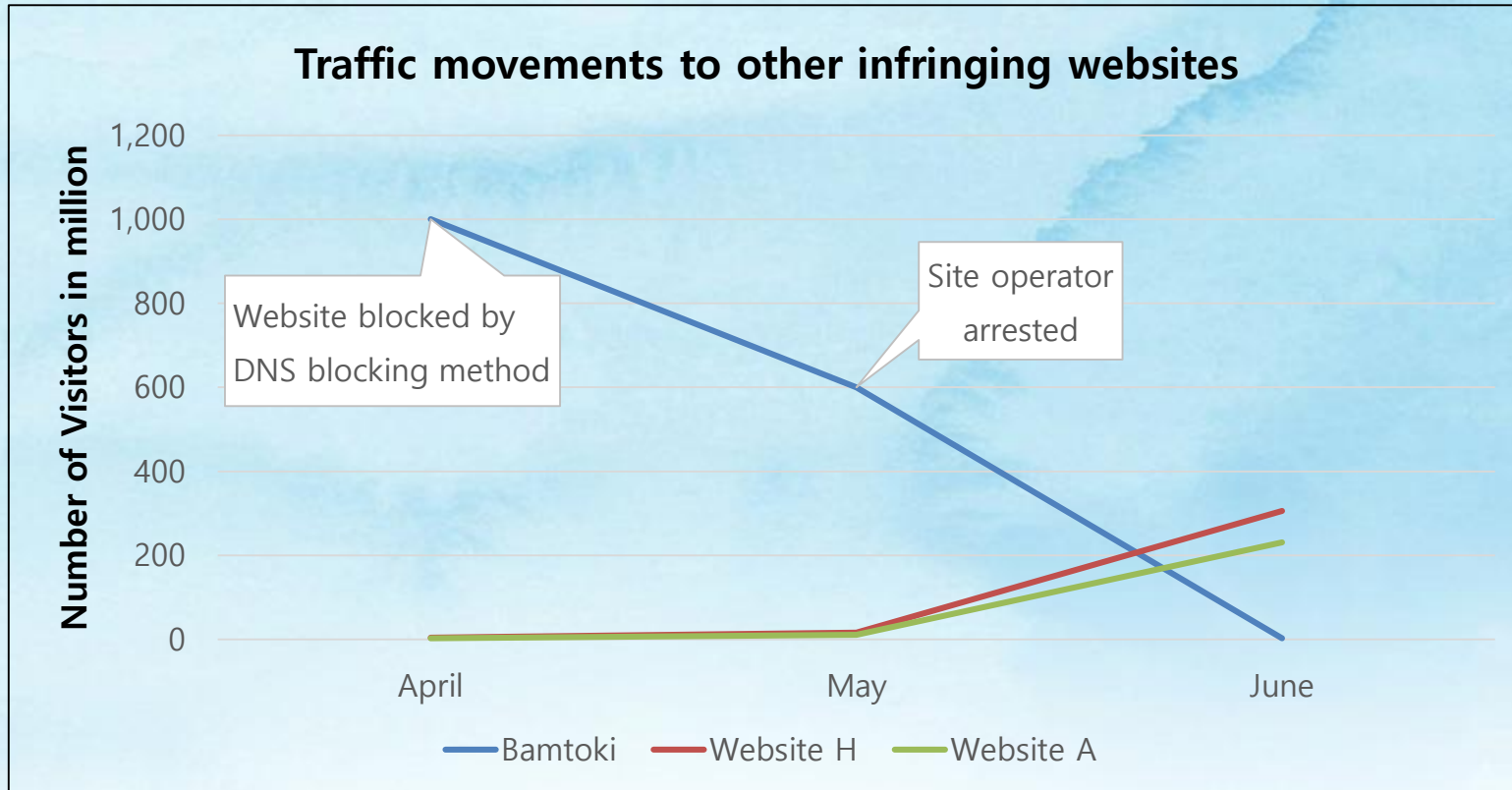
• Outcomes of the Joint Government Task Force (2018)

- 25 copyright-infringing websites (including the top torrents sharing site) closed down
- 13 website operators arrested
- Website blocking method (SNI) newly developed and implemented since February 2019



(Diagram provided by Busan Metropolitan Police Agency, 2018)

Background – Rising problems



(Statistics provided by Webtoon (Web-Comics) Guide, 2018)

Taking down ONE big copyright infringing website “Bamtoki” led to the creation of TWO new medium-sized infringing websites.

Background – New Approach to the Problem

Q1. What could possibly drive operators to continuously create copyright infringing websites?

A1. MONEY

Q2. Where does the money come from?

A2. Monetization through advertisements placed on their websites with a high number of visitors

Q3. How do we stop such monetization?

A3. By persuading brand owners to not place ads on such websites reasoning that this is not only important for society and for the copyright owners but...

the act of advertising on copyright-infringing websites has a negative impact on the targeted goods/services.

This leads to an important question...

What if advertisements on infringing websites have a negative impact on the advertised brands?

