

LEGAL DEPARTMENT E-BULLETIN



Copyright third largest industry in Australia

A recent report released by the Australian Copyright Council (ACC) has revealed that copyright industry was the third largest sector of the Australian economy. Its annual economic contribution to the overall GDP was 7.4 % which was roughly around USD \$95 billion and it employed over one million people. This was higher than other similarly sized economies such as Singapore, Canada and Netherlands.

Investigation against Uber in Singapore for using illegal software

American ride sharing giant Uber is likely to be investigated in Singapore for developing and using illegal software to spy on its rival Grab. Uber's software Surfcam came into spotlight when one of the members of Uber Singapore's legal team questioned whether the software could be legally operated from Singapore as it ran afoul of Grab's terms of service or Singapore's strict computer-crime laws. Uber's Sydney staff created the software in 2015. The software functioned primarily by obtaining data from competitors such as Grab to find out the number of drivers on their network, in real time as well as their exact locations.

American bankruptcy court holds retailer accountable for promoting piracy

A Florida based bankruptcy court has ruled that Amit Bhalla, a retailer of IPTV streaming devices with unauthorised channels cannot use bankruptcy charges to shield himself against monetary liability for copyright infringement. In 2016, the US District Court for the Central District of California issued a permanent injunction against Bhalla restraining him from the unlawful distribution of television content broadcasted by CCTV and TVB on unauthorised TV pads manufactured and distributed by him. DISH TV had the exclusive rights to distribute majority of CCTV's, CICC's (an affiliate of CCTV) and TVB's content in the United States and was conjoined as plaintiffs alongwith CCTV, TVB and CICC. Bhalla was asked to pay \$55 million in damages and rather than accepting his responsibility, Bhalla chose to evade the penalty by filing for bankruptcy at the US Bankruptcy Court for the Middle District of Florida.

British regulator imposes content quota on BBC

British telecommunications regulator Ofcom has imposed domestic content quota on BBC. From January 2018 onwards, atleast 75% of all programming hours on BBC should be original productions, commissioned by the BBC

for the UK audiences i.e. atleast 75 % of the content must be original British content. This should peak 90% during the peak evening hours on BBC One and BBC Two. The primary channels will be required to extend their coverage of news, current affairs, science and the arts. The children's channels CBBC and CBeebies must respectively show at least 400 and 100 hours of original UK commissioned shows.

Intellectual property is the lifeblood of sports : AIPPI

At the recently concluded International Association for the Protection of Intellectual Property Conference (AIPPI) in Australia, a panel discussion concluded that IP sale was the lifeblood of the sports industry. The participants in the "On the ball – IP and sport ball" discussed the challenges faced by the fast pace of the industry. The panel discussion which was attended by legal counsels of various sports federations concluded that the parameters of sponsorship were rapidly evolving to suit the needs of the industry. The legal counsel of GOLDOC explained that the funding for the Gold Coast 2018 Commonwealth Games was different as it was public fund.

WIPO GA retains Broadcasters Treaty on agenda

The recently concluded General Assembly of the World Intellectual Property Organization instructed the Standing Committee on Copyright & Related Rights (SCCR) to retain Broadcasters Treaty on the agenda of the 35th SCCR. The WIPO General Assembly took place from 2nd October, 2017 till 11th October, 2017 in Geneva, Switzerland. The 35th SCCR is scheduled to take place from November 13th, 2017 till November 17th, 2017.

International law firm Rouse opens office in Cambodia

IP consultancy firm Rouse has announced the opening of its new office in Phnom Penh, Cambodia. The new office will be led by its current Hong Kong and Vietnam partner Chris Vale supported by a local trademark attorney and qualified US lawyer who specialises in all forms of IP.

Civil society groups oppose an EU copyright reform

Civil society groups such as the Electronic Frontier Foundation (EFF) and 56 other civil society groups have demanded the deletion of Article 13 of the proposed EU Copyright Directive covering the Digital Single Market. Article 13 covers the role of internet companies in dealing with copyrighted content. According to EFF, Article 13 violated a citizen's fundamental rights as it required ISP's to monitor, filter and block EU citizens' communications for ensuring their compliance with business laws.

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

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