



一般社団法人コンピュータソフトウェア著作権協会

Document 2-2

# Software Right Infringement and ACCS Countermeasures

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Association of Copyright for Computer Software





# Software Infringement

## Video Game Software

- ◆ Sales of Pirated Retro Games
- ◆ Illegal Uploads
- ◆ Modification of Save Data

## Business Software

- ◆ Sales of Pirated Software
- ◆ Illegal Uploads
- ◆ Unauthorized Distribution of Serial Code and Accounts





# Game Software Infringement Status and Countermeasures





# 1. Sales of Pirated Retro Games

## Manufacturers

- ◆ Outside Japan (China, etc.)

## Infringing Content

- ◆ Retro games, such as “Famicom” (Family Computer, the Japanese brand name of the Nintendo Entertainment System) and “arcade games”

## Method of Infringement

- ◆ Duplication to hardware devices that emulate the original hardware, such as mobile games, etc.

## Provided at

- ◆ Shopping sites, internet auction sites, flea market apps





# 1. Retro game pirated sales

## Intensive Deletion

### ◆ Overview

- For listings on major shopping sites
- From May to September 2021
- 378 products deleted

### ◆ Estimated Damages of Deleted Products

- ¥1.37 billion (calculated with about 2.73 million software titles in related devices, priced at ¥500 per title)

### ◆ Results

- “Suspicious listings” have drastically decreased
- However, some products were relisted later  
(Support for deletion will continue in the future)





## 2. Illegal Uploads

### Uploaded to

- ◆ Cyber lockers outside Japan

### Infringing Content

- ◆ Game software including “the latest games”

### Provided at

- ◆ “Leech sites” installed on overseas servers
- ◆ BitTorrent

### Countermeasures

- ◆ Implemented deletion requests, etc.





## 3. Modification of Save Data

### Overview

- ◆ Modification by avoiding technical means (use restrictions / other restrictions) applied to the save data of the game
- ◆ Rather modification, the problem is provision of services and modification tools for modification

### Countermeasures

- ◆ Modification tool sellers in Japan have been apprehended by the police
- ◆ Sales of modification tools outside Japan and SaaS provision still continue





# Business Software Infringement and Countermeasures







# 1. Sales of Pirated Software

## Manufacturers

- ◆ Outside Japan (application software)
- ◆ Inside Japan (OS)

## Method of Infringement

- ◆ For application software, extremely elaborate pirated discs
- ◆ For OS, easily understood means such as USB and DVD-R

## Provided at

- ◆ Internet auction sites, flea market applications





## 2. Illegal Uploads

### Uploaded at

- ◆ Websites and cyber lockers installed outside Japan

### Method of Provision

- ◆ URL of the storehouse and command code required to use the business software, on shopping sites

### Countermeasures

- ◆ Implemented deletion requests, etc.
- ◆ Froze financial institution accounts





### 3. Unauthorized Distribution of Serial Code and Accounts

#### Overview

- ◆ Unauthorized sales of serial code, such as product keys and accounts required for using business software
- ◆ Many software (programs) themselves encourage regular downloads provided by software manufacturers.

#### Provided at

- ◆ Internet auction sites, flea market apps





## 3. Unauthorized Distribution of Accounts

### Centralized Deletion

#### ◆ Overview

- For listings on major internet auctions
- January 2022 (ongoing)
- 107 listings deleted (ongoing)

#### ◆ Results and Challenges

- “Account Listings” on auction websites have dropped significantly
- Response to sale by fraudulent accounts of used PCs