=> Conduct a study => share the result of it with advertisers and ad agencies

=> Promote wider USER participation to WIPO's BRIP Database Project

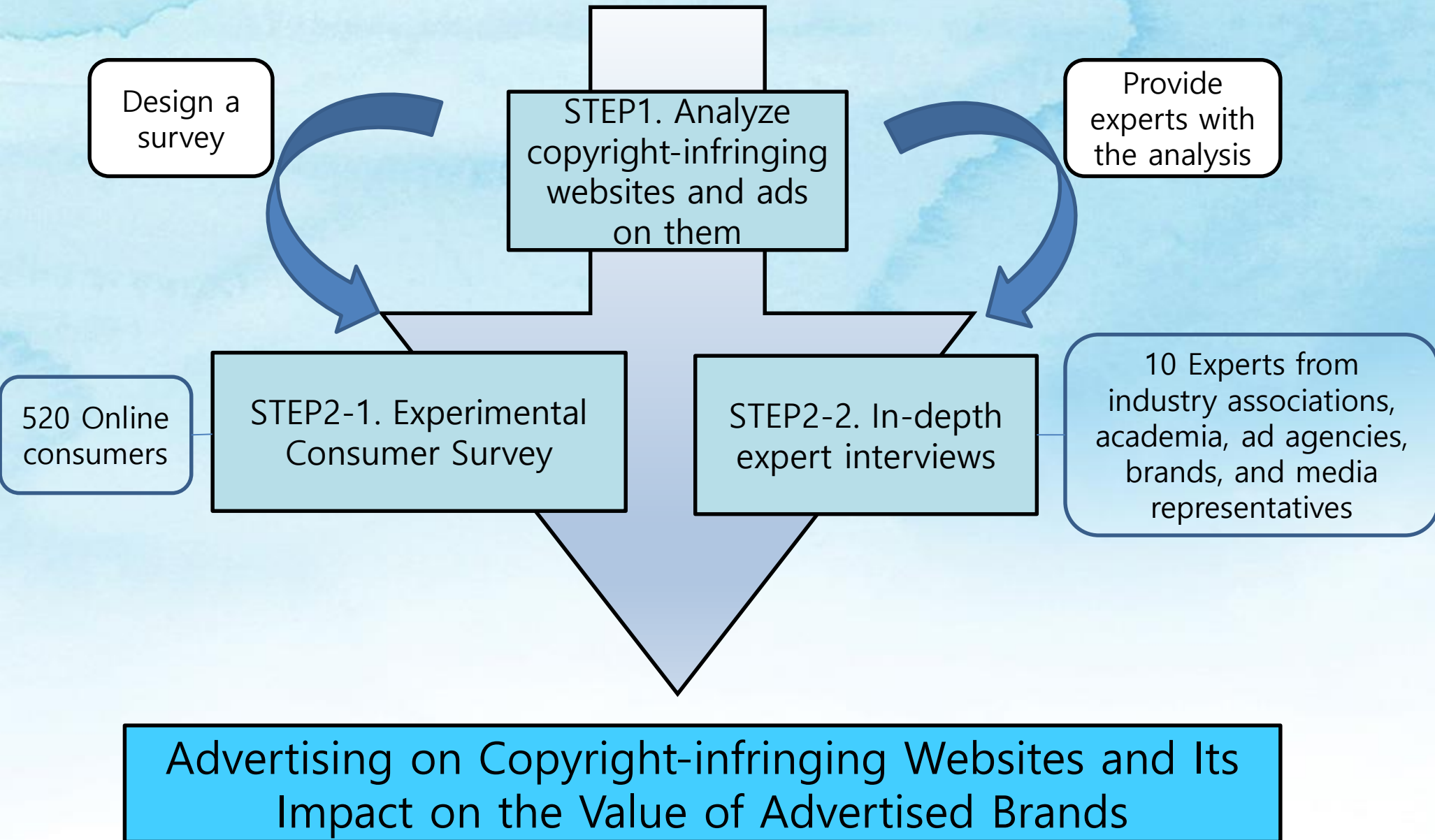
Overview of the Study

Overview of the Study

- Title : Effects of advertisements on infringing websites: tangible (economic effect) and intangible (public image recognition) dimensions
- Requesting organization : Korea Copyright Protection Agency
- Researching organization : Sun Moon University Research Foundation
- Period : from May 27 to August 14, 2019
- Objective of the study : To examine the effects of illegal advertisements on copyright-infringing websites

- Definitions applied to this study
 - **Copyright-infringing websites ('Illegal websites')** : Websites distributing copyrighted works without the consent of the right holders and that have been duly blocked by Korean ISPs based on the decision of the Government of the Republic of Korea
 - **Legal websites** : Websites that do not distribute copyrighted works without the consent of right holder
 - **Legal advertisements** : Advertisements that advertise **legal products** regardless of whether the ads are in compliance with regulatory format

Overview of the Study - Structure



Analysis of Copyright-infringing Websites and Ads Placed on These Websites

Analysis of Copyright-infringing Websites and Ads Placed on These Websites

- **Objective: Understanding the nature of copyright-infringing websites and the type of ads**
- **Subject of analysis: Copyright-infringing websites and Ads placed on them**
 - 20 websites (out of 37 websites provided by KCOPA to researchers)
:usage type, customized ads, number of ad slots, number of advertisements
 - 127 ads collected from Subject websites by refreshing pages 5 times
:business type of advertisers, type of ad placement, ability of users to turn off ad personalization, landing page

※ Data collected from June 28 to July 1, 2019

Analysis of Copyright-infringing Websites and Ads Placed on These Websites

Websites (20)	Usage type	Online video streaming: 12 Torrents sharing: 4 Web-comic content: 4
	Customized ads (based on collected cookies)	6 websites
	Ad slots	71
	Number of Advertisements	127

Analysis of Copyright Infringing Websites and Ads Placed on These Websites

Advertisements (127)	Type of Business (or product) of the ad owners (brands)	Illegal Gambling: 58 (45.6%) Adult products: 9 (7.1%) Fashion: 9 (7.1%) Beauty products: 8 (6.3%) Infringing websites: 6 (4.7%) Restaurants: 5 (3.9%) Electronic goods: 4 (3.1%) Legitimate web-comics: 3 (2.4%) Education business: 2 (1.6%) Others: 23 (18.1%)
	Placing type	Sticky (Fixed banner): 116 (91.3%) Floating: 11 (8.9%)
	Ability of users to turn off ad personalization	Y: 38 (29.9%), N: 89 (70.1%)
	Landing page	Advertised brands: 113 (89.0%) Event page: 5 (3.9%) Blogs: 3 (2.4%), Others: 6 (4.7%)

Analysis of Copyright Infringing Websites and Ads placed on these websites

The screenshot shows the TORRENTMAP website interface. At the top, there is a search bar and navigation menu. Below the menu, several large advertisements are displayed, including one for 'SMBA' with a '20%' discount and another for 'YAMATO' with '5만 원 바로 지급!'. A calendar for June 2019 is visible on the right side. At the bottom, there is a '최신영화' (Latest Movies) section with a grid of movie thumbnails. A red circle highlights a large advertisement for 'SMBA' and another for 'YAMATO'.

