

Asia Video Industry Association
Submission to the Office of the US Trade Representative
September 30, 2019

2019 Out-of-Cycle Review of Notorious Markets
under Section 182 of the Trade Act of 1974
(Special 301)

The Asia Video Industry Association (AVIA) is the non-profit trade association of the international video industry in the Asia-Pacific region. It is dedicated to the promotion of multi-channel television via cable, satellite, broadband and wireless video networks across the Asia-Pacific region. Previously known as CASBAA (the Cable and Satellite Broadcasting Association of Asia), our Association has about 90 member companies operating and investing in 17 different Asian and Australasian markets, providing television programming and curated over-the-top video content to over 600 million homes. In addition to the multinational television networks and programmers, our members also represent leading corporations who are telecom companies, suppliers and manufacturers of cable, satellite and broadband video technology, related business service providers, and new media service providers.

US-owned member organisations include A&E networks, Bloomberg Television, Brightcove, Discovery Networks Asia-Pacific, Dolby, HBO Asia, Intelsat, National Basketball Association, NBCUniversal International, Netflix, S&P Global Markets, SpaceX, Sony Pictures Television International, Star TV, The Walt Disney Company, Turner International Asia Pacific, WarnerMedia LLC, Verimatrix, and Viacom International Media Networks.

AVIA welcomes the opportunity to provide information to the US Trade Representative, as we have on many previous occasions, on the issue of protection of pay TV intellectual property rights in various Asian markets.

The first part of this submission is aimed at providing the USTR with an update on the legal status and activities of the blatant and notorious Singapore physical marketplace for sales of Illicit Streaming Devices, Sim Lim Square.

Sim Lim Square, located at 1 Rochor Canal Road, Singapore 188504, is a shopping mall housing individual shops and stores selling electronic devices of many types. It is also SE Asia's largest and most active physical market for illicit streaming devices (ISDs), a claim supported by YouGov research which indicates Singapore has one of the highest percentages of off-line purchases of ISDs. Site surveys over the past four years have documented a large number of sales outlets making open sales of devices which incorporate software ("apps") designed to facilitate theft of copyrighted television programming via multinational streaming networks based outside Singapore.

Sim Lim Square is a strata managed building; thus the current building management company claim to have no legal responsibility or liability for the actions of the retail outlets. It is unclear at this stage whether the current retail outlets identified own or lease the premises in which they trade.

Copyright infringement facilitation activities at Sim Lim Square have enjoyed a strong growth trend in recent years – a market survey in January 2016 recorded 10 sales outlets openly selling ISDs while a site visit in early September 2019 found 20-25 such shops. This growth trend is mirrored at the retail end – surveys of consumers conducted for AVIA’s Coalition Against Piracy (CAP) by the YouGov consumer research agency found in November 2018 that 15% of online consumers admitted to using a TV box which can be used to stream pirated television and video content, and when a follow-up survey was taken in April 2019, the number of consumers reporting such activities rose to 17%. It should be noted as well, that of the consumers who purchased a TV box for free streaming, 25% asserted that they cancelled their subscription to legitimate Singapore-based and international online video services as a direct consequence of owning an ISD.

The sales at Sim Lim Square which facilitate copyright infringement are no secret; they have been documented in numerous open media reports, including for example this one by a local newspaper: <https://www.youtube.com/watch?v=ZDlcJCw1Jb0>.

That report nicely summarizes the situation, in video form. In the two years since that video was made, the situation has not changed significantly. Cases brought against physical ISD vendors, designed to clearly establish that their activities are illegal under current Singapore copyright laws, continue to wend their way through the courts. Piracy device retailers have reacted to those cases by simply including an overt verbal disclaimer that they do not pre-load apps or sell boxes that infringe copyrighted content whilst simultaneously covertly giving consumers access to the necessary infringing apps.

A major step forward came in January of this year, when the Singapore Ministry of Law announced that it would propose legislative changes to facilitate copyright enforcement against retailers, manufacturers, importers and distributors of ISDs/infringing apps. The Ministry said its policy position was “not to allow commercial gains derived from enabling access to content from unauthorized sources.”

