



## IP Enforcement Forum

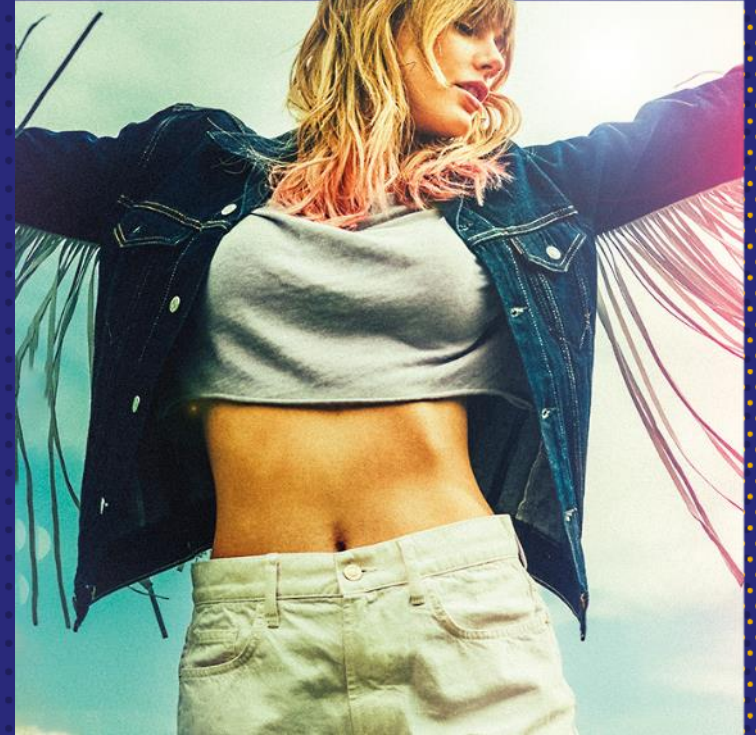
15 June 2021

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Rob Johns - Investigations Manager



# 01.

## Introduction to IFPI



# Introduction to IFPI



**70**

Over 70 IFPI National  
Groups or affiliated music  
licensing companies

**70**

over 70 markets  
where our member  
companies operate



- Legal policy & litigation
- Sales reporting & industry data
- Charts & certifications governance
- Insight & analysis
- Performance rights
- Content protection
- International trade
- Technology
- Communications



#### **PROMOTING THE VALUE OF RECORDED MUSIC**

Its economic value in creating growth, jobs and investment and its cultural value to society and in people's lives.



#### **CAMPAIGNING FOR THE RIGHTS OF RECORD PRODUCERS**

We work to make sure that the rights of our members, who create, produce and invest in music, are properly protected and enforced.



#### **EXPANDING THE COMMERCIAL USES OF RECORDED MUSIC**

Working to help our members license and generate commercial value for music through every available channel across the world.

