

GrayZone Digest

September 1996

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Legal Highlights

Busts and Raids

The Recording Industry Association of America (RIAA) said 896,594 illegally produced or pirated compact discs were seized in the U.S. in the first six months of 1996, up sharply from 19,366 in the same period a year ago. Most of the illegal CDs were boot leg recordings and were seized in two RIAA-assisted law enforcement raids this spring. It said it was the first time that seizures of CD pirates overtook seizures of cassette pirates. According to the RIAA, many of the bootlegs are entering the country from abroad and are being intercepted by various federal agencies, such as U.S. Customs.

(Reuters / Variety 8-21-96)

Commentary

Daily News journalist David Hinkley writes that despite improved technology for making bootleg recordings, recent busts have contributed to considerable difficulty in buying and selling illegal product. "Finding boots is a challenge now, and selling them has become too risky," said Charles Cross, editor of the Seattle music magazine Rocket. But this is music to the ears of Frank Creighton, RIAA Associate Director of Anti-Piracy. "The most important thing is to send a message," said Mr. Creighton, "that we want everyone to know that big or small, we will come after you."

(Daily News August 20, 1996 - David Hinkley)

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Artists Actions

London

Artist Bruce Springsteen has filed a general writ in London against Robert Tringham and Flute International England, a general distributor. The action alleges Tringham was planning to release a bootleg album called "Unearthed" that contains many of Springsteen's early work.

(Entertainment Weekly - Jessica Shaw/Anna Holmes)

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Worldwide Update

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Bulgaria

In a letter sent to the officials responsible for relations with central and eastern Europe, the International Federation of the Phonographic Industry (IFPI) has asked the European Commission to act against the soaring levels of music piracy in Bulgaria. The lack of copyright law enforcement in Bulgaria is costing record companies in Europe an estimated \$100 million in lost revenues. IFPI is calling on the Commission to make anti-piracy enforcement an immediate top priority in the current negotiations over Bulgaria's accession to the World Trade Organization (WTO).

It should be noted that Bulgaria was given a 'special mention' on the Special 301 list published by the United States Trade Representative on April 30, 1996 and was given six months to improve its enforcement record or the Americans may impose sanctions on Bulgaria.

(New York IFPI Issue No. 3, August 1996)

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Hong Kong

Hong Kong

An international software lobby forced the closure of a Hong Kong Internet site peddling illegally copied software. The Business Software Alliance (BSA), operated in close cooperation with the Alliance Against CD-ROM Theft (AACT), which combats production, distribution and sale of pirated CD-ROMs in Asia. The Internet site, called Sammy Game Center, offered illegal CD-ROM products for sale and export to the United States, the Netherlands, Sweden and Canada.

The pirated goods included game, business, entertainment and multimedia software, the U.S. based alliance said. The owner of the web site, Sammy Sam Kachi, acknowledged he was dealing in unauthorized software and signed an apology at the request of the two organizations. The Internet access providers involved, which BSA and AACT declined to identify, have removed the offending web pages.

(CNET News 8-23-96 - Ben Heskett; Reuters 8-23-96)

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Latin America

(Follow Up*) FLAPF, the Latin American record industry association, is undertaking decisive action in response to a thriving climate for piracy. The new anti-piracy campaign, which began in July 1996, will first target Argentina, Brazil, Paraguay and Mexico, and later, Bolivia, Peru and Venezuela. In support of this action, the industry invests around (US) \$5 million in anti-piracy activity in Latin America each year, in addition to providing training for a specialist anti-piracy team. FLAPF will coordinate the action through its executive office in Florida, and will also involve IFPI and RIAA.

(*See GrayZone [July/August Digest](#))

(New York IFPI Issue No. 3, August 1996)

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Singapore

A seizure of suspected pirated audio CDs is highlighting the resurgence of black market product here. At the July 11 raid, officers from IFPI seized more than 3,600 recordings by a variety of artists both local and international. Leong May See, IFPI deputy regional director for Southeast Asia, says the seizure signals an increase in pirate activity and requires continued vigilance on the part of IFPI. When the Copyright Law was enforced in 1987, piracy dwindled as manufacturers moved on to take advantage of friendlier piracy environments in places like Taiwan, Thailand and China. Today, however, pirates are back.
(New York IFPI Issue No.3, August 1996)

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South Africa

ASAMI, the record industry association in South Africa, is continuing with their program to create media and public awareness of music piracy. In the latest event, they organized a public 'crushing' entitled "Burying Piracy." In keeping with their theme, the pirated product was delivered to the event in a hearse. The public was invited to join in, helping to destroy the pirated works. Many local artists attended the event, some to watch pirated copies of their own work crushed. Legitimate product was then given away to the crowd along with anti-piracy T-shirts and caps. The value of product crushed was over 1 million rand (\$187,296.00). Pirated material in South Africa originates in China, Bulgaria, and Dubai as well as South Africa.
(New York IFPI Issue No.3, August 1996)

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Taiwan

Taipai

One thousand government agents seized nearly \$2 billion in counterfeit software and detained more than 70 suspected bootleggers. Sixty-four thousand copies of illegal discs were found with a market value of over \$1.8 billion. Taiwan has waged a largely successful drive against what had been rampant intellectual property theft, but recent cases have brought new cause for alarm. The island remains on the U.S. watch list of countries where copyright piracy is a problem.
(America Online News Profiles/Reuters 8-21-96)

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Multimedia

Sometime in the near future, no one is sure exactly when, consumers will be offered a new super CD called Digital Video Disc, or DVD. On the disc, it is said, will be a complete two-hour movie on one side. After watching the movie on your television set, you may flip the disc over and get an Internet web browser, a 26-

volume encyclopedia, or a video game for use on your computer. Or you may get music to play on your audio equipment.

Right now, the only thing a lay person can be sure of is that the disc will carry a movie. The DVD is now on hold, while nearly 60 entertainment, consumer electronics, and computer and communications companies finish negotiating over its development. Perhaps the largest and thorniest issue under consideration is copyright protection. Safeguards are critical for movies and everything else in digital format, because the quality of copies can be perfect every time and the millionth bootlegged disc could be as pristine as the first.

(New York Times 8-25-96 - Peter M. Nichols; New York IFPI Issue No. 3, August 1996)

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Internet

In an overview which explores the impact of digital technology on copyright industries, Daniel Gervais examines the possible changes to international copyright law in the August issue of Copyright World. Mr. Gervais discusses the need for standardized copy prevention technology, digital sub-coding, and harmonization of copyright laws applicable to digital transmissions. The paper further examines the central role of copyright in the digital world, its applications and administration.

(Copyright World Issue 62, August 1996 - Daniel J. Gervais)

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