We applaud the government’s positive intentions, and we have urged that the process of introducing the new legislation be accelerated in light of the continued growth of the ISD market. We believe that a strong legislative prohibition would have a markedly positive effect on reducing the illegitimate activities at Sim Lim Square. We note that in making its statement, the Ministry has tacitly acknowledged the activities in Sim Lim Square are illegal, however it has perhaps inadvertently provided the sellers with an excuse to continue selling under current legislation and to an extent ‘make hay while the sun shines’. We therefore encourage the government to move forthrightly, and we are hopeful that the law can be strengthened quickly and effectively, even if that means pulling out and fast-tracking the relevant ISD provisions of the draft. However, no text of proposed legislative changes has yet been made available, and pending concrete outcomes to the litigation, the Sim Lim Square situation seems to be evolving

in a negative direction, with ever-more sales outlets pushing the devices. Thus it continues to plague rights owners.

The second market we would highlight for inclusion is a selection of online Ad Networks. A study commissioned by the Trustworthy Accountability Group* and carried out by Ernst & Young in 2017 revealed that the top 672 piracy sites in the United States generated \$111 million per year. This included \$36 million from premium advertisers and \$75 million from non-premium advertisers who were placing ads related to unregulated or illegal products (including counterfeit pharmaceuticals). The report concluded that this figure could have been twice as much without the premium advertiser's anti-piracy efforts to ensure that ads of mainstream brands are not placed on piracy websites.

Recent 2019 studies in Malaysia and Thailand commissioned by AVIA and undertaken by TAG accredited DAAP Veri-Site, have found that 94% (Malaysia) and 92% (Thailand) of the top 50 most egregious piracy sites are financially reliant upon advertising networks. Furthermore, in Malaysia 37% of the advertising found on top 50 piracy sites were defined as "high risk" adverts (unregulated or illegal products) and in Thailand 78% of the advertising found was found to be "high risk" adverts.

Advertising networks, by nature of the way it operates, allows the relevant ad agencies to bid on in real time on the ads being served to the end user. By extending the idea of the market place concept, but where Ad Networks are the means by which piracy sites receive financial remunerations, it can be argued that Ad Networks who place unregulated or illegal products on piracy sites are a critical component within the piracy ecosystem. Restricting advertising from appearing on piracy websites will have an immediate disruptive impact on the piracy ecosystem.

As such AVIA would like to recommend that Ad Networks which actively pursue business on piracy sites should be included on the USTR notorious markets list. Specific details of each of the following Ad Networks are included in the appendix but the list of the Ad Networks we propose including are:

Propeller Ads Ltd., incorporated in 2011, is a display and mobile advertising company based in Cyprus. It claims to provide comprehensive and industry leading ad-serving and optimization technologies for online marketers and web publishers. This ad network has been found to continually placing ads related to unregulated products on piracy sites.

Steepto, an ad network Belize based digital ad platform owned by Bedigital Corporation. This ad network claims to offer advertising services for premium publishers and advertisers but has been found to continually place ads related to fake news and unregulated products on piracy sites.

Adskeeper, incorporated in 2013, is a digital ad platform based on real-time bidding principle, where the impact of your adverts depends on the bid you set per click. International Digital advertising agency LLC and Hardware solutions limited (collectively referred as 'Adskeeper') is the operating entities of Adskeeper and based in Georgia and Hong Kong, respectively. This

ad network has been found to continually place ads related to fake news and unregulated products on piracy sites.

Yengo Pte Ltd., incorporated in 2012, is a marketing and advertising company based in Singapore. It claims to provide online-services for traffic generation and business promotion. This ad network has been found to continually place ads related to fake news and unregulated products on piracy.

*TAG was created by the American Association of Advertising Agencies (4A's), Association of National Advertisers (ANA), and Interactive Advertising Bureau (IAB) and works collaboratively with companies throughout the digital ad supply chain.

APPENDIX 1 FOLLOWS

PropellerAds

← → ↻ ⌂ kissanime.ru/Anime/Tazuka-Osamu-no-Buddha-Akai-Sabaku-yo-Utsukushiku/Rom-Saizen?cid=59836&as=hydrax ☆



 **Lizzo And Cookie
Monster Made A "Truth
Hurts" Remix On
Twitter**


PropellerAds








**Create The Girls You Have Always Wanted
To See Naked**

**Do you lack strength and sexual libido?
Try VigRX Plus Now!**

← → ↻ 🔒 Not secure | kshow123.net/show/running-man/episode-468.html



RUNNING MAN













 Rating: 9.8 out of 10 (204 votes)

Cast: Yu Jee-suk, Gary, Ha-ha, Ji Suk-jin, Kim Jong-kook, Lee Kwang-su, ...