*ifpi* What We Do

# 02.

## Litigation and Content Protection and Enforcement - Overview



# IFPI Content Protection and Litigation Activities



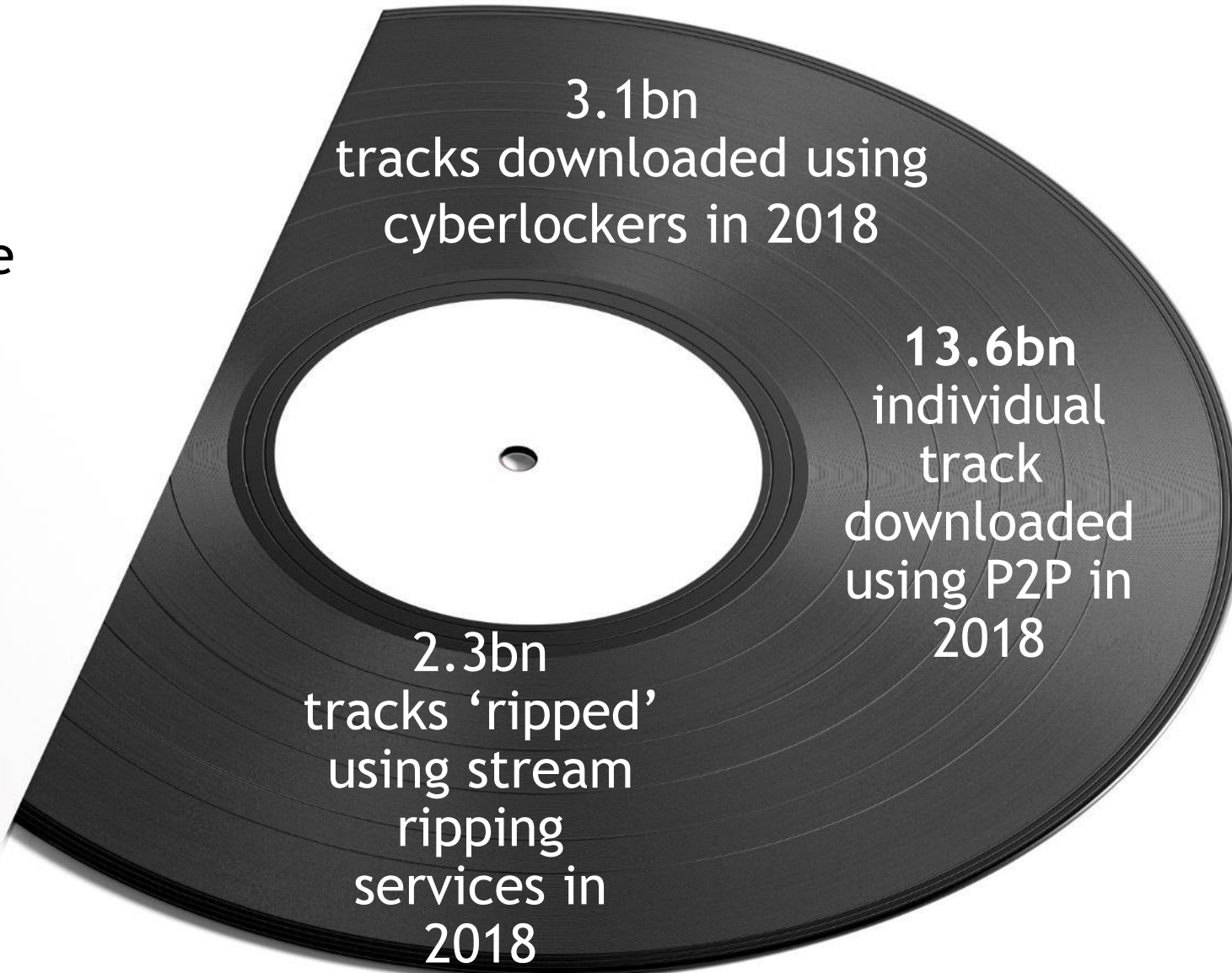
# Online Piracy remains a problem

62% would use  
legitimate service  
if infringing  
service taken  
away

3.1bn  
tracks downloaded using  
cyberlockers in 2018

13.6bn  
individual  
track  
downloaded  
using P2P in  
2018

2.3bn  
tracks 'ripped'  
using stream  
ripping  
services in  
2018



# The Threat

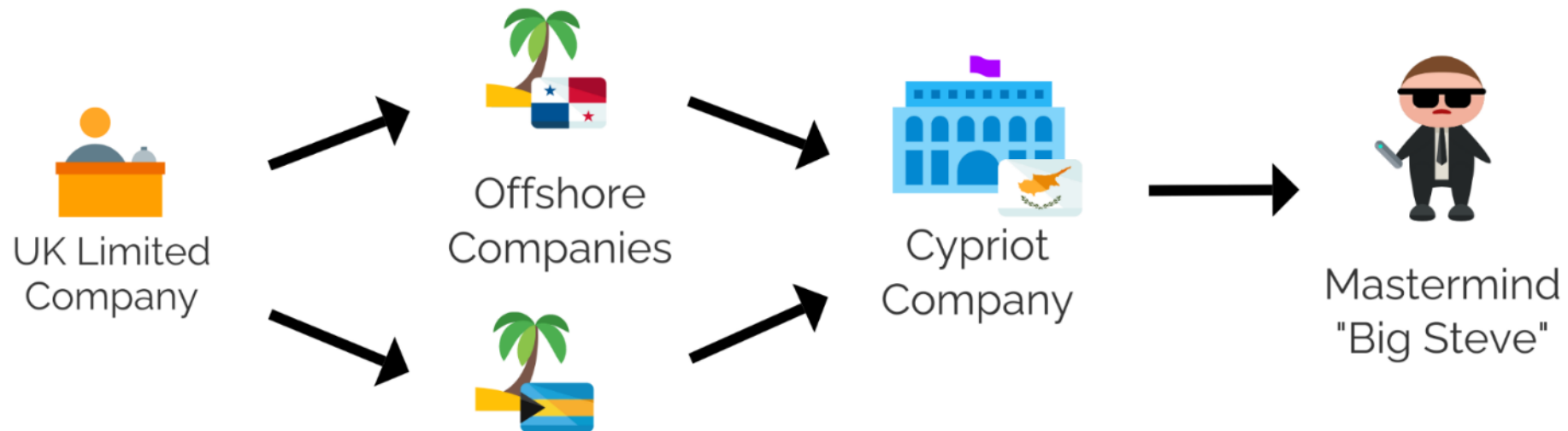
- FANS
- CRUSADERS
- OPPORTUNISTIC THIEVES
- SOPHISTICATED CRIMINAL NETWORKS (OPG)



