

MARCH 2023

ASIA VIDEO PULSE

THE NEWSLETTER OF THE ASIA VIDEO INDUSTRY ASSOCIATION



2023 EVENTS

FUTURE OF VIDEO INDIA

13 APRIL
MUMBAI

TAIWAN IN VIEW

4 MAY
TAIPEI

SATELLITE INDUSTRY FORUM

6 JUNE
SINGAPORE

Cautiously Optimistic

As we approach the end of the first quarter of 2023, there is a lot to celebrate in the video industry across Asia. The ability to live our lives and do our jobs has, I believe, fully returned. All markets are now open, restrictions have been dropped for the most part and people are reconnecting. Hong Kong Filmart has just happened for the first time in three years and the fundamental and crucial job of buying and selling content was proceeding unabated. It was very much an Asian market, showcasing the best content from China, Korea, Japan and Thailand, with smaller representation from many other markets. And the tradeshow floor was busy, as buyers, sellers and delegates finally connected in person after a long break. With Hong Kong closed for so long, there was certainly no doubt people are now returning.

That human interaction, or the lack of it over the last few years, has been a real problem. And we know that the post pandemic world is not the same. We are still debating hybrid working but I think we can all agree that the flexibility to work from home is a good thing, as is the ability to go back to the office and spend time with our colleagues. Similarly, the success of video conferencing - Zoom, Teams, Google Meets, Webex, etc., has changed our lives. But what I think we are struggling with is getting the balance right. We talk about spending time working from home and in the office, but in the case of meetings, many of us have opted for the virtual option as default.

2023 EVENTS

ASIA VIDEO SUMMIT

20 - 21 JUNE
HONG KONG

INDONESIA IN VIEW

31 AUGUST
JAKARTA

THAILAND IN VIEW

10 OCTOBER
BANGKOK

OTT SUMMIT

5 DECEMBER
SINGAPORE

I am not remotely saying we should not have video meetings - they are a real game changer - but we should make the effort that for some meetings, we go back to in person. Physical and virtual meetings are different, and both need to coexist.



AVIA has a full schedule of physical events back on the calendar in 2023. We will be in Mumbai next month and Taipei in May. Our schedule has evolved this year and after the Satellite Industry Forum in early June, we will be holding the flagship Asia Video Summit on June 20 and 21 in Hong Kong. We will be covering developments across much of Asia, India and Southeast Asia, as well as Greater China, Korea and Japan.



One of the key themes of the summit will be concerning the influence and impact of the Korean success story. Aspirations to be “the next Korea” cannot be understated and are topics of conversation I have had in almost every market around the region. But do we know how Korea got to where it is today? I am not sure everyone knows the story of forethought, planning and investment that went into it. So that is a story we will try to tell, as well as assessing who may be able to replicate that success.

So as I said, there is a lot to celebrate in 2023. But what is the mood of the industry is a question I get asked a lot. To that I would have to say that the over-riding sentiment is one of caution. Concerns about the economy are real, interest rate rises are now impacting the banking sector, and the energy crisis prompted by the Russian invasion of Ukraine continues to send shockwaves out from Europe.

Caution is not necessarily a negative sentiment. Caution is one of the most natural approaches we take to mitigate risks, and so a period of caution for the video industry may be exactly what is needed. But we hope that as the year progresses, that cautious attitude can be relaxed and real business success moves us forward. We need consumers and advertisers to also shed their caution so we can see Asia playing the role we know it deserves in the global video industry. To that end, I hope we can all get together as an industry and work towards a place of cautious optimism.

Finally, you will see Celeste's news at the end of her section. We are sad to see her leave and wish her all the best for the future while thanking her for the dedication of the last two years.