Status: Subbed

Runtime: 17h00, Sunday


Air on: Sep 15, 2019








 642


PropellerAds




Meet Asa, our New Character
 - Try Her out!
Booby Call




You Won't Only Plant Vegetables in this Game
Booby Farm





Not All Men Have The Guts To Play This Game!
Gamezzz





Spicy up Your Life and Chat with Hot Girls!
1 to 1 Chat



Mafia Game In Prison
 Episode 27 will air on 22h00 Monday, Sep 23, 2019



Weekly Idol
 Episode 425 will air on 18h00 Thursday, Sep 19, 2019


Kang's Kitchen 2
 Episode 7 will air on 23h00 Friday, Sep 20, 2019


Produce X 101
 Episode 13 will air on 23h00 Friday, Sep 20, 2019


Happy Together
 Episode 611 will air on 23h00 Friday, Sep 20, 2019


Korean Hostel In Spain
 Episode 12 will air on 00h00 Saturday, Sep 21, 2019



<https://www.nubaku.net/signup/landing/booby-call/17-asa/7aba=eyJ0aWwvOjpwATDkdm...>

Please select from the list of TV Series
first character of the tv series

Sponsored Content

Play The Hottest Online Game Ever Made!



Don't Let Anyone Know You Were Playing This Game Whole Night!



The Hottest Game Online: Try And See Why it's So Addictive



PropellerAds

A - B - C

TV Series starting with A, B or C
Eg. Arrow, Agents of Shield, American Horror Story, Bones, Breaking Bad, Castle etc

[More..](#)

D - E - F

TV Series starting with D, E or F
Eg. Dexter, Dragonball Z, Doctor Who, Friends, Fringe etc

[More..](#)

G - H - I

TV Series starting with G, H or I
Eg. How I Met Your Mother, Homeland, Game of Thrones, Greys Anatomy, Gotham etc

Activate Windows
Go to Settings to activate Windows.

[More..](#)

Steepto

The screenshot shows a web browser displaying the Steepto website. The browser's developer console is open, showing a JavaScript error. The error message is:

```
Uncaught ReferenceError: document is not defined
```

The error occurs in the following code snippet:

```

```

The error message indicates that the variable `document` is not defined in the context where the code is running. This is a common issue when using certain JavaScript libraries or frameworks that rely on the `document` object.

The website content includes a search bar, a navigation menu, and a main section titled "Свежие фильмы" (New Movies). The search bar contains the text "Поиск по сайту..." and a "GO" button. The navigation menu includes "Вход / Регистрация" and "онлайн для всей семьи". The main section displays a grid of movie posters, including "Почему мы", "Исландия", "Гора (2018)", and "Мастера и люди".

Adventure **Russians** **Family**
Sports **Thrillers** **Horror**
Fantastic

Suits
 NEW SERIES VIA 2 THURSDAYS 10P-11P
 HD
 The series "Force Majeure"
 Today, 12:32
 New series!
 ★★★★★

Beverly Hills 90210
 HD
 The series "Beverly Hills 90210"
 Today, 12:32
 New series!
 ★★★★★

The Seventh Guardian
 12 DE NOVEMBRE
 HD
 The series "The Seventh Guardian"
 Today, 12:37
 New series!
 ★★★★★

Noida Multi-Millionaire Dad Exposes How to Earn ₹ 43.857 / Hour
 More details

Elements **Console** **Sources** **Network** **Performance** **Memory** **Application** **Security** **Audits**

... div div div #content article div div div #b-mbcbar_container #b-mbcbar_cont_inn #M218900ScriptRootC681340 #MarketGidComposite357677 div div div div ...

```

<div class="image-with-text">
  <div class="mcing">
    <a target="_blank" href="https://www.steepto.com/githubs/3728873/i/82047/0/pp/1/11zh-hs6h6g6d6c76m20qeyf66-fqzB15KwmcQuqv10_q7HYVjE2GIEGh7vXSpEg8&mp;f16-a828448c-d611-11e9-a472-d95466576dad&mp;it-Direct&mp;uid=j8dxoocfv03" data-basin="ncshoo000x7avm10000v11mb-q6035xmw0000010_01mV78g00000v0000" rel="nofollow noopener" x:clg class="mcing" width="328" height="328" data-i="3728873" src="https://s-img.steepto.com/g/3728873/328x328/168x0x664x664/ahr0-DovL21t2hvc3RzUmV6S90LjY0SjA0CCwMT81M2VhYzQ6VzZlY0ZjA2MTI1M0UxYT81M01xY3Nmcm" webp" nopln" data-observe-time="1052" data-observe-start="1968370850958" data-observing="yes" data-shows="1"> <span class="pricebox"><span class="div23016"><font style="vertical-align: inherit;"></font></span></font></span></a>
  