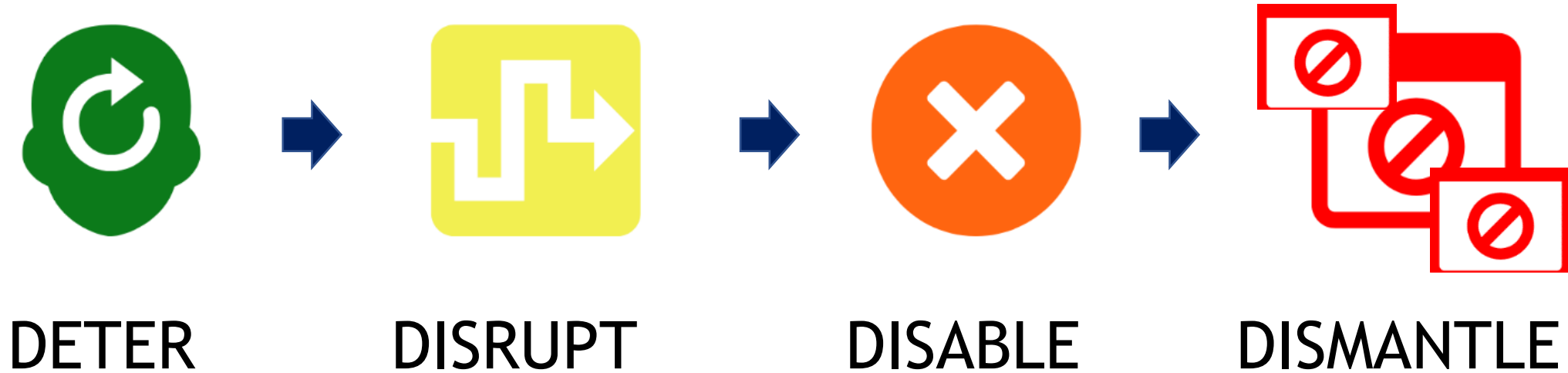


# OPG - What Are They and How Are They Structured?

- Organised Piracy Group
  - Collection of entities established to distribute copyrighted content for criminal gain
- Entities include networks of intermediaries such as ISPs, Ad Networks & Sites
- Multi-jurisdictional
- Can be very sophisticated



# Our main strategies



Each case should have a policy, or strategy, with realistic expectations and goals based upon facts and evidence. Not all cases can be disabled or dismantled.

# Example - Investigation Framework



## MONEY

Advertising  
Donations  
Payments  
Tiered Services  
External Staff  
Company Structure  
Formation Agents  
Bitcoin / Other



## INFRASTRUCTURE

Hosting (Front End)  
Hosting (Back End)  
Domain Names  
Nameservers  
3rd Party APIs  
Registrars  
Registries  
Operators



## CONTENT

Available Content  
Trademarks  
Copyrights  
Update Frequency  
Contributors  
Method of Access



## EXPOSURE

Search  
Social Media  
Promotion  
Marketplaces  
Access

# Example initiatives

- **Operation Sanction / Creative**
  - Police enforced disruptive measures against pirate site operators and intermediaries.
- **Operation Ashiko**
  - Suspension of domain names involved in illicit trade including piracy & counterfeiting.
- **Operation In-Our-Sites**
  - Global operation suspending domain names of sites involved in piracy and counterfeiting.  
Multi-country & multi-agency approach.