LOUIS BOSWELL

POLICY MATTERS



CELESTE CAMPBELL-PITT

CHIEF POLICY OFFICER

The first 3 months of 2023 have passed by in a haze of regulation! With a return to normal in most countries across the region, Louis and I took the opportunity in January to visit India, a market which AVIA has not been able to visit for some time but which has probably generated the most consultation papers in the past two years, from tariff orders to digital convergence proposals to an entirely new body of Data Protection Law.

INDIA REGULATORY UPDATE

Our meetings in Delhi served as a helpful reminder of the value of government engagement, particularly when conducted as a joint effort alongside some of our members who are based on the ground. As an association industry body, we sometimes forget how we are uniquely placed to present a position on behalf of our membership body when that same position might be slightly controversial for a singular organisation to publicly adopt. We also underestimate too often the value of on-the-ground physical engagement which not only offers the opportunity to have a conversation around the rationale behind proposed legislation, but also an insight into developments which might be on the horizon. Most significantly, these meetings offer AVIA an opportunity to present regional and international insights on issues which might not necessarily directly affect our members but which undoubtedly serve to demonstrate our willingness to collaborate with regulators as they strive to build regulatory frameworks which will contribute to the growth of their economies.

One such challenge, on which we are frequently asked for input, is how best to address the blurring of boundaries of regulatory parameters with the arrival of **digital transformation**. AVIA has shared examples of how some regulators have remained independent while working alongside each other to address intersections or gaps in the law. There is no doubt that **traditional sectoral regulation is under threat** and this has been no more visible than in India with the most recent **TRAI convergence consultation paper**. It is incumbent upon AVIA to demonstrate that a proposed merging of functions, ostensibly with a view to easing business operations, is not the only option - alternative solutions do exist. An evaluation of those alternative options is especially imperative in circumstances where there is no clear evidence of potential consumer harm, market distortion or data to indicate that the collapsing of well-established and well-functioning independent structures should be the preferred solution; in fact eradicating these structures may well generate business uncertainty and produce the far less welcome consequence of stifling the growth of sectors at a time when digital innovation is growing exponentially.

IMPORTANCE OF SELF-REGULATION

In other markets across the region, we are seeing less attempts at convergence and more frequent examples of traditional regulators lobbying to have their remit expanded to cover OTT services. Seldom is the distinction drawn between the different segments of OTT and rarely is account taken of how our members provide **curated catalogues of self-produced or legally licensed content versus** the plethora of content which is **user-generated and/or content which is accessible through illicit boxes** distributed by online pirate syndicates. Failure to draw this important distinction may sometimes result in legitimate VOD content providers being viewed through the same lens which equates online content with online harm. It is imperative that we continue to share our **Governance Framework** document with regulators so that we are able to demonstrate our commitment to being responsible media players. By empowering users to make content viewing decisions for themselves and their families through the employment of content categories and age-appropriate ratings, putting into place robust user feedback mechanisms and ensuring safe viewing experiences for children, we will be far better equipped to **advocate for self-regulation**. These are the types of arguments we have employed in markets such as the **Philippines** where MTRCB has argued that the only way in which to protect Filipinos from harm online is to equip MTRCB with much more robust tools to hold providers accountable and take down content which Filipinos would consider “objectionable”.

CONSUMER PROTECTION



While we continue to engage with **MTRCB** about the value of self-regulation for the curated video content industry, we are also making submissions to the **Senate Committee on Trade Commerce and Entrepreneurship** on their **Proposed Senate Bill 612 – Internet Transactions Act**.

This Bill seeks to protect consumers in an increasingly digital world but, while it is evident that the main driver for this bill was to combat the fraudulent scams so prevalent within the e-commerce space, it appears that digital video products are also being drawn into the Act's scope. Significantly, digital products which lawmakers judge to be **“imminently injurious, unsafe or dangerous”**, can be immediately taken down on the authority of the DTI Secretary. Again, **consumer harm** is at the centre of the rationale for the proposed legislation but again the waters have been muddied in terms of understanding the differences between digital products, how legitimate digital video content providers conduct their businesses and the measures they already employ to ensure that the services they offer are safe for end users and their families.