The screenshot shows the TORRENTKIN website interface. At the top, there is a search bar and navigation menu. Below the menu, several large advertisements are displayed, including one for 'UNIBET' with '30% 캐시백' and another for 'bet W' with '첫가입 10% 매충전 5%'. A calendar for June 2019 is visible on the right side. At the bottom, there is a '도넛 BEST10' (Donut Best 10) section with a list of items. A red circle highlights a large advertisement for 'UNIBET' and another for 'bet W'. A yellow box in the center contains the following text:

44 (34.6%) illegal ads
83 (65.4%) legitimate ads

The screenshot shows the TOONKOR website interface. At the top, there is a search bar and navigation menu. Below the menu, several large advertisements are displayed, including one for '야구시즌! 가입 첫충전' (Baseball Season! New User First Deposit) and another for 'JACKPOT'. A red circle highlights a large advertisement for '야구시즌! 가입 첫충전' and another for 'JACKPOT'.

Analysis of Copyright Infringing Websites and Ads placed on these websites

Legitimate ads

LG HAUSYS (Interior Design)

NEXON (Online Game)

KOLON MALL (Online Shopping)

인테리어 잘못하면 10년 후회...
“한번 더 생각하면 역시 Z:in”
상담 받기

인테리어 잘못하면 10년 후회...
“한번 더 생각하면 역시 Z:in”
Z:in에서 상담 받기

4주년 깜짝 이벤트!

KANTUKAN (Fashion)

NIKE (Sports Apparel)

나이키 P-6000 구매하기

얼마나 더 팔릴까? ₩49,800

DUO (Marriage Agency)

SARAMIN (Job Search)

첫구매니까 다드릴게요!

최신 게시물

스트라이크 위즈스 501부대 발진함...
신데렐라 걸즈 극장 4기...
포켓몬스터 섀도우...
이세계 포켓몬...
이 세상 끝에서 사랑을 노래하는...
블록 클로버...
엄밀 및 첩보까지 들 수 있어?...
그녀와 그녀의 구미아, 푸리는...
미생... 리아미 2018...
8월의 신데렐라 나인

총 55화 (2019-06-21) 곡두곡시 서커스
총 12화 (2019-06-21) 야보가매장 관월일기
총 11화 (2019-06-20) 케울&류스데이
총 81화 (2019-06-15) 아이카즈 프렌즈
총 19화 (2019-06-10) 반역성 밀리언 아서
총 13화 (2019-03-29) 행드림 2기
총 12화 (2019-03-29) 걸리 에어포스
총 19화 (2019-01-08) 현왕검 푸른 반박검
총 13화 (2019-01-03) 에미야 씨네 오늘의 밤상
총 12화 (2018-12-29) 별처럼 아가씨의 뭇 대로.
총 26화 (2018-12-28) BanG Dream! 걸파 ☆피크
총 12화 (2018-12-28) 메르츠 스토리아

Analysis of Copyright Infringing Websites and Ads placed on these websites

• Key Takeaway

< Advertisements >

- Inappropriate advertising products for minors: adult products, dating websites, etc.
- Some links in advertisements take users to illegal content such as illegal gambling which is not appropriate even for grown-ups.
- Illegal gambling is the greatest part (45.6%) of the advertised business type.
- Customized advertisements (based on collected cookies) are detected on 6 websites out of 20, and well-known brands may help the site gain credibility of its nature.
(e.g. education, electronic goods)

< Copyright-infringing Websites >

- Websites have no age restriction requirements while there are inappropriate ads disclosed to minors.
- Landing pages are mostly the web pages of the advertised product (89.0%), and others redirect consumers to land on blogs and other event holding pages.

Experimental Consumer Survey

Experimental Consumer Survey

- **Objective : Identification of the Impact of Advertisements on the Value of the Advertised Brands (that are legal goods/services) on Legal/Illegal Websites**

[Research Question Type I

How does consumers' (① to ④ below) vary depending on whether the ad appears on a legal or infringing website?

[Research Question Type II

How does '**subjective norm of an individual**' influence consumers' (① to ④ below) depending on whether the ad appears on a legal or infringing website?

[Research Question Type III

How does '**perceived behavioral control of an individual**' influence consumers' (① to ④ below) depending on whether the ad appears on a legal or infringing website?

