

# LEGAL DEPARTMENT E-BULLETIN



## Google and Bing collaborate with IP owners to reduce piracy

Search engines Google and Bing have signed a voluntary code of conduct with UK based IP entities to combat piracy by demoting suspicious websites. The initiative aims to reduce the availability of infringing content accessible online. The three UK based entities part of the initiative are Alliance for Intellectual Property, the British Phonographic Industry and the Motion Picture Association. The agreement will run in parallel with existing anti-piracy measures.

## Death of the Copyright Alert System

The death was quick, quiet, and unmourned. The Copyright Alert System – a once vaunted plan to stop online copyright infringement in the US – was killed. Lasting only four years, CAS had accomplished little and satisfied no one, according to many experts.

## Subway sues MobiQuest for trademark infringement

Subway sues MobiQuest in the US for trademark infringement and dilution and unfair competition. MobiQuest's website and app are alleged to falsely indicate a close partnership or association with Subway. The latter has prayed for injunctive relief, loss of profits, statutory damages of \$8m, punitive damages, destruction of promotional material and a jury trial.

## New Zealand court orders extradition of Kim DotCom to US

The New Zealand High Court has ordered Kim Dotcom, the founder of file-sharing website Megaupload to be extradited to the US. In 2012, Megaupload was taken down on charges of copyright infringement and Kim Dotcom's extradition to the US was sought on 13 charges including alleged copyright infringement, conspiracy to commit racketeering, money laundering and wire fraud.

## Nairobi gets tough on Music Societies laxism

The Kenya Copyright Board (KEBECO) has declined to renew Music Copyright Society of Kenya's licence over unmet standards after it failed to produce mandatory documents needed to determine its suitability in the work. MSCK collects royalties on behalf of authors, composers, arrangers and publishers of Music. Last year, the company came under scrutiny, with musicians accusing the society of corruption and misuse of royalty monies.

## ABS-CBN in US Court for Copyright Infringement

ABS – CBN has filed suit today in the US against kissasian.com for damages of over \$8M pertaining infringement of trademarks and registered copyrights. In addition, ABS – CBN was awarded recently an amended default judgment of \$11 million against online streaming websites.

## Singapore considers strengthening IP ecosystem

Singapore's Committee on the Future Economy (CFE) has recommended the strengthening of Singapore's intellectual property framework in a bid to drive innovation and technology. For achieving this, the Report makes several suggestions such as building Singapore's national capabilities to commercialize IP, expanding the community of IP experts, revamping Singapore's copyright regime, standardization of IP protocol and updating the IP Hub Master Plan. These proposals have been welcomed by IP lawyers, startups and key industry players.

## EU can ratify Marrakesh Treaty holds CJEU

The Court of Justice of the European Union (CJEU) has ruled that the EU can exclusively ratify the Marrakesh Treaty without the participation of member states since it affected the Copyright Directive (2001/29/EC). The Treaty facilitates access to copyrightable works to blind and visually impaired people.

## Adidas opposes trademark application filed by Tesla

Sports Company Adidas has filed a notice of opposition against trademark application filed by automaker Tesla. Adidas alleges that Tesla had infringed its 'three-stripe' mark when it (Tesla Motors) had filed a trademark application with the United States Patent & Trademark Office (USPTO) over three equal-length horizontal stylized lines in March 2016.

## First lawyer in ASEAN to be appointed as Queen's Counsel

Bruneian lawyer Dr. Colin Ong who practices in Singapore is the first ASEAN lawyer to be appointed on UK Queen's Counsel roll. Dr Ong has worked in Brunei, UK and Singapore.

## Donald Trump wins trademark rights in China

President Donald Trump has won trademark rights in China over his name for his construction business. Trump had been battling to seek trademark over his name in China for nearly a decade. He has 49 trademark applications still pending in China.

## Piracy threatening legitimate Pay TV

Survey carried out by Irdeto found that piracy is emerging as a serious competitor to legitimate pay TV. The survey found more than 2.7 million advertisements on e-commerce websites and social networks. There are more than 16 million visits per month to the top 100 pirate IPTV supplier websites. The US and UK led all countries. Baseball and football are the most popular category of sports for pirate sites.

## Lawyer and AI

Cambridge University students who created a crime-identifying system called 'LawBot' have revealed it can now offer free legal advice relating to divorce proceedings. (*Vide* also Vol. 1 Ed. 10)

**The E-Bulletin of the ABU Legal Dept. is a fortnightly initiative to bring news and other updates to members.**

**Editor: Mr Nawaz Dookhee; Contributor: Ms Sharma Seemantani**

**To subscribe please email: Ms Sharma – seemantani@abu.org.my**