In **Taiwan**, **“safeguard(ing) consumer protection”** is the premise for the NCC's campaign to have its regulatory remit extended. In **Thailand**, the NBTC has suggested that, with changing consumer behaviour and the transition to a digital economy, NBTC is concerned (amongst others) about how OTTs will protect **personal data for users** and how OTTs are responsible for their content. Again, potential harm is at the root of the regulatory extension request.

As more and more regulators explore ways to protect consumers in the new digital age, industry bodies will need to work more closely with these regulators to identify the actual harm that is of concern and to share best practices on how to address that harm, whether it is cyberbullying, data privacy violations, or content that infringes law or societal norms. In addition, it will be crucial to identify the service provider which is likely to inflict that specific harm. Once answers to these questions are obtained, regulation is far more likely to be targeted towards better outcomes for consumers without inadvertently stifling digital growth in other areas where that harm is unlikely to arise.

LOCAL CONTENT QUOTAS

In **Taiwan**, there has been much debate about how “the safeguarding of consumer protection” would be served by introducing, as part of the obligations imposed on large volume providers, **mandatory local content quotas**. A similar content quota proposal has been made in **Indonesia** and other markets across the region as regulators attempt to replicate Australia’s content rules. The view often espoused is that it is a regulator’s duty to ensure that local culture is preserved and local stories are showcased but is the overall objective to safeguard the consumer or rather to bolster the local production industry? It is of course true that local content resonates with a local audience but, in a small market like Taiwan, is it realistically possible to meet these local content quota requirements and is local Taiwanese content sufficiently scalable across the region and the globe to justify that content investment? Is it not more likely that these mandated content quotas could potentially increase local quantity but not local quality, discourage market participation and market investment, decrease high-quality opportunities for local production providers and ultimately present the consumer with much less choice and possibly, an incentive to find the higher production quality content that he/she prefers, from a pirate source.

As our world becomes much more borderless in terms of the content distribution ecosystem, it is not surprising that regulators are looking at ways to keep their citizens safe. Best practice demands that any such efforts are clear, reasonable and targeted. Anything else risks creating protectionist policies that threaten the very growth the regulators are trying to foster!

CLOSING

In closing this newsletter, the last of my tenure with AVIA, I want to take the opportunity again to thank each and every one of you for all your support, collaboration and genuine kindness. I leave a little conflicted, excited about a new opportunity on the horizon but knowing full well how much I will miss the members of this association and all the good work AVIA does to ensure that this industry, which has been such an integral part of my life for 27 years, continues to grow. As my wonderful colleague, Clare, steps into the role as Acting Chief Policy Officer, I am sure that you will give her the same incredible support you have given me. All that remains to be said is: Thank You - to Louis, Clare, the rest of the AVIA team and the Policy Advisory Council for the opportunity to lead AVIA’s Policy function and, of course, to work with you all. It has been a privilege!