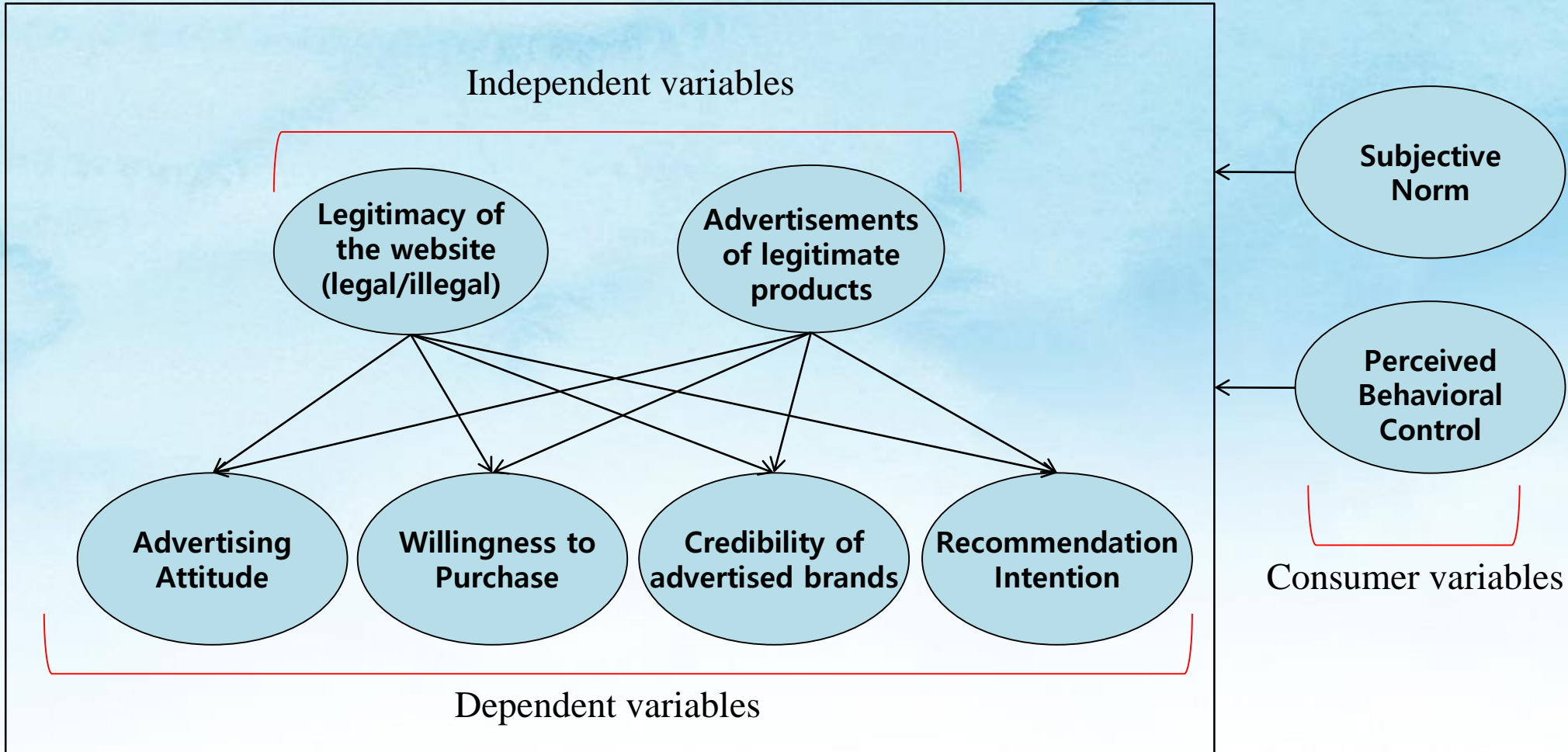
- ① attitude toward advertisement ② willingness to buy targeted products
③ level of trust in advertised brands ④ willingness to recommend the advertised product to others

[Research Question Type IV

- ① What motivates you to visit copyright infringing websites?
- ② Who should be responsible for managing ads that are placed on copyright infringing websites?
- ③ What measures should be taken to regulate legal ads on copyright infringing websites?

Experimental Consumer Survey

[Research Model]



Experimental Consumer Survey

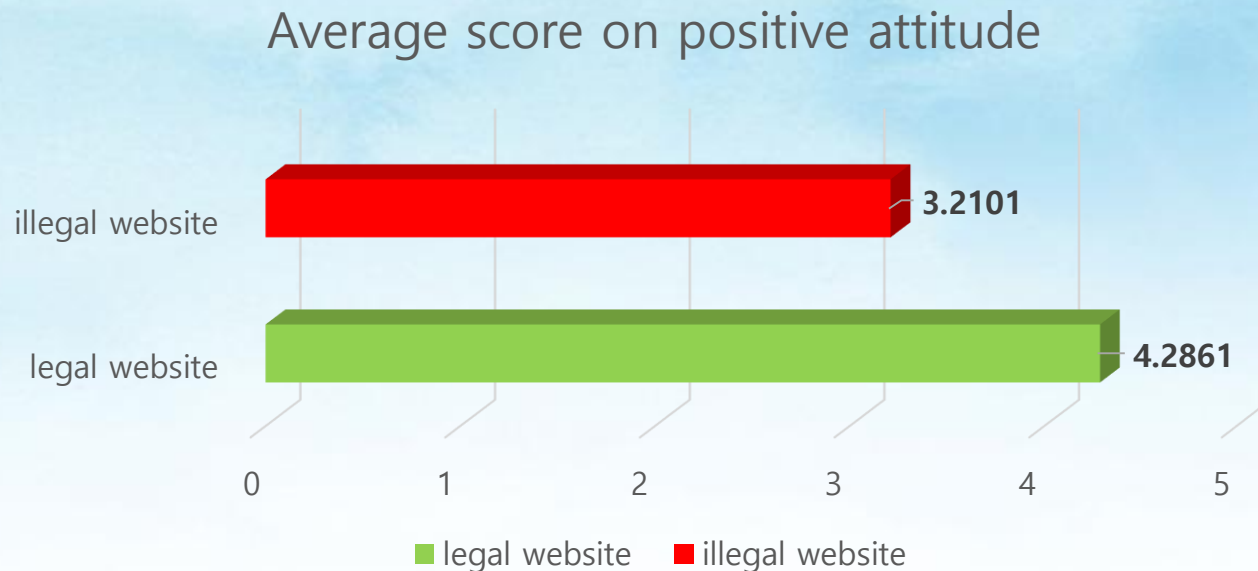
[Sampling and Survey process]

- Survey period : from July 17 to July 22, 2019 (6 days)
- Respondents : 520 (272 respondents for Research question type I, II and III)
- 520 consumers were asked to answer questions via their mobile phone for Research question type IV.
- 272 consumers were asked to answer questions via their mobile phone for Research questions type I, II and III after having a look at advertisements of an imaginary brand
- For Research question types I, II and III 4 questions were asked to be answered on a scale from 1 to 7

