

# **2020 Review of Notorious Markets for Counterfeiting and Piracy**

**Type of respondent: Company/Business organization (Sports association)**

**Country of origin: Spain**

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## **INTRODUCTION**

We appreciate the opportunity to provide this document to assist the Office of United States Trade Representative (hereafter “USTR”) in identifying those marketplaces, both online and physical, that are infringing Intellectual Property Rights (hereafter “IPR”). In the present submission, special reference is made to those marketplaces that have been using - in a broad sense - our audiovisual content without the respective authorization to do so, causing serious harms and damages to our business trading.

This document refers mainly to audiovisual piracy in the online environment. We found that there are no effective ways for rightsholders to take legal actions against IPR infringements caused by marketplaces in several countries. In that sense, we express our gratitude in advance to the USTR for its special interest in the IPR protection. It is important to encourage the marketplaces to be included in the final version of the “2020 Review of Notorious Markets for Counterfeiting and Piracy”, as well as the respective local authorities, to take all the necessary actions and measures to reduce the illegal availability of IPR goods and services.

Finally, it is important that the rightsholders, continue to monitor the actions taken by the local authorities in relation to the listed marketplaces, as well as the measures that may be adopted by the infringers that are behind them, to curb IPR infringements.

## **The importance of IPR protection for the sports industry**

The aim of the main sports competitions organizers is, among other things, to commercialize their audiovisual rights corresponding to the transmissions of their events and to subsequently distribute the incomes obtained among the parties participating in those competitions. For this purpose, these organizers are making significant economic efforts to ensure that the fans can enjoy high-quality TV broadcasting through the invest in new technologies (i.e. 4K-HDR recordings or 360° replays, among others).

As a result of the commercialization of those rights, the sports industry generates thousands of job positions and important tax revenues that boost the economy of many countries. Just considering these facts, the audiovisual rights of the sports competitions necessarily require special protection since their infringements directly affects a very important source of work and economic resources of many countries.

Our biggest concern consists of the illegal streaming of live sports competitions by people or companies that are not authorized to do so. It is essential for us that the local enforcement authorities give us the necessary tools to stop illegal live transmissions, that is, while the competition is taking place and not after. Finally, it is important to raise our concerns regarding the illegal TV operators, e-commerce platforms and physical marketplaces which offer IPTV devices and subscriptions. To this end, below are listed the main marketplaces that infringe our IPR.

## **1. ONLINE MARKETPLACES**

### **A. Illegal IPTVs**

Internet Protocol Television (hereafter “IPTV”) is a system where a digital television service is delivered through an Internet Protocol network. IPTV is part of a novel kind of services designed to facilitate access to entertainment and TV content. IPTVs provide access to such content over the IP transport medium from a “head-end” device to the final users. Most of IPTVs work through an application pre-installed in set-top boxes or directly downloaded into a device by the user. Also, they may include other services such as website access. There are countless illegal IPTVs accessible worldwide sold as low-price subscriptions (i.e. 30€ per year) of different terms (i.e. 1, 3, 6 or 12 months). Most of IPTVs offer a large number of copyright-protected contents, including the major sports competitions, movies, series, TV channels, etc. This is certainly dangerous since the diversity of content, plus the professional interface designs of the platforms and their websites, can make users believe that many IPTVs are legal offers.

It is necessary to point out that this type of piracy is particularly complex since - in most cases – consists of organized cross-border crime. More precisely, the website hosting, customer support modules, streaming and authentication servers of an IPTV are very rarely run solely from within one country. To determine to which country an IPTV belongs, a professional on-site investigation is required in order to identify who are the IPTV administrators and their location. Below are listed the most relevant illegal IPTVs:

- **Megaplay** (<https://www.megaplay.app/>)
- **Buy Your IPTV** (<https://buyyouriptvnow.com/>)
- **GEN IPTV** (<https://genip.tv/>)
- **Electro Sat Pro** (<https://electrosatpro.com/>)
- **Seko IPTV** (<https://sekoiptv.com/starting/>)
- **IPTV Palace** (<https://www.iptvpalace.com/>)
- **VolkalIPTV** (<http://www.VolkalIPTV.com>)
- **King 365 TV** (<http://www.King365tv.com>)
- **Redline IPTV** (<http://www.redline.com.tr/>)
- **Mediastar** (<http://www.mediastar.co>)
- **Renbow TV** (Android pirate IPTV application)
- **ATN** (<https://atnnetwork.co.uk/>)
- **EVDTV** (Available in a huge number of online marketplaces)

Moreover, it is important to refer to the IPTV playlist forums, which are those illegal sites dedicated to the sharing of free IPTV playlists. This is one of the easiest ways to get access to live copyright-protected content. Even though such playlists are usually valid for a short time, in terms of quantity, there is no limitation on getting new playlists every time:

- **IPTV URLs** (<http://www.iptvurls.com>)
- **IPTV 4 Sat** (<http://www.iptv4sat.com>)
- **FR.M3U IPTV** (<http://www.fr.m3uiptv.com>)
- **IPTV SAT** (<http://www.iptvsat.com>)

## **B. Illegal streaming sites**

The proliferation of illegal streaming sites which offer live transmissions of sports events is one of the biggest challenges that rightsholders are facing. These sites are characterised for offering one large offer consisting basically in a wide range of content from different sports competitions, generally, for free. The sites show calendars for all the competitions and by browsing it can be found the event desired to be watched. More often than not, it is not necessary to log in on these sites.

Moreover, these illegal sites attract great interest from users, so it is not rare to find several forums sharing information and recommendations about them. One of the biggest problems regarding this kind of piracy - and that makes it extremely dangerous - is the fact that the technology behind illegal streaming sites is not that complicate as one might expect, at least not for an informatic-skilled person. Consequently, nowadays there are countless choices regarding streaming sites on the Internet.

A possible legal remedy that authorities should apply is to order the blockade of those illegal streaming sites within a few minutes after receiving the respective notice of a rightsholder. The immediacy of the blockade is absolutely necessary since the live sports transmissions are extremely time-sensitives. This is because much of the content value is exhausted immediately upon the live transmission. Another effective solution to be considered is to target the advertising revenues of the illegal sites since this would make their business model unsustainable.

Below it can be found a list of the most relevant illegal streaming sites detected:

- **Pirlo TV** (<http://www.pirlotvhd.online/>)
- **Araby** (<https://araby.live/>)
- **Live Sport 24** (<http://livesport24.net/>)
- **Max Depor TV** (<http://livesport24.net/>)
- **BeIN Match** (<http://beinmatch.com>)
- **Kora Live TV** (<http://Kora-live.tv>)
- **Kora Online TV** (<http://Kora-online.tv>)
- **Kora Star TV** (<http://Kora-star.tv>)
- **Live HD 7** (<http://LiveHD7.com>)
- **Yalla Shoot** (<http://yalla-shoot-new.com>)

Below are cited the illegal “indexing sites” (or “linking sites”) most relevant detected:

- **Cable Gratis TV** (<http://cablegratistv.online/>)
- **Cric Free** (<http://cricfree.ws>)
- **Hulk Sport** (<http://hulksport.com>)
- **Cric HD** (<http://crichd.sx>)

### **C. Hosting Provider Companies**

The Hosting Provider Companies offer the necessary technical means to host the websites and streaming platforms of many pirate organizations. One of the main problems that rightsholders from the sports industry are facing is that several illegal streaming platforms are hosted in the servers of those companies. Preventive actions are needed to avoid that IPR infringers can host illegal content so easily on the Hosting Provider Companies' servers. Also, quick responses and effective solutions from Hosting Providers Companies are required when rightsholders request the removal of pirated content. It should be noted that most of the Hosting Providers Companies ignore e-mails and letters referred to IPR infringements. The most relevant Hosting Provider Companies detected that are illegally hosting copyright-protected contents are:

- **Network Dedicated** - located in **Colombia**
- **NameCheap** - located in **United States of America**
- **Amaratu Technology** - located in **Hong Kong**
- **Cloudflare** - located in **United States of America**
- **Offshore-servers** - located in **Russia**
- **iHor Hosting** - located in **Russia**
- **Shopify, Inc.** - located in **Canada**
- **BlueAngelHost Pvt. Ltd** - located in **Pakistan**
- **FNXTEC** - located in **Brazil**

## D. Cyberlockers

In essence, Cyberlockers allow users to easily upload files from personal devices such as computers, tablets, smartphones, among others, to a remote hosting server. After the uploading, the Cyberlocker usually generates an URL link (although sometimes more than one link) for the uploaded file and such URL link can be shared with other users by different means. While it is true that Cyberlockers can be used legally, nowadays it is very easy to detect illegal content hosted on them. More precisely, Cyberlockers give access to an important amount of copyright-protected contents uploaded anonymously into their hosting servers. Instant and unlimited download speed is available to premium users who pay for that premium service. In this regard, it should be noted that, generally, the source of incomes of the Cyberlockers comes from the sale of premium accounts and also from advertising. The most relevant Cyberlockers detected are:

- **Mega** - located in **New Zealand**
- **MediaFire** - located in **United States of America**
- **InCloudDrive** - located in **United States of America**
- **Uptobox & Uptostream** - suspected located in **United Arab Emirates**
- **Chomikuj.pl** - suspected located in **Belize**

## **E. E-commerce**

Electronic commerce or e-commerce is a business model that lets companies and individuals buy and sell things over the internet. In this regard, thousands of illegal set-top boxes and IPTV offers that allow unauthorized video streaming are being sold in e-commerce sites. It is needed that these platforms improve their effectiveness in terms of removing publications offering those illegal offers. The most relevant e-Commerce detected are:

- **e-Bay** - located in **United States of America**
- **Alibaba** - located in **China**

Concerning the first e-commerce platform listed above, it is fair to mention that they are somewhat cooperative. However, we continue to find in their respective sites, illegal publications offering goods and services to watch copyright-protected content.

## **F. Social Media (Telegram)**

Telegram is a world-famous cloud-based mobile and desktop messaging app which allows users to utilize an internet connection to send text, files and images to other users or groups. We have detected that Telegram is increasingly being used to illegally share copyright-protected contents through certain channels. Those channels have significantly increased their users (more than 500 persons). It has been experienced that it is extremely complicated and slow for the rightsholders to remove the content illegally shared in Telegram. In recent times, we detected and denounced more than 900 illegal publications sharing our content.

## 2. PHYSICAL MARKETPLACES

### A. TV Operators in Africa

The TV operators listed below are transmitting to the public copyright-protected contents without the proper licenses to do so. More precisely, they illegally obtain the signal from different broadcasters - which in fact paid to offer such content - and transmit the signal in their respective countries. These operators are mostly categorized as DTT (Digital Terrestrial Television) and there is only one which is working through the Multipoint Video Distribution System (MVDS). The most relevant TV operators detected in Africa countries which are infringing IPR are:

- SATELLITE CONNEXION (known as “**SATCON**”) - located in **Gabon**
- EXCAF TELECOM (known as “**EXCAF**”) - located in **Senegal**
- PURE SIGNAL SKY SAT (known as “**PSTV**”) - located in **Repub. of Congo**
- EXCEL COMMUNICATION (known as “**EXCEL TV**”) - located in **Mali**

### B. TV Operators in MENA

It has been identified that some pirates illegally re-transmit channels of legitimate broadcasters from terrestrial broadcast towers within a particular region. For such purpose, the pirates encrypt the signal (in a similar manner to legitimate broadcasters may do) and then sell subscriptions to their illegal service through local distribution networks. In addition to this, there are also local operator IP networks that provide internet access services to local users, adding also access services to copyright-protected contents over their IP network. The most relevant TV operator detected in the MENA region infringing IPR is:

- **EARTHLINK / SHABATAKY** - located in **Iraq**