CELESTE CAMPBELL-PITT

2023

avia
ASIA VIDEO INDUSTRY ASSOCIATION

NEW EVENT DATES

FUTURE OF VIDEO - INDIA

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APR

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DEC

**MORE
INFORMATION**

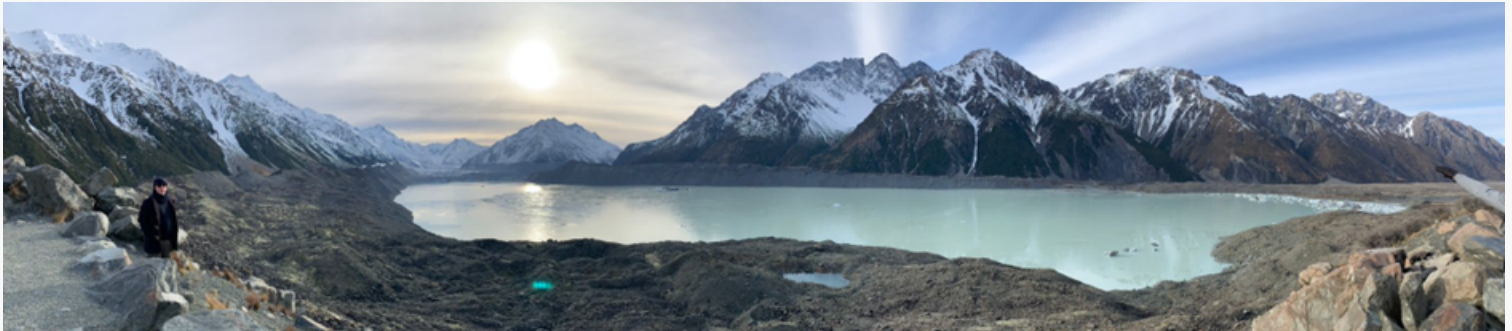
SPEAKING: Jaime@avia.org
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MATTHEW CHEETHAM

GENERAL MANAGER

Deep in the heart of the Southern Alps, covering an area of 101 square kilometres, lies the Tasman Glacier, the largest glacier in New Zealand, and at 23.5 kilometres, the longest. It took over two million years to grow. It grew at 'glacial pace'. However, while it remained at a constant length throughout all of its recorded history in the 20th century, since the 1990s it has retreated on average 400 metres a year, and this pace is increasing to close to 800 meters in recent years. In 1973 the glacier had no terminal lake but by 2008 the terminal lake was seven kilometres long, and it is estimated that the glacier will entirely disappear into the lake by 2040. Glacial pace doesn't now mean what it used to mean. It used to be said that legislative change also happens at glacial pace. To be fair it was said by me, but I stand by it. However, recent legislative events in the Philippines are also putting the lie to this analogy of glacial pace.



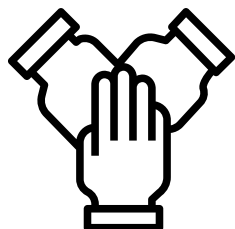
ENGAGING & OUTREACHING

Our site blocking legislative efforts have progressed in remarkably quick time in the **Philippines**. It was only July last year that Congressman Salceda proposed his Revised IP Code (HB0799). At the time CAP identified undefined potential for regulatory site blocking in HB0799. We worked extensively with CAP members, in particular Globe, and the MPA, to provide the Congressman with model site blocking provisions. These were originally intended to be added to HB0799 as Guidelines. While this was a positive step, given the breadth of HB0799 we expected it to take some time to pass through to legislation. We were therefore very encouraged when in January the Senator asked us to comment on the model provisions as **standalone site blocking legislation** - we had none as he essentially just took our model provisions and made them into a bill. The **resultant bill, HB7028**, passed the first hearing in February, and in more good news then bypassed the usual public hearings to be endorsed at a second house reading. With such strong backing from the Congressman, we expect HB7028 will pass smoothly through the Congress. However, HB7028 needs a matching bill in the Upper House and working with Globe we have identified six potential sponsors in the Senate and written to them all seeking their support. CAP plans to visit them at some stage in the coming months and, as and when necessary, we will likely also convene the **Video Coalition of the Philippines (VCP)** to support.

At the request of local association **CBIT**, CAP followed up its visit to **Taiwan** in late 2022 with a further trip in February 2023 to join industry delegation visits to the **National Communications Commission (NCC)** and the **Ministry of Culture** and push for stronger copyright protection, and in particular **regulatory site blocking**. The visits were well received and while there is long-standing government resistance to legislating any form of site blocking, CAP is working with local industry, and the MPA to try and build on the enthusiasm and momentum of local industry for change with high level government visits in May.