```

Styles **Computed** **Event Listeners**

Filter :hov .cls +


```

element.style {
  a {
    color: #d52e00;
    outline: none;
  }
  a, abbr, acronym, style.css?u=152:20
  address, applet, article, aside, audio, b,
  blockquote, big, body, center, canvas,
  caption, cite, code, command, detail, dd,
  del, details, dfn, dl, div, dt, em, embed,
  fieldset, figcaption, figure, font, footer,
  
```


filmix.co

Apps Whois.com - Domain... VirusTotal - Free Onlin... Veni-Site Global Snopes.com | The d... IP Tracker: Trace IP... Transparency Report... Free website statisti...

Тайна... Анна Человек-паук: Вдали от дома Отлетые мошенницы Собачья жизнь 2 Годзилла 2: Король монстров Рокетмен



Открыть рекламу: 856

div.mcdesc 292.8 x 0

Elements Console Sources Network Performance Memory Application Security Audits

```

<div class="mcdesc"></div>
</div>
</div>
html body div div noindex center #M410535ScriptRootC390032_0dfa3 div#MarketGidComposite390032_0dfa3 div.mgbox div.mgline-leaser-3228951.type-w div.image-with-text div.text-elements div.middle &
: Console What's New X
Highlights from the Chrome 76 update

```

Filter element.style { } Filter :hov .cls +

```

#MarketGidComposite390032_0dfa3 <style>
.mcdesc a {
font-weight: bold !important;
font-size: 14px !important;
font-style: normal;
text-decoration: none;
line-height: 14px !important;
}

```

Yengo

← → ↻ 🔍 https://www.watchlakorn.in **WatchLAKORN** Home Last Update Search Login

ASK By Yengo

คุณเห็นด้วยกับคอลเลกชันนี้มากแค่ไหน? 4 วัน!

ผู้รับคอลเลกชันแล้วคือคุณตอนนี้!

ข่าว นวนิยาย มีคอนเทนต์ใหม่ทุกวัน มีคอนเสิร์ต นวนิยาย นวนิยาย นวนิยาย

Masterkey Contest 2012 (HD)

รายการ "Masterkey Contest 2012" นี้จัดขึ้นโดยมีวัตถุประสงค์เพื่อคัดเลือกผู้ชนะจากการแข่งขันการร้องเพลงของเยาวชนทั่วประเทศในระดับมัธยมศึกษาตอนต้น

- พิธีเปิดงาน วันที่ 15 กรกฎาคม 2562 (HD)
- สนามข่าว 7 สี วันที่ 15 กรกฎาคม 2562 (HD)
- ปะทะท้าใจ วันที่ 15 กรกฎาคม 2562 (HD)
- ผู้หญิง อากาศร้อน วันที่ 15 กรกฎาคม 2562 (HD)

ดูรายการทั้งหมดในหมวดนี้

กานันดาเดชาเดชา วันที่ 15 กรกฎาคม 2562 (HD)

ออกอากาศ: วันจันทร์-ศุกร์ เวลา 10.25 น. ราชภัฏภูเก็ต

โง้งต๋ามานาน วันที่ 15 กรกฎาคม 2562 (HD)

รายการ: โง้งต๋ามานาน วันที่ 15 กรกฎาคม 2562 (HD)

อัสสา แสงที่พริมา ตอนที่ 52 วันที่ 15 กรกฎาคม 2562 (HD)

รายการ: อัสสา แสงที่พริมา ตอนที่ 52 วันที่ 15 กรกฎาคม 2562 (HD)

ข่าวจังหวัดหนองบัว วันที่ 15 กรกฎาคม 2562 (HD)

รายการ: ข่าวจังหวัดหนองบัว วันที่ 15 กรกฎาคม 2562 (HD)

โต๊ะข่าวบันเทิง วันที่ 15 กรกฎาคม 2562 (HD)

ออกอากาศ: วันจันทร์-ศุกร์ เวลา 11.00-11.30 น. ภูเก็ต

สามสีทอง

วันนวดฝัน

ฤทธิ์ดาวดี

มอญกบขาม

ปฏินิดาจักร์