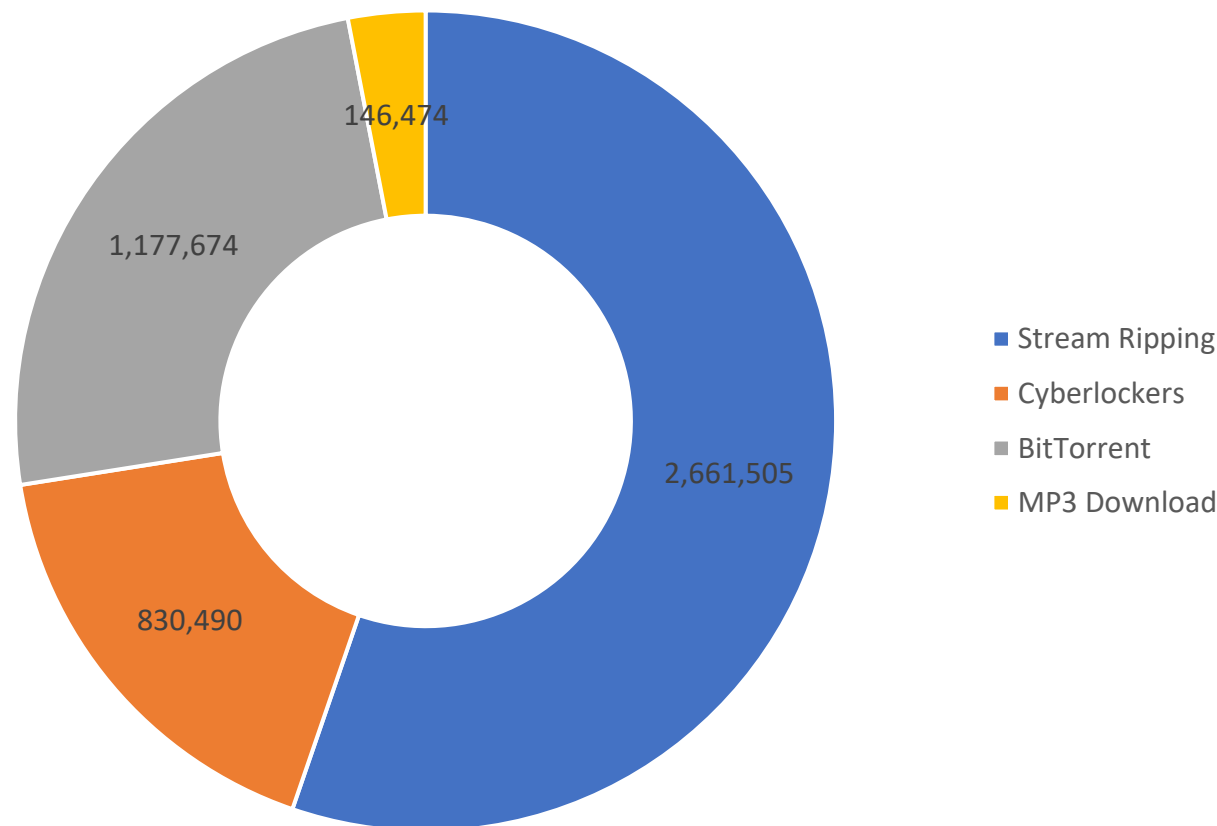


# IFPI Capacity Building

- Deliver focused training events around globe to support LEA initiatives.
- Act as a silent partner to agencies to offer support on a multitude of cases / issues.
- Work with international agencies to create bespoke training programs.