Experimental Consumer Survey

<Survey result for research question type I>

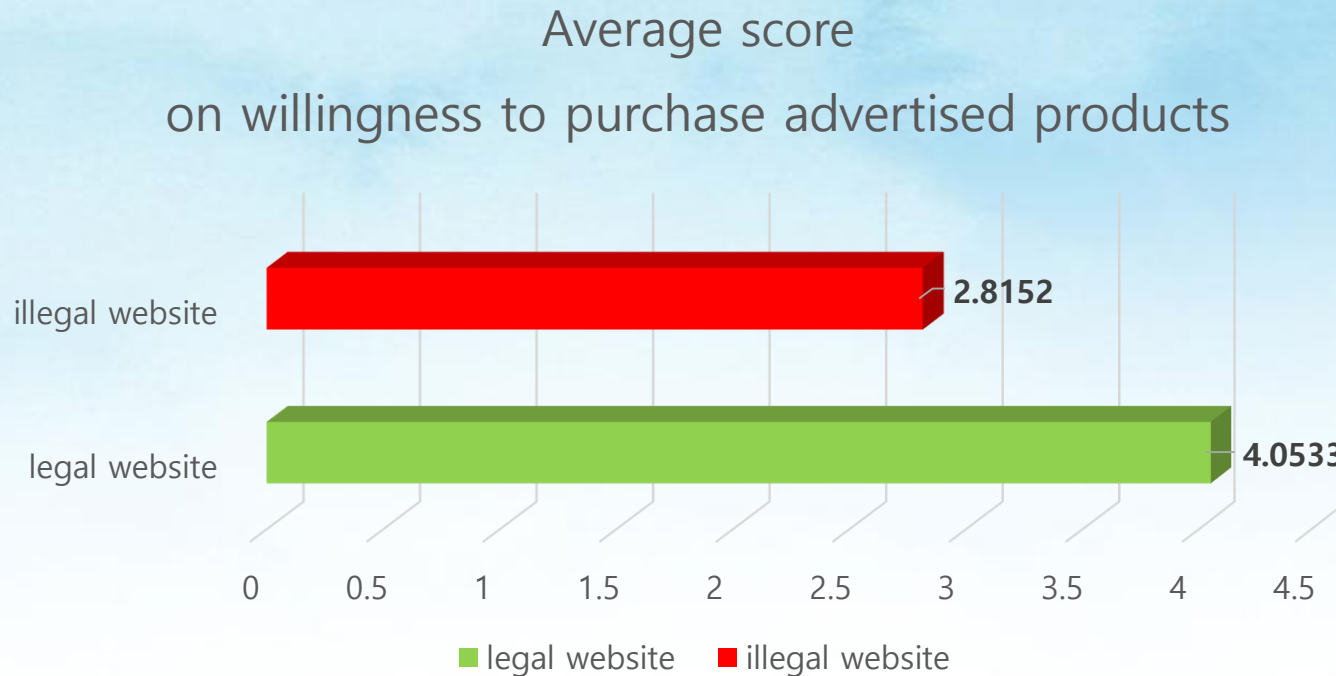
How does consumers' attitude toward advertisements vary depending on whether the ad appears on a legal or infringing website?



Experimental Consumer Survey

<Survey result for research question type I>

How does consumers' willingness to purchase advertised products vary depending on whether the ad appears on a legal or infringing website?



Experimental Consumer Survey

<Survey result for research question type I>

How does the consumers' level of trust in advertised brands vary depending on whether the ad appears on a legal or infringing website?

Average score on level of trust on advertised brands

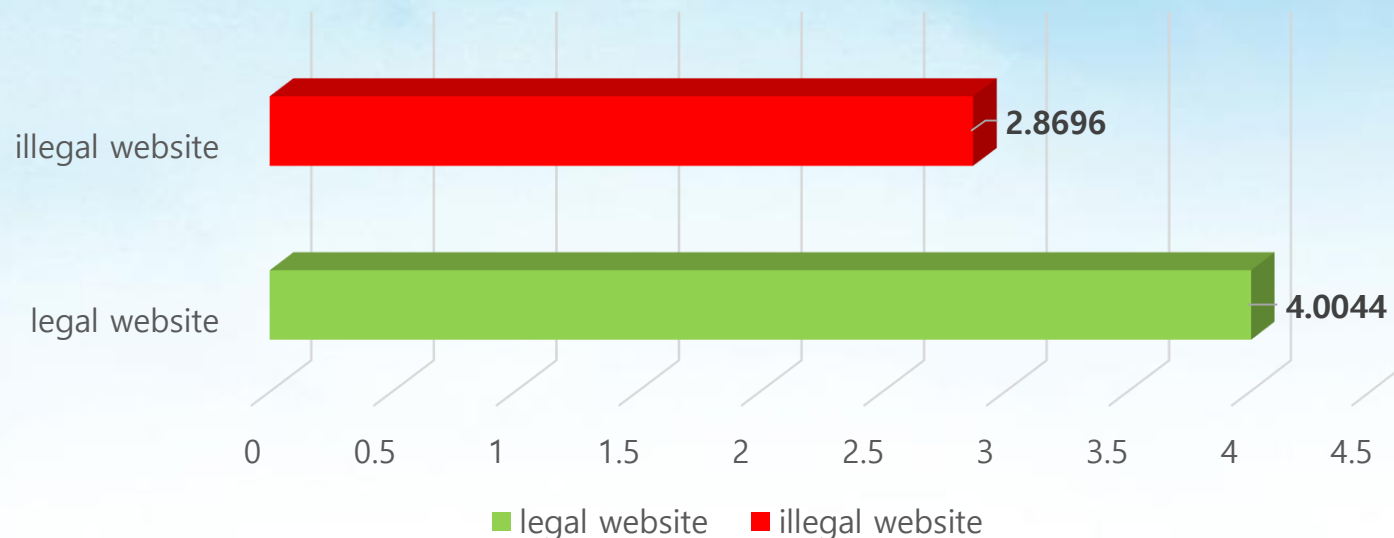


Experimental Consumer Survey

<Survey result for research question type I>

How does consumers' willingness to recommend advertised products to others vary depending on whether the ad appears on a legal or infringing website?