In February CAP also visited regulators in **Indonesia (Kominfo)**, **Malaysia (MDTCA)** and **Hong Kong (Intellectual Property Department – IPD)**. In terms of non-government relationships, as well as maintaining our strong relationship with the Korean broadcasters' **Content Protection Association (COA)**, we also continued our regular and mutually beneficial interactions with Google and Meta.

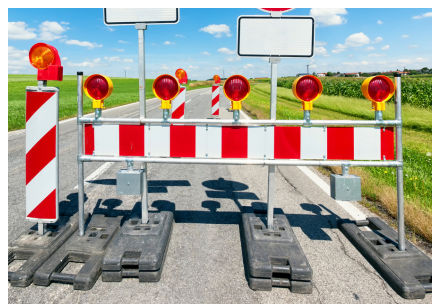
COLLABORATING



Q1 2023 saw the end of the first year of the change in CAP management. It was timely then that we started the year with a different Quarterly Meeting from our usual one, as well as a slightly later one. In mid-February CAP took Steering Members through its planned strategy for 2023. We reviewed in depth the 2023 strategic priorities for each of our four pillars (**collaboration; research & technology; enforcement & disruption**, and; **engagement & outreach**), as well as taking members through our priorities and plans for each priority country.

Due to the shifting of the AVIA events calendar, CAP is also looking to rearrange its annual **Piracy Over the Top (POTT)** summit. While traditionally POTT is held with OTT at the start of the year, usually at the tail end of March, this year we intend attaching it to one of AVIA's country in view events. At this stage it is likely to be **Indonesia in View** in Jakarta in late August. We are excited by this change and expect that it will energise the event to be held in Jakarta.

ENFORCING & DISRUPTING



By the end of 2022 CAP had referred **more than 1,200 sites** in the year to be blocked **via DNS blocking** in **Indonesia**, and **more than 200 via IP blocking**. Building off that success we visited Kominfo in January to discuss the expansion of the IP blocking program which they were happy to do, and we are now referring 50 IP address only sites twice a month. We also discussed formalising the current processes into an MOU between Kominfo and AVIA/CAP.

However while Kominfo was keen to have something in play they are not able to enter an MOU. We are now exploring the possibility of an SOP with them.

CAP is now referring sites to the **MDTCA** in Malaysia for blocking every six to eight weeks. However we and other rights holders saw a drop off in MDTCA responses in the latter part of 2022. To address this concern CAP organised a meeting with the MDTCA in Malaysia. Astro and TVB also accompanied us to this meeting, which the Premier League joined by videoconference. The MDTCA appreciated our concerns, apologised for the lack of response, and ensured us that they would take action to ensure sites were blocked quicker.

We also discussed **extending the current blocking regime to include ISDs/apps** for the first time. The MDTCA were appreciative of the presentation from TVB on this issue and we are now working to have the blocks extended in the coming months.

In other enforcement work, the planned 2022 round of **blocking in Singapore** was delayed for a variety of reasons but the application was finalised and filed in February and we expect to have the order in place by the end of Q1. After some delays CAP also began facilitating member company referrals weekly for removal via Google's TCRP program.

RESEARCHING AND TECHNOLOGIZING



CAP has now received the 2023 **YouGov consumer research** and we are working on finalising the research into presentation materials which we expect to release to both our members, and then publicly, later in Q1. As noted earlier, these surveys are key drivers of our anti-piracy efforts as they identify the **areas of concern and trends in piracy** around the region, and allow us longitudinal analysis of each. The research will also be worked into **country specific brochures** and used to bolster our lobbying efforts around the region.

MagiCAP is the second major plank upon which CAP's research and technology efforts rest. We worked extensively to update the portal with a view to launching MagiCAP 2.0 in early 2023. Unfortunately, these efforts were delayed by reasons beyond our control. However we have identified new developers and are expecting to have MagiCAP 2.0 launched in **early Q3**. When launched the portal will for the first time **include ad revenue data on pirate sites** which we will then add into our lobbying efforts around the region.