# Piracy Landscape in Georgia



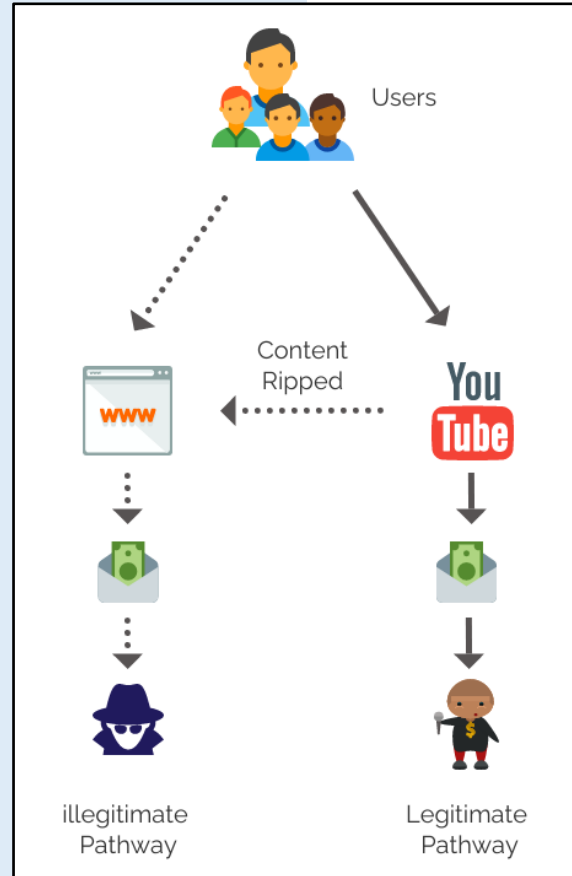
Category	Website
Stream Ripping	ytmp3.cc
Stream Ripping	savefrom.net
Stream Ripping	y2mate.com
Cyberlocker	mega.nz
Cyberlocker	zippyshare.com
Cyberlocker	turbobit.net
BitTorrent	rutor.info
BitTorrent	rutracker.org
BitTorrent	rarbg.to
MP3 Download	zaycev.net
MP3 Download	muzter.net
MP3 Download	riperam.org

SimilarWeb Data - Desktop Visits – May 2021

# Stream ripping

# #1 Global piracy threat

- Most prominent form of music piracy
- YouTube is source of at least 90% of content which is 'ripped'
- 34% of 16-24s 'ripped' music during the past three months.\*



Causes substantial harm to the industry by:

- Reducing traffic to licensed streaming platforms
- Reduces sales of premium subscription streaming services
- Diverts sales of permanent downloads

\* Source: IFPI Music Consumer Study 2019.

Global figures are taken across 28,000 consumers aged 16-64 in 19 markets making up 90% of global music market by revenue. Fieldwork completed April - May 2019.

# Key Issue - Stream Ripping

- The process of extracting audio from a licensed site (YouTube etc) into an audio file without authorization
- Enables users to permanently download music licensed only for streaming and then listen to it offline
- MP3Juices.cc is one such site receiving over 1 billion users over last 12 months



Example - <http://mp3juices.cc/>



# Stream Ripping - analysis and outcomes

- **IFPI analysis:** stream ripping services engage in unauthorized acts of
  - Communication to the public/making available
  - Reproduction (primary and/or secondary liability)
  - Circumvention of technological protection measures