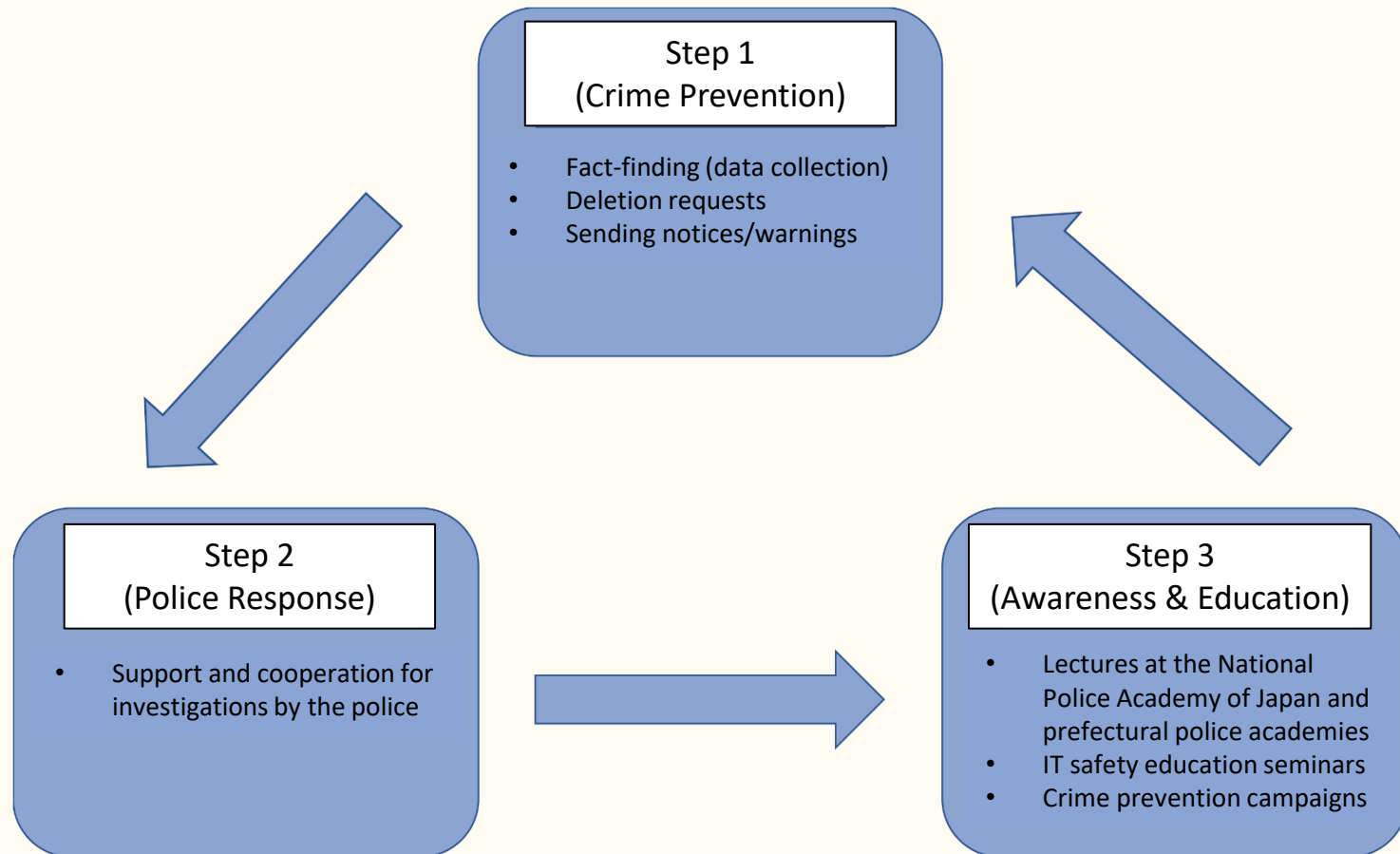
# ACCS Infringement Countermeasures





# Basic Policy (Countermeasure Activities) to Prevent Infringement

## Three-Step Scheme Against Piracy





## Issues in Countermeasures (involving foreign countries)

- ✎ Infringing products manufactured and issued overseas are flowing into Japan, and prevention of distribution in Japan alone does not solve the fundamental problem.
- ✎ When using foreign platforms, the scope and degree of necessary items (disclosure of rights and identity verification information) at the time of deletion requests may differ for each service, and it may be difficult to offer a response.
- ✎ Even if a rights holder tries to exercise their rights directly against infringing parties, in many cases those parties cannot be identified. And even when they can be identified, it takes a long time and hefty costs to exercise their rights overseas, so hurdles are high.
- ✎ Even if claims are made for damages, calculation of damages differs in each country.



**It is difficult to take measures to control copyright infringement.**





# “Anti-Piracy Consultation Desk”







## Regarding the “Anti-Piracy Consultation Desk”

### Opinions Received:

- ◆ It is encouraging to have a consultation desk
- ◆ If it mainly accepts consultations about overseas pirated content, it may be able to offer solutions, but there are concerns about its effectiveness.
- ◆ It is nice that consultations have a wide scope
- ◆ Why not accept consultations for pirated content both inside and outside Japan?





# Thank you for listening



**ACCS**

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