

PRECAUTIONS AGAINST PIRACY FROM PRODUCTION THROUGH DISTRIBUTION

Production & Post Production

- **Identify Content:**
 - Always register copyrights and exclusive rights.
 - Register and affix an International Standard Audio-visual Number (ISAN®) to Picture or Program with descriptive metadata.
 - Use IFTA® International Multiple Rights Distribution Agreement.
 - IFTA® Members use IFTA® Certification & Rights Verification Programs.
- **Laboratory:**
 - Restrict lab access to materials.
 - Use IFTA® Laboratory Access Letter.
 - Use only “trusted” and bonded laboratories.
 - Conduct background checks on labs and their employees.
- **Trailers & Screeners:**
 - Use anti-rip protection.
 - Use watermarking.
 - Establish security policies such as:
 - a. Require written approval for all copies made.
 - b. Utilize log sheet for screeners and serialize materials.
 - c. Use mandatory security text on trailer/screener with specific guidelines for all recipients including notice that each copy (master tape/digital file) may be tracked.
 - Consider monetizing use of trailer content.

Physical Goods

- **Theatrical Prints:**
 - Consider watermarking prints.
 - Consider Day & Date Release, if possible.
 - Consider shipping print reels separately.
 - Always obtain certificate of destruction of all materials.
- **Optical Disc Security:**
 - Use only bonded plants with security policies to master and press DVDs.
 - Confirm optical disc plants use SID Codes to identify the pressing plant.
 - Use Digital Rights Management.
 - Use anti-rip protection.
 - Use watermarking.
 - IFTA® Members use IFTA® Certification and Rights Verification Programs for copyright verification with government authorities including customs, censorship and copyright offices worldwide.

Digital Distribution

- **Cable / Broadcast / Satellite:**
 - Use Digital Rights Management.
 - Use fingerprinting.
 - Use watermarking.
 - Use encryption.
 - Be aware of satellite footprints and broadcast overspill.
- **Internet / Wireless:**
 - Use IFTA® Internet & Wireless Rider (including Exhibit A - Security Requirements).
 - Use “trusted” vendors and providers.
 - Use Digital Rights Management, fingerprinting and/or geofiltering technology.
 - Consider content identification services including ability to monetize viewings based on an ad revenue model.
 - Consider using Internet monitoring services.
 - Consider that interactivity may enhance protectability.

- **Utilize government warnings on the materials and packaging of the Picture or Program:**
 - Example for U.S.: “Warning: The unauthorized reproduction or distribution of this copyrighted work is illegal. Criminal copyright infringement, including infringement without monetary gain, is investigated by the FBI and is punishable by up to 5 years in federal prison and a fine of \$250,000.”

See reverse for an IFTA® Enforcement Checklist and other resources.

IFTA[®] ENFORCEMENT CHECKLIST

✓ **Determine if the exploitation of the Picture / Program is an unauthorized use by a legitimate Distributor or whether it is an infringement.**

✓ **If unauthorized use by your legitimate Distributor (typically NOT considered a violation of local copyright law):**

- Contact Distributor to resolve unauthorized use.
- Enforce terms of Distribution Agreement and seek available remedies.
- Consider IFTA[®] Arbitration as a binding dispute resolution.

✓ **If physical goods infringement (illegal DVD & VHS copies):**

- Send cease and desist letter to the infringer.
- Contact local anti-piracy organization.
- Consider providing Distributor with Power of Attorney to take appropriate legal measures to enforce IP rights.

✓ **If infringement is on the Internet:**

- Determine the type of Internet piracy (e.g., Streaming Media, Peer-to-Peer Network, Client-Server Model, IRC, etc.) to understand the type of parties involved and who to contact to remove or block the offending material and potentially hold liable.
- If the website provides contact information for the proprietors, then provide written notification of the infringing content and demand that it be removed or blocked. Also include a demand for the identity and contact information of the end infringer (if applicable).
- If the website does not provide contact information for the proprietors, then use online tracking resources (e.g., Network Solutions' WHOIS Search www.networksolutions.com/whois and DNS Stuff www.dnsstuff.com) to locate information such as the domain name proprietor(s), the domain name registrar or registering agency, if any, and the website's ISP.
- If the website proprietor's contact information is unavailable online, contact the ISP and registrar of the domain (and/or registering agency) to request the identity and contact information for the proprietor.
- Determine the Notice & Takedown procedures that are available in the country where the infringing site or its servers are located. The following territories have Notice & Takedown procedures in their Laws: Australia, Belgium, China, European Union, Italy, Japan, Netherlands, Poland, South Korea, Spain, United Kingdom, United States, and Taiwan. Also, for a full list of signatory countries for the Berne Convention and the WIPO Copyright Treaty, see: <http://www.wipo.int/copyright/en/treaties.htm>.
- Consider the following additional actions:
 - Utilize the particular website's or ISP's IP enforcement procedure.
 - Send Notice & Takedown, even if the country's laws do not codify such a procedure.
 - Monetize the infringing use instead of takedown.

COPYRIGHT PROTECTION RESOURCES

For more information regarding Online Content Identification, Monitoring and Monetization Services:

- Auditude[®] (www.auditude.com)
- Bay TSP[®] (www.baytsp.com)
- Civolution[®] (www.civolution.com)
- Fortium[®] (www.fortiumtech.com)
- IP Echelon[®] (<http://ip-echelon.com>)
- IFTA ISAN Registration Agency, Elissa Rosen (erosen@ifta-online.org)
- Thomson[®] (www.thomson.net)
- YouTube[®] Content ID Service (www.youtube.com/t/contentid)
- Please consult local legal counsel as needed

IFTA[®] MEMBER RESOURCES

Independent Film & Television Alliance[®] Website
(www.ifta-online.org):

- IFTA[®] Practical Guide to Copyright Protection
- IFTA[®] Model International Licensing Agreements
- IFTA[®] Internet and Wireless Rider
- IFTA[®] Sample Notice & Takedown Letter (complies with U.S. Law)
- IFTA[®] Sample Power of Attorney Form
- IFTA[®] Certification & Rights Verification Programs

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