**Stream ripping sites  
shut down following  
legal action**

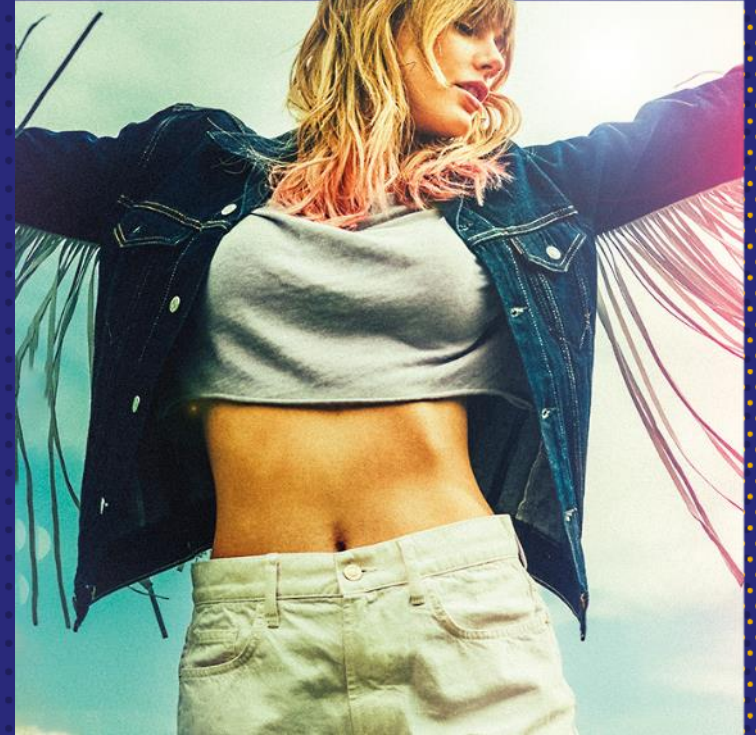
YouTube-mp3  
Convert2MP3

**Website Blocking  
of stream ripping  
sites**

Australia,  
Denmark, Italy,  
Peru, Russia,  
Spain, UK

# 03.

## Website Blocking



# Website Blocking Successfully Applied in 36 Countries

## SOUTH AMERICA

Argentina Mexico  
Brazil Peru  
Canada Uruguay  
Ecuador

## EU/ EEA MEMBER STATES

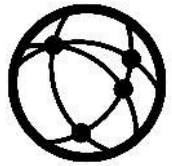
Austria Italy  
Belgium Lithuania  
Denmark Netherlands  
Finland Norway  
France Portugal  
Germany Romania  
Greece Spain  
Iceland Sweden  
Ireland UK  
Israel

## EURASIA AND AUSTRALASIA

Australia  
India  
Indonesia  
Malaysia  
Russia  
Singapore  
South Korea  
Thailand  
Turkey  
Vietnam

Over  
**3,700**  
sites containing  
music blocked

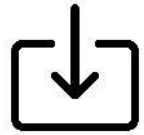
# Blocked Sites Around The World



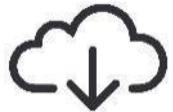
**BitTorrent sites** are widely blocked.



**Linking sites** have been blocked in at least eight countries.



**Stream ripping sites** have been blocked in nine countries.



**Cyberlockers** have been blocked in six countries.





# Why We Need Website Blocking

Effective and sometimes sole remedy available where unable to identify site operator

Operators of infringing sites deliberately located in difficult jurisdictions making direct legal action increasingly difficult

Blocking provides a practical remedy to stem piracy at the consumer end

# Website Blocking - EU

- EU: Article 8(3) Copyright Directive:

*Member States shall ensure that rightholders are in a position to apply for an injunction against intermediaries whose services are used by a third party to infringe a copyright or related right.*

- CJEU “Kino.to” Decision C-314/12 of 27 March 2014

- Copyright is a fundamental right that requires a high level of protection
- Blocking does not infringe an ISP’s freedom to conduct a business
- Injunctions must be strictly targeted to stop copyright infringement but not to deprive users from lawfully accessing information
- Right holders not required to pursue infringers directly before applying for website blocking

# Blocking via Civil and Criminal Actions

- Legal basis for blocking available in many countries around world
- Countries where additional remedies are available as a result of **criminal or administrative law**
- **Criminal law** - Belgium, Brazil, Italy, Spain

# Administrative Site Blocking

Italy - AGCOM

Greece - EDDPI

Lithuania - The Radio and Television  
Commission

Spain - Sinde Law



# Blocking via MoUs and Voluntary Codes

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**2014** - Voluntary blocking code introduced in **Denmark**

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**2015** - MoU in **Portugal** signed by right holders, ISPs, advertisers, consumer trade associations and IGAC

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**2021** - Voluntary blocking code introduced in **Germany** and new blocking protocol in **Spain**

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Proven to be very effective:

- **over 600 sites** blocked in Denmark and
  - **over 1,700 sites** blocked in Portugal
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Allow right holders to regularly submit **high** volumes of sites for blocking at a **low cost** and decisions are issued **quickly**

