



May 27, 2022

Shira Perlmutter  
Register of Copyrights and Director of the U.S. Copyright Office  
United States Copyright Office  
Library of Congress  
101 Independence Ave. S.E. Washington D.C. 20559  
Via electronic submission: Docket Number 2022-2

Dear Director Shira Perlmutter,

**RE: Notification of Inquiry on Standard Technical Measures and Section 512,  
Docket Number 2022-2**

On behalf of [GeoComply](#), thank you for the opportunity to comment in response to the U.S. Copyright Office's Notification of Inquiry regarding the review of Standard Technical Measures and Section 512.

We appreciate the U.S. Copyright Office's willingness to engage with industry and other stakeholders on the protection and identification of copyrighted works to ensure and further our shared goal of protecting proprietary work.

Founded in 2011, GeoComply provides fraud prevention and cybersecurity solutions that detect location fraud. GeoComply's solutions incorporate location and device intelligence to detect and flag fraudulent activity. Moreover, GeoComply has products that are solely focused on geolocation-based security and protection of digital content. By integrating GeoComply's solutions into their processes and risk engines, broadcasters and OTTs are able to stop-geo-piracy and ensure rightsholders are receiving the full value for their content.



The company's software is installed on over 400 million devices worldwide and analyzes 9 billion transactions a year, placing GeoComply in a unique position to identify and counter both current and newly emerging fraud threats.

We appreciate the opportunity to share our views as part of the U.S. Copyright Office's efforts to gather information on the development of and use of standard technical measures for the protection and identification of copyrighted works. As the U.S. Copyright Office explores potential technologies and solutions to include as part of the Standard Technical Measures under section 512, we respectfully suggest the inclusion of accurate and effective VPN detection tools to ensure the full protection of copyrighted works.

For the past six years, we have played a critical role in supporting license holders, studios, and content producers' ability to protect their proprietary work from various forms of piracy and copyright infringement.

Our ability to meet these objectives relies on providing online streaming companies and broadcasters with accurate and effective VPN detection tools to ensure that the consumers accessing their platforms are located in a jurisdiction where they have paid for that service and content ("territorial exclusivity").

Territorial exclusivity is a critical part of any content rights contract. Virtually every contract will specify the territory in which viewers are permitted to access the content as well as specify the requirements for the OTT broadcaster to implement geo-blocking technology to stop the content from leaking outside of the contracted territory.

Moreover, with hundreds of readily available VPNs on the market, the most common way for an individual to access geo-restricted content is to simply spoof their IP address using a VPN or DNS proxy. There are a number of "free" subscription-based VPNs/proxies that enable users to change their IP address to appear to be located in a different country or territory. For example, according to SMG Insights, "...an



estimated 54% of millennials admit to having watched illegal streams of live sports – one-third of them doing so on a regular basis.” Furthermore, more than half of VPN users report that the main reason they are using VPNs is to access better entertainment content, according to Global Web Index.

This technique to circumvent territorial restrictions works well when the OTT broadcaster had only implemented basic geo-IP checks on their platform. Upholding territorial exclusivity requires a strong geofencing and geolocation fraud detection solution. Without it, content is vulnerable to leakage, quickly eroding content value, and negatively impacting the relationship between rights owners and OTT broadcasters. Not to mention, the impact on content value is significant and costly. For example, according to Parks Associates, “OTT operators in the U.S. took a hit of \$9.1 billion in 2019 due to consumers sharing accounts and pirating content.”

For all of the reasons cited above, we respectfully suggest the inclusion of accurate and effective VPN detection tools to ensure the full protection of copyrighted works, as part of the Standard Technical Measures under section 512. GeoComply offers these recommendations with the aim to assist the U.S. Copyright Office in its mission to ensure the protection and identification of copyrighted works.

Thank you for the U.S. Copyright Office’s long-standing commitment to ensuring proprietary works are protected, even in the ever-growing and developing digital space. We look forward to continued collaboration on these critical issues.

Sincerely,

DocuSigned by:  


0A7DD840E74D447...  
Anna Sainsbury  
CEO & Co-Founder

[anna@geocomply.com](mailto:anna@geocomply.com)