

Hong Kong Customs applies “communication right” under Copyright Ordinance for first time to combat case of illegal streaming of live football matches (with photo)

Hong Kong Customs conducted an enforcement operation on September 22 to combat infringement activities that utilise illegal streaming technology to communicate live football matches to the public. During the operation, Customs seized a pay-TV channel television decoder, a suspected illegal streaming computer server, a mobile phone used for a remote server operation and an assortment of electronic equipment and audio-visual devices, with a total estimated market value of about \$20,000. This is the first time since the implementation of the Copyright (Amendment) Ordinance 2022 for Customs to apply the "communication right" to combat a case involving illegal streaming devices used for broadcasting live football matches.

Customs earlier received information from a copyright owner alleging that someone had set up a web page to distribute copyright-protected pay-TV channels through streaming technology without the authorisation of the copyright owner. After an in-depth investigation, and with the assistance of the copyright owner, Customs officers took enforcement action during the live broadcast of overseas football matches and made use of computer forensic programmes to conduct real-time monitoring over related suspected illegal activities.

At the same time, Customs officers raided a residential unit in Lok Fu and seized a suspected illegal streaming server and assorted electronic equipment. Officers from the department's Computer Forensic Laboratory were also summoned to the scene to render support and preserve relevant digital evidence from the streaming server concerned.

During the operation, two men, aged 69 and 43, were arrested. They were released on bail pending further investigation. The investigation is ongoing.

Customs reminds the public not to engage in unauthorised activities involving the dissemination of copyrighted works. Members of public should also respect intellectual property rights and refrain from watching infringing movie/TV works or pay-TV channels through any form of illegal streaming. Applications or streaming links related to illegal streaming may contain computer viruses or malicious programmes which can pose potential risks to users.

According to the Copyright Ordinance, it is illegal for anyone, without the authorisation of the copyright owner, to engage in any trade or business that involves communicating works to the public for profit or reward, or in

the course of such trade or business, to communicate copyrighted works to the public; or to communicate copyrighted works to the public to an extent that damages the rights of the copyright owner. Upon conviction, the maximum penalty is imprisonment for four years and a fine of \$50,000 for each copyrighted work.

Members of the public may report any suspected infringement activities to Customs' 24-hour hotline 2545 6182 or its dedicated crime reporting email account (crimereport@customs.gov.hk) or online form (eform.cefs.gov.hk/form/ced002).

