



## **Bulgarians forced to listen to pre-war tunes**

Bulgarian National Radio (BNR) has been banned to play millions of contemporary songs. Since 1<sup>st</sup> January, it has been filling its airwaves with classical pieces, jazz and traditional folk music instead. Musicautor which manages the rights of both local and international artists wants more in royalties, to be in line with other EU countries. It manages 14 million pieces of music in total. Even the traditional version of the national anthem is off-limits. The copyright row means only music made before 1945 can be played. Aleksander Velez, the Radio Director says unless he gets more funding or drops a regional broadcast, it cannot pay. Some artists have however voiced support for BNR.

## **Alibaba sues alleged counterfeiters in China**

In a landmark move, Alibaba has sued two online counterfeiters. The suit is historic since it is the first time that an internet platform is suing counterfeiters in China; Liu Huajun and Wang Shenyi for selling fake Swarovski watches. It has demanded RMB 1.4 million (\$202,000) for “violation of contract and goodwill.” Alibaba adopted surreptitious shopping technique to catch hold of the counterfeiters. It bought the goods without concealing its identity and then used “big data” to identify the counterfeiters. Data analytics indicated that the counterfeiters were registered with the Taobao website since November 2015.

## **The United Nations creates a Technology Bank**

The United Nations has by resolution established a “technology bank” hosted by Turkey for least-developed countries that aims to strengthen the science, technology and innovation capacity of LDCs to include better management of intellectual property rights. It will be financed by voluntary contributions from member states and other stakeholders, including private sector and foundations. The aim is for poor countries to eradicate poverty, achieve strong and sustainable development and build resilience. Least-developed countries typically are far behind when it comes to intellectual property rights, many with no or few patents.

## **Disney is laughing again**

Two Chinese companies, Blue MTV and Beijing G – Point have been ordered to pay USD194, 000 to Disney by the Shanghai Pudong New Area People’s Court. Disney had alleged that the Chinese animation film “Autobots” had copied elements from the US film “Car” and “Cars”. The Court ordered the Chinese companies to immediately stop the copyright infringement.

## **Star Trek in copyright battle**

US based media companies Paramount pictures and CBS Studios will argue a copyright infringement case centred on the movie “Star Trek” before a jury. On 3<sup>rd</sup> January 2017 the US District

Court for the Central District of California rejected the motion for summary judgment filed by the media companies on grounds that there was an “objective substantial similarity” between the film “Star Trek: Prelude to Axanar” produced by Axanar studios and the copyrighted Star Trek works. The question has been set to be determined by the jury.

## **Indonesia Launches Electronic - Based IP Services**

Indonesia launched electronic based intellectual property services on 29<sup>th</sup> December 2016. The electronic based IP services currently include the following electronic searches of patents, trademarks, industrial designs and copyright; electronic filing system for registration of new applications for patents, trademarks, and industrial designs, and applications for recordation of copyright; electronic filing system of IP infringement claims.

## **India’s IP changes leveraging heavily on its economics**

India’s emergence as one of the dominant players in the modern world’s economics is due to its continuous reforms in the Intellectual Property (IP) system. The Government of India’s efforts in IP awareness programs, reforms and growth have finally started showing its effect in practical sense. The endeavour has been towards the establishment of productive IP based system at all three levels i.e. statutory, administrative and judiciary portraying India as an IP friendly nation in global scenario.

## **BMG fires back at Cox Communications**

US based Music Company BMG has counter – appealed the internet service provider (ISP) Cox Communications’ appeal against a copyright infringement decision. The claim of \$25 million in damages was for Cox’s failure to install an anti-piracy mechanism for its service under the Digital Millennium Copyright Act. On 30<sup>th</sup> December 2016, BMG cross appealed averring Cox failed to address the conduct for which it was found liable. Further, BMG contends that Cox’s argument about the Act granting it blanket immunity is incorrect since no court had adopted such an expansive interpretation.

## **Will Smith gets entangled in copyright encounters**

Will Smith and his production company Overbrook Entertainment has been sued by a Lloyd Marcus, a scriptwriter, for the TV show “Black-ish” for \$5M. According to the claimant, he submitted a script on “*detailed in humorous fashion the lives and experiences of an upwardly mobile middle class African American family as they navigated living the American dream*” in a script-writing contest. Subsequently, he saw the TV show “Black-ish”; he is allegedly shocked to see the close resemblance between the plot, theme and characters of the show with his own script to which he secured copyright registration in 2014.

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

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