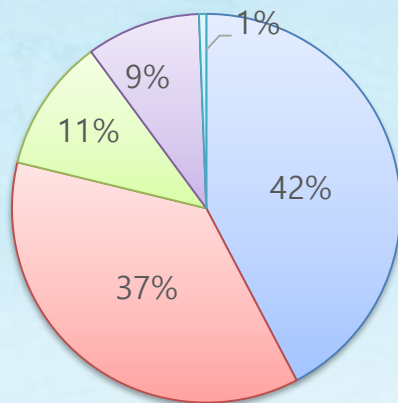
Average score on willingness to recommend advertised products to others



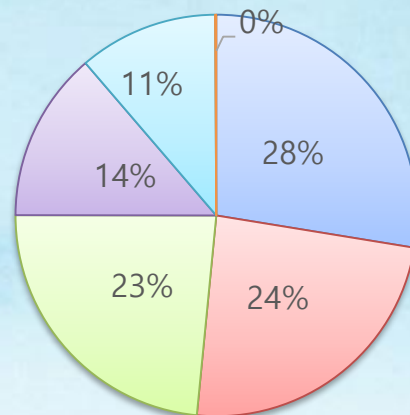
Experimental Consumer Survey

<Survey result for research question IV>

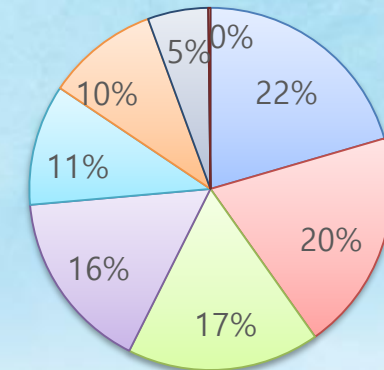
- ① What motivates you to visit copyright infringing websites? ② Who should be responsible for managing ads that are placed on copyright infringing websites? ③ What measures should be taken to regulate legal ads on copyright infringing websites?



- web surfing by chance
- out of curiosity
- by recommendation
- already a member of the site
- others



- ad publishers
- ad agencies
- brands
- ad production companies
- governments authorities
- others



- close down infringing sites with ads taken off
- conduct monitoring on ads removal
- establish a public-private body for management
- regulate ad agencies or intermediaries
- brands' self-regulation
- enact laws to regulate sales of advertisements
- conduct an awareness-raising campaign
- others

In-Depth Expert Interviews

In-Depth Expert Interviews with Questionnaires

- **Objective : To collect voices of experts from across different sub-sectors of advertising industry and seek their suggestions**
- **Interviewees consist of 10 experts from the following groups;**
 - Industry association (3)
 - Academia (2)
 - Ad agency (2)
 - Brand (2)
 - Media representative (1)

In-Depth Expert Interviews with Questionnaires

- **Questionnaire type 1**

- Knowledge of ads placed on copyright-infringing websites

- **Summary**

- Because major brands and ads intermediaries would not intentionally place ads on infringing websites, there had not been much discussion on this problem.
- Their ads are mostly placed on websites with many visitors, regardless of the legitimacy of the website.
- Brands may have no knowledge of whether their brands are being advertised on such infringing websites.

In-Depth Expert Interviews with Questionnaires

- **Questionnaire type 2**

- Problems arising from ads placed on copyright infringing websites

- **Summary**

- All interviewees recognized that copyright-infringing websites are damaging for copyright owners while benefitting the infringers.
- In the short term ads on infringing websites may mislead consumers into perceiving those sites as legitimate, ads on infringing websites may publicize brands and bring profits to website operators, allowing them to plan a larger-scale infringing website and inciting the public to run similar sites.
- In the long term, legal content distribution websites may diminish due to the prevalence of such infringing websites.

In-Depth Expert Interviews with Questionnaires

- **Questionnaire type 3**

- Need for regulation

- **Summary**

- Most agree that it is necessary to cut off the money flows to copyright-infringing websites through the voluntary take-down of advertisements on such websites by businesses and agencies.
- Some state that because ads on infringing websites may harm the advertisers' brand image governments should impose legal controls over the removal of advertisements from infringing websites, while others found it rather impertinent to regulate advertisements rather than to take action against infringing websites.

Conclusion

Conclusion

- There are not only illegal but also legal products that are advertised on copyright-infringing websites - some are big and/or medium sized brands.
- The survey results show that advertisements on copyright-infringing websites will have a negative impact on brands.
- Expert interviews show that businesses and advertising agencies recognize that copyright-infringing websites have a damaging impact on copyright owners.
 - However, not many acknowledge that their ads are on the websites.
- **To have businesses voluntarily participate in this movement of cutting off the profits of copyright-infringing websites, it is necessary to share the result of this study with the advertising industry.**

Thank you!



Stakeholders' cooperation under the Memorandum of Understanding on online advertising and IPR

Update from the European Commission

Advisory Committee on Enforcement

**Fourteenth session
Geneva, 3 September 2019**

Context of the initiative

- **IPR infringements are on the rise**
 - **6,8%** of goods imported into the EU are counterfeit or pirated, corresponding to **€121 billion** in illegal trade
 - due to the presence of counterfeits sales of the legitimate sectors are lowered by an average of **7.5%** across the EU in the selected IPR intensive industries - **€59 billion** losses on annual basis, loss of almost **435 000 jobs**
- **Need for better enforcement of IPR**
 - 'Follow the money' approach
 - Robust legislation as a starting point
 - Complementing legislation with voluntary measures

EU voluntary initiatives

- **MoU on the sale of counterfeit goods via the internet (2011)**
 - to prevent offers of counterfeit and pirated goods from appearing in online marketplaces
- **MoU on online advertising and IPR (2018)**
 - to limit advertising on websites and mobile applications that infringe copyright or disseminate counterfeit goods
- **Stakeholders' dialogue on the transportation / delivery of goods and IPR**
- **Stakeholders' dialogue on IPR protection and payments**

