

need to know

05|2016



MarkMonitor[®]
PART OF THOMSON REUTERS

How to Protect your Products and Intellectual Property against Piracy

This document has been prepared by Ukie Partner Member MarkMonitor. The information in this leaflet is of a general nature only.

Piracy is a global phenomenon affecting a wide range of digital content and occurring in a variety of different channels. Demand for online pirated content continues to grow and is fueled by easy access to P2P networks, websites and increasing popularity on streaming services. As a result, content and rights owners need to make sure they stay on top of the latest piracy trends and have strategies in place to protect their copyrighted work and revenues online.

Whether you're looking to review your current anti-piracy strategy or you're just starting out, consider these five best practices below to ensure your anti-piracy program is effective and ready to deliver results:

Develop and review your anti-piracy strategy on a regular basis

Having a clear strategy in place for how to deal with those infringing on your intellectual property (IP) is a must in today's digital world. First, determine how big your piracy problem is and what enforcement and litigation options you have available to you. Second, evaluate which enforcement strategies are most effective for the type of content and infringements you currently face. Consider updating these strategies based on the changing piracy landscape. This review process can help you identify any gaps in your anti-piracy program and ensure all possible scenarios are covered, enabling you to react quickly when you find new infringements.

Scale up your anti-piracy enforcement efforts

Content thieves are good at avoiding enforcement actions and DMCA notices are not always enough to take down infringing content. Rights holders need a comprehensive enforcement escalation program to put pressure on stubborn sites through different entities such as Internet Service Providers (ISPs), registrars, ad networks, payment providers and many others. Your efforts will lead to better protection of your revenues and your loyal customers, providing you with an opportunity to develop your brand further.

How to Protect your Products and Intellectual Property against Piracy

Drive traffic to your legitimate channels

Taking down infringing links that lead to copyrighted games will discourage Internet users from downloading illegal copies of your work. It also helps you drive additional traffic to your website or other legal distributors of your content. Find out who the main culprits are, how your content is being shared and if your current anti-piracy strategy is effective enough to deal with them. Many will respond to a formal takedown request if you can cite when and how the infringing content has been accessed. The process time and escalation in the form of civil litigation or criminal prosecution vary, and some brands will work with a third party brand protection company who specialises in this.

Make smarter business decisions using piracy data

Piracy data can provide a wealth of information into how, where and when copyrighted material is being used. This data can be turned into actionable intelligence and provide fresh business insights, often before data from traditional sources is available. Content owners and distributors can use piracy consumption data to identify gaps in their distribution strategies, highlight missed opportunities and help to identify new revenue streams.

Be prepared for new piracy channels

Consumer adoption of streaming technologies provides additional challenges to games companies as they try to keep up with infringements. As eSports market reached 134 million users in 2015¹, its popularity impacted availability of pirated streams available online. Rights holders need to set up policies to include monitoring and takedown of illegal live streams of eSports tournaments and other events. This will prevent illegal distributors from undermining the value for advertisers, sponsors and players alike.

By addressing online piracy, content owners can redirect consumers away from pirated sites and towards legitimate content, offering a better experience to their customers and recapturing lost revenues.

1. Superdata: "The worldwide eSports marketing reaches 134 million viewers," May 4, 2015. <https://www.superdataresearch.com/blog/esports-brief/>

© 2016 MarkMonitor Inc. All rights reserved. MarkMonitor® is a registered trademark of MarkMonitor Inc., part of the Intellectual Property & Science business of Thomson Reuters. All other trademarks included herein are the property of their respective owners.

What should I do next?

For more information on developing a comprehensive online anti-piracy strategy, please call us at +44 (0) 207 433 4589 or visit markmonitor.com.

@uk_ie 
Ukie on facebook 
Ukie on linkedIn 
ukie.org.uk 