



Hong Kong

[date]

[full inside address]

Dear [insert individual name]:

Re: Advertising on websites that facilitate access to infringing copies of television content

CASBAA is the Asia-Pacific's non-profit trade organization for the promotion of multi-channel TV via cable, satellite, broadband and wireless video networks, representing some 130 Asia-focused corporations that make and distribute video content. CASBAA's top priorities include promotion of respect for intellectual property of the television industry, as well as promoting regulatory practices and market-friendly policies among governments in the Asia-Pacific region.

CASBAA and its members are greatly concerned by the continuous rise in consumption of unauthorized, illegal, infringing television content, promoted on certain internet websites. Asian creative industries already suffer huge damage from competition from pirate websites. These directly and unfairly compete with efforts by Asian artists, producers and creators to earn a living from their work. They undermine economic growth in our industry and our markets, and deprive Asian governments of much-needed tax revenues.

A recent study by a research institute attached to Massey University in New Zealand conducted a systematic examination of key sites that facilitate access by consumers in Hong Kong (specifically) to infringing copies of films, TV programs or sports events. In the course of the institute's internet monitoring, the researchers have noted advertisements for your company's products displayed on sites whose principal activity is to facilitate access to infringing copies. Screenshots from those sites are attached to this letter. Many such ads are displayed alongside ads for pornography, illegal gambling, malware and scams. This is not a neighborhood your company wishes to inhabit, I am sure.

Internet piracy is an illegal, money-making activity; profit is the key motivator for many websites, web groups or forums that provide access to infringing copies. This can be the case even if the site operates by allowing users to post or link to content where the site does not monitor that content to identify whether it is authorized.

Research shows that the presence of advertisements from blue chip companies and brands leads users to believe that such websites are authorized and legitimately licensed by the copyright owners; ads from companies like yours give legitimacy to the sites.

We appreciate that you are likely unaware that advertisements for your company or your company's brands, products or services are being placed on websites that promote and profit from piracy, which is of course an illegal activity. We write to you today to call this



circumstance to your attention and to ask that you take action to avoid association of your brand names with infringing content or pirate websites.

We would ask that you contact your marketing/advertising agency or third-party advertising verification company to verify the procedures they use to make sure your company's products are not associated with pirated content before placing any further advertisements.

Such procedures are becoming increasingly common in today's business environment. The advertising community in countries like the US, UK and Germany has already developed self-regulatory codes of practice designed to allow brand owners such as yourself to avoid such disreputable and harmful associations for your brands.

The International Chamber of Commerce, with support from the World Federation of Advertisers, recently issued a policy statement that "calls on the advertising eco-system to work together to expeditiously develop such self-regulatory systems to ensure the integrity of advertising online for the benefit of all -- online advertising intermediaries, advertisers and consumers alike." The existing codes of practice and the ICC statement are described in the attachment. In addition to asking your advertising agency what actions it is taking to protect your brand, you may therefore also wish to express a view that development of similar self-regulatory codes applicable to the Hong Kong market should be prioritized. The ad industry responds, of course, to desires expressed by its customers.

Please let us know if your company supports self-regulatory mechanisms of this type, and if you will be able to support development of such an approach in the Hong Kong market.

If you have any questions or if we can in any way assist, then please do not hesitate to contact us.

Sincerely yours,

John Medeiros
Chief Policy Officer
CASBAA