# TELCO TRENDS 2019

### Fighting Piracy in Ukraine

market overview, key targets and prospective directions



25 марта 2017, Киев

# «CLEAR SKY»

FOR LEGAL VIDEO CONTENT ЗА ЛЕГАЛЬНИЙ ВІДЕОКОНТЕНТ ЗА ЛЕГАЛЬНЫЙ ВИДЕОКОНТЕНТ ЗА ЛЕГАЛЬНИЙ ВІДЕОКОНТЕНТ ЗА ЛЕГАЛЬНИЙ ВІДЕОКОНТЕНТ FOR LEGAL VIDEO CONTENT ЗА ЛЕГАЛЬНИЙ ВІДЕОКОНТЕНТ ЗА ЛЕГАЛЬНИЙ ВІДЕОКОНТЕНТ ЗА ЛЕГАЛЬНЫЙ FOR LEGAL VIDEO CONTENT FOR LEGAL VIDEO CONTENT ЗА ЛЕГАЛЬНЫЙ ВИДЕОКОНТЕНТ ЗА ЛЕГАЛЬНИЙ ВІДЕОКОНТЕНТ ГОР LEGAL VIDEO CONTENT ЗА ЛЕГАЛЬНЫЙ ВИДЕОКОНТЕНТ ЗА ЛЕГАЛЬНИЙ ВІДЕОКОНТЕНТ ЗА ЛЕГАЛЬНИЙ ВІДЕОКОНТЕНТ ЗА ЛЕГАЛЬНЫЙ ВИДЕОКОНТЕНТ ЗА ЛЕГАЛЬНИЙ ВІДЕОКОНТЕНТ ЗА ЛЕГАЛЬНЫЙ ВИДЕОКОНТЕНТ ЗА ЛЕГАЛЬНИЙ ВІДЕОКОНТЕНТ ЗА ЛЕГАЛЬНЫЙ ВИДЕОКОНТЕНТ ЗА ЛЕГАЛЬНИЙ ВІДЕОКОНТЕНТ ЗА ЛЕГАЛЬНЫЙ ВИДЕОКОНТЕНТ



# **Clear Sky Initiative**

- Ukrainian initiative for IP rights defense was launched in 2013 by 4 Ukraine's major media groups.
- In 2018 voluntary non-profit non-commercial public association PUBLIC UNION «CLEAR SKY INITIATIVE» was registered.

**Our members**: rights holders and other participants of audiovisual sphere.

**We focus** on B2B counterparts and "follow the money" approach, applying to advertisers, hosting, ISP and pay TV providers, banks and payment systems, search engines, app stores etc. And we communicate to consumers.

We conduct analytical, research, organizational, legal, scientific, educational and cultural activities in Ukraine **aimed at protecting intellectual property rights and developing a culture of licensed content consumption** in Ukraine and all over the world.





Special research on behavior of audiences that use online video-services in Ukraine

By Gemius for Public Union "Clear Sky Initiative"



The survey was conducted among users of 57 of the largest online resources of Ukraine. Age group 18-55 years. Summer 2018.



# Consumer Portrait

### What do they most often do on the Internet?

- Watch Videos 50%
- Listen to Audios 25%

### **Ready to pay for legal content – 14%**

Already paying – 6-7%

### NOT Ready to pay – 59%

Because they may find for free – 27%





1NO

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Why can they find for free?

### The Problem Is PIRACY

Is it really for free?

NO. Pirates steal and do highly profitable business.

### **PIRACY** is a **BUSINESS**



# Key Targets **UKRAINE** and Prospective Directions

1. Monitor infringements

Deprive Pirates of Audience
Deprive Pirates of Income
Give Pirates a Fright

5. Educate







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- Search engines
- Web-sites \_
- Social networks \_
- **Stores** \_
- **Bulletin boards** \_







### Monitoring

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#### Every day we monitor thousands of web-sites and fight with pirates on technical, legal and organizational levels.