Challenges for online advertising and IPR

- online advertising is a hugely **complex environment**
- **misplacement of advertisement** on IPR infringing websites and mobile applications is an issue:
 - websites and mobile applications that provide access to IPR-infringing content, goods or services often use the sale of advertising space as one of their **revenue sources**
 - the presence of advertising for household brands or the availability of well-known payment services on IP-infringing websites and mobile applications **can confuse consumers**, who may mistakenly believe to access legal content

MoU on online advertising and IPR

- Signed in June 2018 by 28 companies and associations
 - <https://www.youtube.com/watch?v=5-yXMWk3cW0>
- Brings together representatives of advertisers and advertising intermediaries, as well as other interested stakeholders



MoU on online advertising and IPR

▪ Objective

- to minimise the revenue websites and mobile applications that infringe intellectual property rights on a commercial scale gain from online advertising

▪ Commitments

Limiting the placement of advertising on websites and mobile applications which have no substantial legitimate uses:

- when competent authorities found that they infringe copyright or disseminate counterfeit goods on a commercial scale
- for which the advertisers have reasonably available evidence that they are infringing copyright or disseminate counterfeited products, on a commercial scale

How does it work in practice?

- **Cooperation in a form of a stakeholder dialogue**
 - signatories meet to discuss and exchange best practice in a confidential environment
- **Evaluation of the work**
 - measuring the efforts under the MoU on the basis of annual reporting
 - monitoring the MoU's impact on the market: external study
- **Next steps**
 - Stakeholders will meet biannually
 - Preparation of an overview report on the MoU functioning – to inform about the progress achieved and further disseminate best practice
 - Agreement to be open for new signatories at the next meeting

AD FUNDED IP INFRINGEMENT MOU ON ADVERTISING AND IPR

Intelligence Taken from Top 5000+ IP Infringing Websites Tracked in 19 European Countries and US in Q2 2019



IP infringing websites regularly change domain names to avoid detection
ILLEGAL WEBSITES DOMAIN-HOP TO NON-ADJUDICATED DOMAIN NAMES



DOMAINS MONITORED

Total Domains

Illegal (%)

High Risk (%)

Q1

7,030

56%

44%

Q2

7,111

55%

45%

45% of domains monitored have domain-hopped, auto-redirected, or otherwise changed since 01 January 2019



AD FUNDED IP INFRINGEMENT

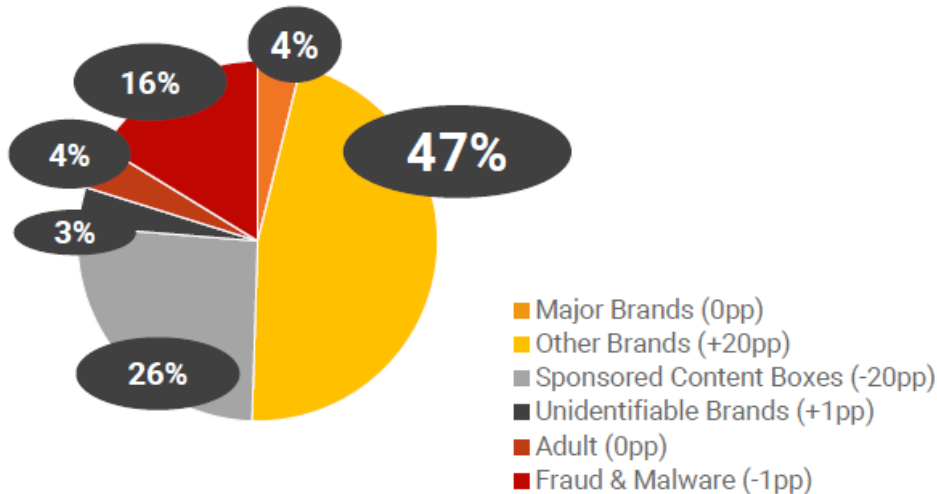
MOU ON ADVERTISING AND IPR



Intelligence Taken from Top 5000+ IP Infringing Websites Tracked in 19 European Countries and US in Q2 2019

Brands and sponsored content are funding IP infringing websites
BRANDS AND REPUTABLE SPONSORED CONTENT NETWORKS DON'T WANT TO BE ADVERTISING THERE

Q2 OVERVIEW BY AD TYPE



	Major Brands	Other Brands	Adult	Fraud & Malware
Illegal	↓ 4% (-3pp)	↑ 59% (+20pp)	2% (+1pp)	13% (-1pp)
High Risk	↑ 4% (+1pp)	↑ 43% (+20pp)	4% (0pp)	17% (-1pp)



AD FUNDED IP INFRINGEMENT MOU ON ADVERTISING AND IPR

Intelligence Taken from Top 5000+ IP Infringing Websites Tracked in 19 European Countries and US in Q2 2019



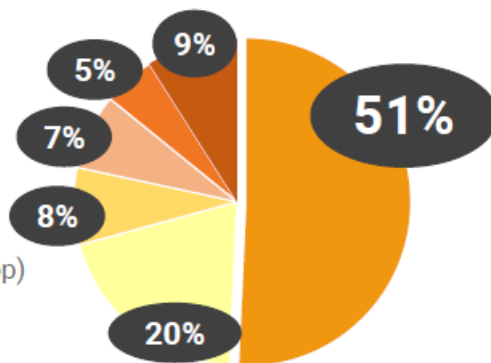
Reputable advertising sectors are highly represented