Throughout CAP's lobbying efforts in 2022 it became apparent that governments were concerned by the impact of malware and viruses on consumers from accessing pirate content. CAP is now working on **new malware research** which will be released in the coming months and be used to aide us and our member companies in discussions with government to increase enforcement efforts against pirate sites.

CONCLUSION

It's been a year since CAP's change in management. And while we can look back with some satisfaction at a busy 2022 with a number of highlights, we more excited by looking forward in anticipation to an exciting year ahead. In the coming months we expect to see: the release of the 2023 YouGov data; the launch of MagiCAP 2.0; new malware research; the expansion of our blocking program in Malaysia to include ISDs and apps; high level government meetings in Taiwan, and, moving at 'the new glacial pace', the passing of new site blocking legislation in the Philippines.



As an industry association, our commitment is to represent all sectors that comprise the video industry, making the entire ecosystem stronger and healthier. This can only be done with a clear mandate and focus on diversity and representation. As we celebrate International Women's Day in March, we put the spotlight on transformative and influential leaders who have achieved so much in the film and video industry, and highlight some of the amazing speakers we have lined up for our upcoming Future of Video India conference.

Join us on **13 April** at the **Taj Lands End, Mumbai** to hear from these leaders and more who will address the key issues impacting the development of the Indian TV and streaming landscape, and how the video industry can further lead the charge on diversity, equity and inclusivity. International Women's Day raises issues we are focused on every day.



Minakshi Achan

Head - Network Brand & Creative Communications
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President
GroupM Nexus India



Supriya Sobti Gupta

Founder
MOW Productions



Megha Tata

CEO
Cosmos Maya India

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Global Streaming Gets Set for the 'Producer Economy'



Enterprises and brands are about to experience a global shift focused on ownership of distribution and platforms, and not just the importance of content creation



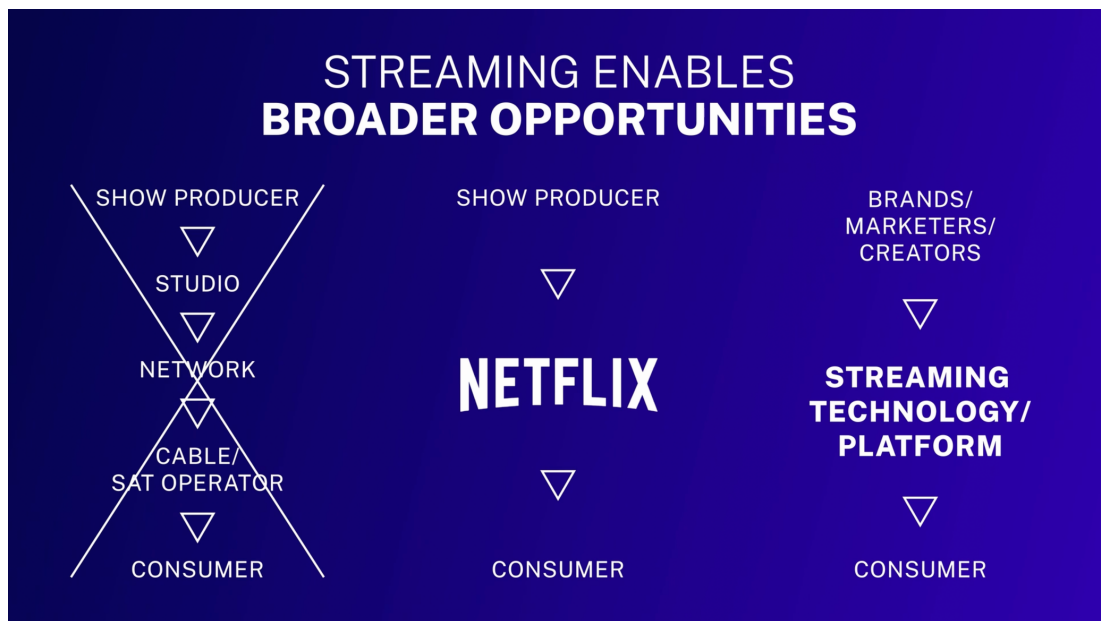
With video streaming increasing and the value of the market[1] set to top over \$1.6 trillion by 2029, the industry can expect a significant global shift. Content distribution is about to undergo major diversification, including an expansion of direct-to-audience for TV, film, and content creators that caters to individuals, enterprises and brands.