If someone posted your content online illegally we will definitely find it and take steps to block it.

- Global search 24/7 through thousands of pirate websites
- Smart analysis of received date that exclude legal content
- Automated submission of complaints to an administrator, a hosting provider, a search engine.
- + Full legal support



### Monitoring

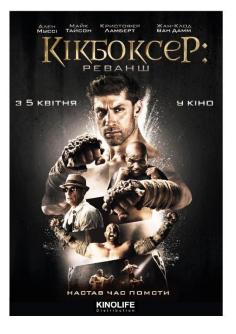


**DKOHTEHT** 

Every day we monitor thousands of web-sites and fight with pirates on technical, legal and organizational levels.

# PROTECTION OF TITLE results :

Before the official release upon the protection of titles 557 copies of pirated material were removed and 965 pirate links to the film were cleared up. By protecting the film, we were able to minimize losses by 30%





# Depriving of Audience UKRAINE 2017-2019

#### Appeal to search engines to block pirate sources from being searched

TOP 50 Google search results are being supervised permanently Around 100 pirate playlists have been deleted/blocked More than 300 000 links have been deleted/blocked

Address to bulletin boards, You-tube (video-instructions), social networks (official "piracy services" groups) for blocking

Around 1 500 appeals were satisfied.

# Refer to stores and hardware vendors to remove piracy APPs from STB and smart-TV

Around 100 have been deleted/ blocked



# Depriving of Income

### **Follow-the-Money Approach**

UKRAINE

Blocking cash flow of Pirates

<u>Make it impossible to accept payment for services from subscribers of</u> <u>the service through banks and payment systems</u>

22 of 32 appeals to Visa and MasterCard have been fulfilled

Reduce the financial revenues of the web-site violating IP rights from advertising

Making a list – <u>http://blacklists.org.ua</u>

Monitoring ads on those web-sites: screen shot + utm-mark <a href="http://blacklists.org.ua/en/monitoring">http://blacklists.org.ua/en/monitoring</a>

Informing advertisers about possible risks in connection with <u>Article 176 of the Criminal Code of Ukraine</u>: adding <u>responsibility for</u> <u>the financing</u> of acts of intentional violation of copyright and related rights as a crime.



Follow – the – Pirate

1. Blocking illegal use of content in the Internet in accordance with the Law

More than 200 claims to violators have been filed

2. Initiating criminal charges under Article 176 of the Criminal Code of Ukraine

More than 30 criminal proceedings have been filed

2 cases have been brought to court

1 conviction received

- 3. Filing a claim to the Commercial Court
- 4. Submitting a civil lawsuit

5. Commencing an administrative case under Article 51-2 of the Code of Ukraine on Administrative Offenses

6. Appealing to the National Council of Ukraine on Television and Radio Broadcasting

INSTRUCTION "How to Defend Owner Rights" https://legalcontentua.org/en/about/projects/how-to-defend-own-rights/

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#### Educating Audience/Consumers

Social campaign #GIVECHANCETODREAM together with USAID

These social videos were aired at 1+1 Media, StarLightMedia (6 TV channels) and Ukraine Media Group TV channels Total of 745 showings which raised 362 wGRP

 1<sup>st</sup> wave of social anti-piracy campaign #ithurts (#zachepylo) together with Publicis advertising agency was held.

2d wave is being prepared for autumn 2019 Funds being sourced

#### Educating Partners

- 2 training sessions on IP rights for Cyber Police conducted
- Educating course for specialized enforcement groups is being prepared. Program to start in autumn 2019.
- Training for banks, payment systems and payment facilitators planned for autumn 2019



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We are open to new members, partners and challenges to stay For Legal Content.



### **THANK YOU!**

Best regards, Kateryna Fedorova Director of "Clear Sky Initiative" Public Union

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https://legalcontentua.org http://blacklists.org.ua

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