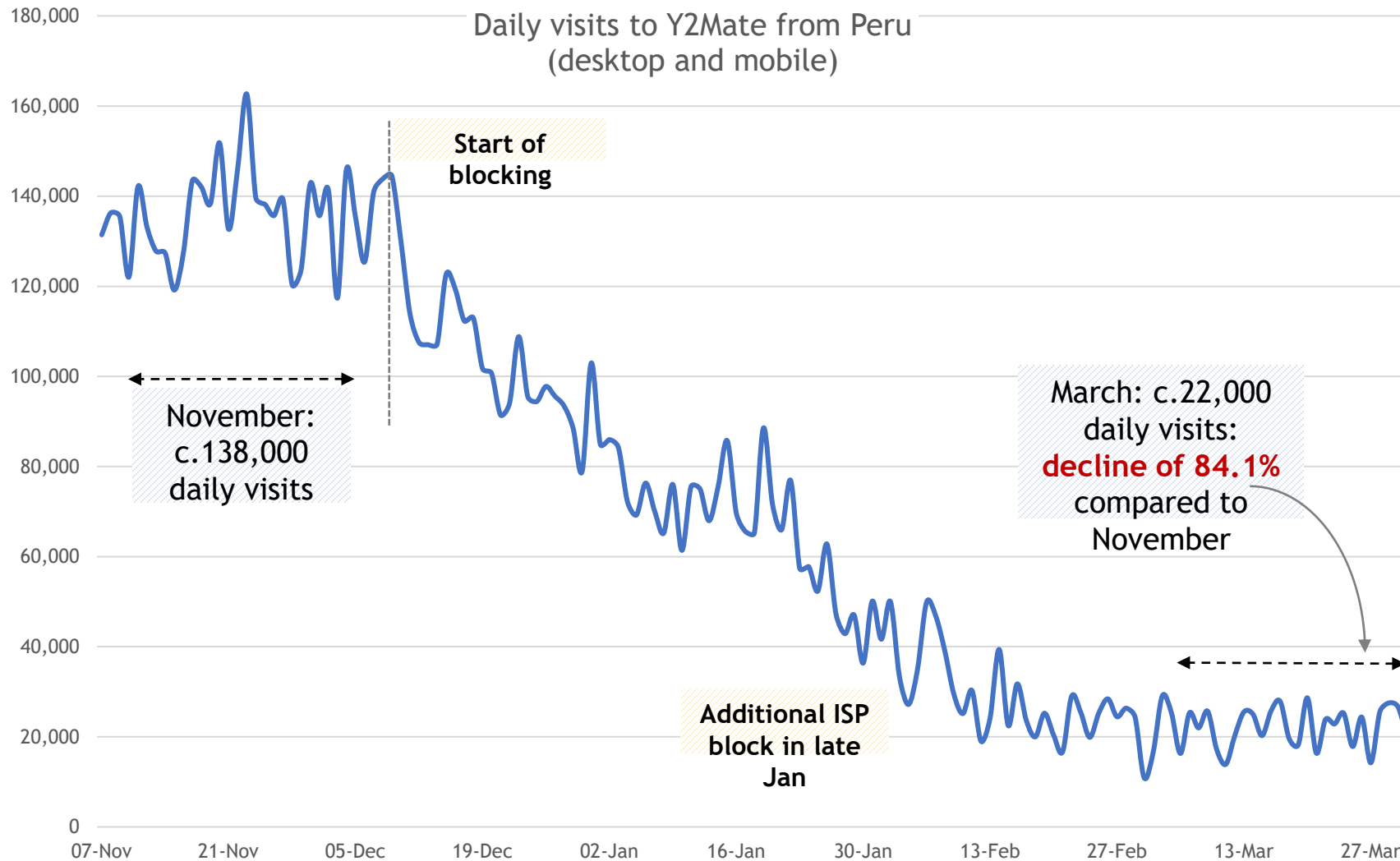
# Global Best Practices

- 1 Scalable: across multiple sites and ISPs
- 2 Fast and dynamic: c.f. UK blocking orders
- 3 ISPs should cover their own costs of implementing the blocks
- 4 Governments should support industry initiatives

# Impact of Website Blocking

- Blocking considerably reduces visits to blocked sites.
- Blocking multiple websites:
  - Reduces overall piracy
  - Is particularly effective in reducing use of pirate services in a particular category e.g. BitTorrent
  - Leads to increased licensed activity
- Multiple impact studies demonstrating effectiveness of blocking:
  - *The Effect of Piracy Website Blocking on Consumer Behaviour (Danaher et al August 2019)*

# Block of Y2Mate in Peru, December 2020



**Y2Mate.com** was the most popular stream ripping site in **Peru** during 2020 with 17.0m visits across the year.

Four ISPs in the country were ordered to block the site in early December which began a steady and consistent decline in use. The final ISP started blocking the site in late January.

Overall, **total visits declined by 84.1% by March 2021**, falling from a total of around 138,000 visits per day in November to just 22,000 in March.

# Thank you

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