According to [Brightcove](#), this shift will change how content creators engage, influence, and interact with their audience and will result in the 'Producer Economy'.

The Producer Economy is the concept that brands and creators can now have more control over content creation, distribution, and monetisation. This can be achieved by building robust, multi-channel businesses across multiple established platforms and creating their own direct-to-audience platforms for their deepest and most loyal users, adding control of their first-party data.

Marc DeBevoise, Chief Executive Officer of Brightcove, observed, "Platforms such as YouTube and Netflix have helped take the industry forward to where we are now, but we believe these aggregator platforms and services are not going to be enough moving forward. There will be a fundamental shift to owning content, its distribution and monetisation, and its distribution platform, with the development and release strategy to super-serve the most loyal and highest-value followers, customers, and fans. The internet and streaming have allowed all of these producers to have a more defined and controlled voice, and truly own their digital future and control how their stories are told."

[1] [Video Streaming Market Size, Share and Covid-19 Impact Analysis](#), Fortune Business Insights



Here's what Brightcove envisions the Producer Economy will look like:

- Creators will seek broader distribution and new ways to monetise content, including working with and extending beyond existing aggregators and services. Creators will diversify to own their own capabilities in creation, distribution, and audience, creating their own direct-to-consumer channels, endpoints, sites, apps, and Free Ad-supported Streaming TV (FAST) channels.
- Companies and brands will embark on further digital transformation to expand their audience reach across various owned and controlled channels, and leverage social networks and platforms.
- The streaming ecosystem will evolve to enable creators to become producers with the ability to create, upload, store, manage, distribute, own their own platforms, own their data, and measure their content at all times. In short - they'll become their own owners, producers and publishers of content.

To ensure brands can retain current customers and grow their audience in this new world of streaming, Brightcove believes companies need to take steps to re-evaluate how they push out content now.

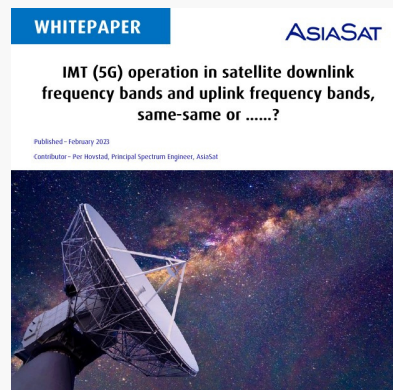


Marc DeBevoise added, “The move from creator to producer is critical. We currently operate in a robust market for streaming, and we also know how rapidly things can change. A platform can change its algorithm anytime, changing the audience. A funder of content can change their minds, cancel shows, and move on to new content. Brands and companies need to be able to tell their stories and stream their video to audiences across all digital platforms, including their own and 3rd-party platforms.”

To better understand how producers can own their own digital future, watch Brightcove's [PLAY Season 1](#).

Member Reports:

The following reports are now available at avia.org for download and are accessible to all. Please register at our website for access.



New Members:

AVIA is only as strong as its members. We want to appeal to all parts of the video ecosystem and we are delighted that in the last quarter we have been joined by the following companies:



F:NECAST



2023 Upcoming Events:

Future of Video India	13 April
Taiwan In View	4 May
Satellite Industry Forum	6 June
Asia Video Summit	20 - 21 June

Save the date

Contact Us:

We want to hear from you. Please get in touch and let us know what you think:

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