REGIONAL AND NATIONAL INDUSTRY REGULATORS CAN BE ENGAGED TO RAISE AWARENESS

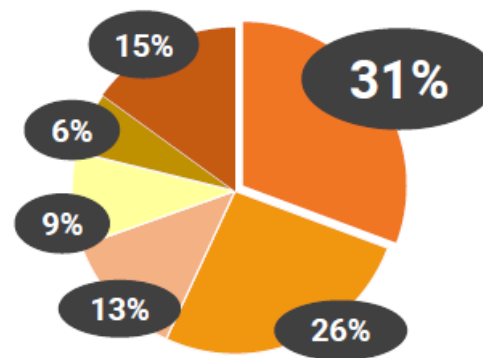


KEY SECTORS AFFECTED

SECTOR BREAKDOWN FOR
ALL BRANDED ADVERTISING



SECTOR BREAKDOWN FOR
MAJOR BRANDED ADVERTISING



- Gambling (+8pp) ↑
- Arts & Entertainment (-1pp)
- Business (-10pp)
- Technology & Computing (+1pp)
- Shopping (-3pp)
- All Other (+5pp)

- Shopping (-16pp) ↓
- Gambling (-12pp) ↓
- Technology & Computing (NE)
- Arts & Entertainment (+6pp)
- Personal Finance (NE)
- All Other (+10pp)



AD FUNDED IP INFRINGEMENT

MOU ON ADVERTISING AND IPR



Intelligence Taken from Top 5000+ IP Infringing Websites Tracked in 19 European Countries and US in Q2 2019



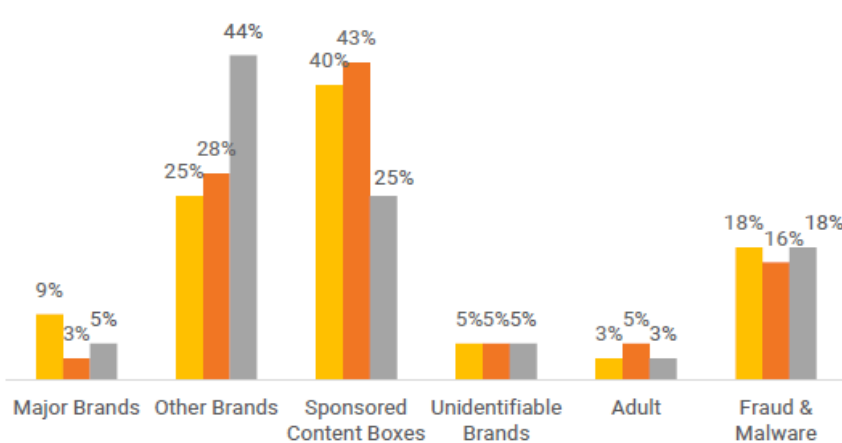
Ads from major brands have decreased post introduction of the MOU

THE WHOLE AD ECOSYSTEM MUST BE ENGAGED TO MINIMISE AD REVENUE RECEIVED BY IP INFRINGING WEBSITES

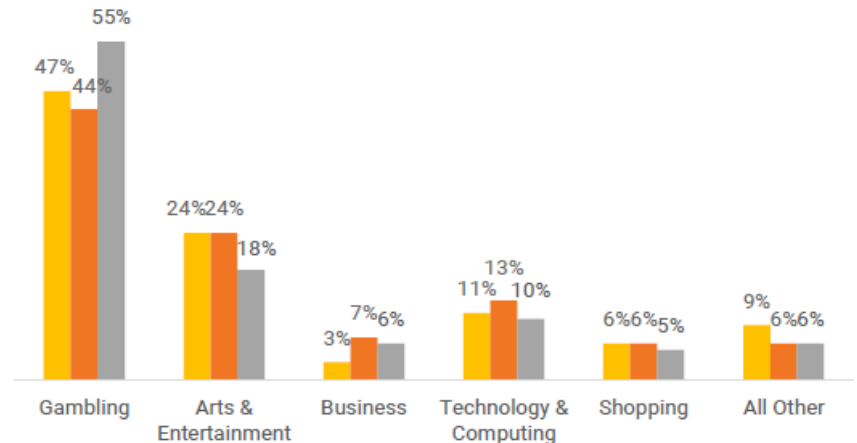


MOU DATA COMPARISON OVER TIME

AD TYPE



SECTORS



■ Pre-MOU ■ Q1 2019 ■ Q2 2019

■ Pre-MOU ■ Q1 2019 ■ Q2 2019

1 Pre-MOU tracking period covered fewer EU countries. Charts reflect data from the following countries: DE, DK, ES, FR, IT, NL, SE, UK. Only data from websites also tracked in the pre-MOU tracking period have been included



AD FUNDED IP INFRINGEMENT

MOU ON ADVERTISING AND IPR

Intelligence Taken from Top 5000+ IP Infringing Websites Tracked in 19 European Countries and US in Q2 2019



EU brand and ad intermediary engagement with IP infringing websites has decreased since the first reporting period



BRAND AND AD INTERMEDIARY LOCATION

	All Brands	Major Brands	All Identifiable Ad Intermediaries
Established EU Business Ops	↓36% (-3pp)	↓65% (-14pp)	↓42% (-22pp)

Percentage of EU brands and ad intermediaries engaging with IP infringing websites has decreased from **Q1**

Achievements and challenges

- **Cooperation already brought positive results...**
 - useful forum which allows **better cooperation** between stakeholders
 - **sharing experiences** – best practices and lessons learned
 - raising awareness – **spreading information** about available tools, existing initiatives and new challenges

- **... but further progress is needed:**
 - **wider participation** to ensure:
 - proper representation of all actors involved in the distribution chain
 - more involvement of copyright holders and brands
 - **continue to raise awareness** amongst advertisers
 - inform about tools available to **step up due diligence efforts**

More information:

- [MoU on online advertising and IPR](#)
- [MoU on the sale of counterfeit goods via the internet](#)
 - [Report on the MoU functioning \(2017\)](#)
- [Study on voluntary collaboration practices in addressing online infringements of trade mark rights, design rights, copyright and rights related to copyright \(EUIPO, 2016\)](#)
- [Digital Advertising on Suspected Infringing Websites \(EUIPO, 2016\)](#)



Thank you!

Natalia Zebrowska

Legal and Policy Officer

DG GROW F3

Intellectual property and fight against counterfeiting

+32 2 29 87458

Natalia.ZEBROWSKA@ec.europa.eu