Anti-piracy measures: on the crossroad between eradication and proliferation of foreign infringers

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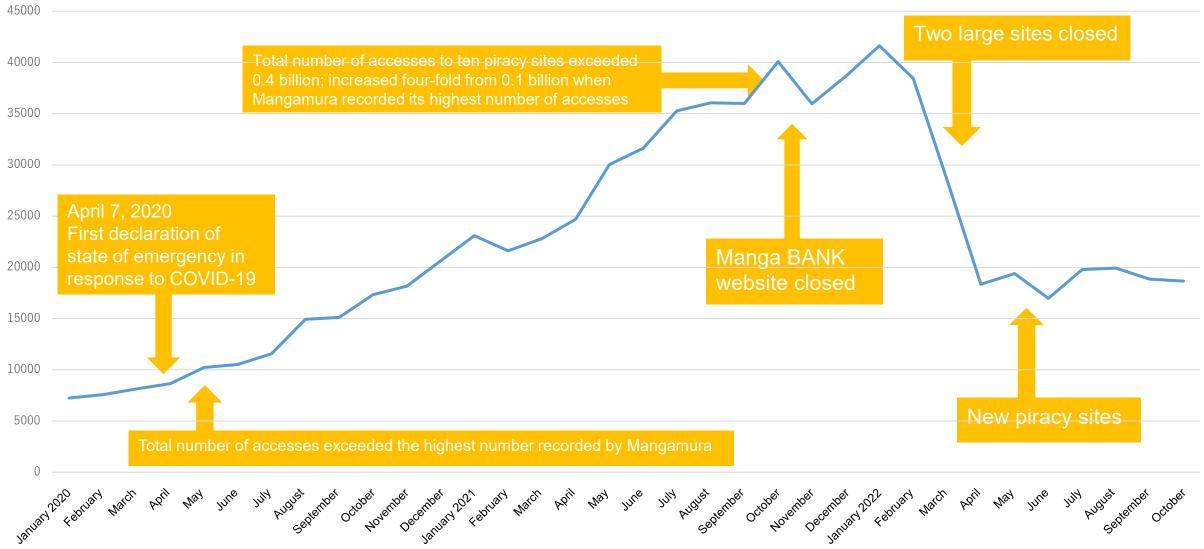
(Legal Affairs Department, SHUEISHA Publishing Inc.)

Significant advancement in anti-piracy measures in nine months from 21st International Subcommittee

Efforts	Implementing entities
Two large Vietnam-based sites closed	Publishers / Agency for Cultural Affairs / Cabinet Office / National Policy Agency / Ministry of Foreign Affairs
Suppression of search results of piracy site domains on search engines	Publisher / YAHOO! JAPAN / Google
A Chinese authority imposed an administrative fine against an operator of Manga BANK, one of the largest piracy sites.	Publisher / CODA
Requested a foreign advertiser knowingly committing infringement not to place advertisements on piracy sites.	Publisher / CODA
Instituted a legal action against a large CDN providing services to piracy sites.	Four publishers
Instituted a civil action against an operator of Mangamura.	Three publishers, ACCS
Framework for suspending advertisements on piracy sites (ongoing effort)	Domestic advertising agencies and organizations, CODA, ABJ
Juvenile filtering, alerting by security software (ongoing effort)	Telecommunications service providers, security software vendors, SIA, ABJ
STOP! Piracy Campaign (ongoing effort)	Widely disseminated with the assistance of stakeholders across different sectors



Monthly change in total number of accesses to top 10 piracy sites (Accesses from Japan only; sites may differ from month to month) Unit: 10,000



^{*}Three sites included in the above statistics also provide infringing contents other than published contents.

Number of monthly accesses to top 10 piracy sites from Japan (October 2022) (Data available from ABJ, based on similarweb) Rate of increase/ September, October, 2022 Mode **URL** 2022 Infringing contents Rank Site name decrease from (Unit: 10,000) (Unit: 10,000) Sep. to Oct. 23642.3% Online/(based) Online/(presumed to be Vietnam-26 6,147 Manga Online/(presumed to be Vietnam-Unmeasurable 3,309 Manga (nearly zero) based) 2,578 3 2,668 96.6%Downloading/cyberlocker Published contents Published contents 1,996 1,990 99.7% Downloading/torrent 4 animation, etc. Published contents 1,311 5 1,369 104.4% Downloading/cyberlocker movies 6 6,723 1,211 18.0%Online/Vietnam-based Manga Online/Vietnam-based *A viewer of some contents offered 862 1,181 73.0% by the 3rd-ranked site is Manga automatically forwarded to this website. 2,525 535 21.2% Online/Vietnam-based 8 Manga 79.3% Online/(presumed to be Vietnambased) 421 Manga 9 334 90.2% Online/(presumed to be Vietnambased) Manga 10 358 323 Total number of accesses in 108.4% September Slightly decreased from 17209 18658 Total number of accesses to top 10 sites **188.53** million The total number of accesses to Vietnam-based sites has significantly 25.0% decreased to 2,608; however, the 2608 Total number of accesses to Vietnam-based sites 10429 total number, including the figures for (12721)122%)"presumed to be Vietnam-based," is 12,721, representing an increase of 22% from the previous month.

The total number of accesses was 200 million, halved from the 400 million recorded in the last autumn

We wish to proclaim it as a good result, but...

New sites are coming after another.

Although we saw a decrease by half, the extraordinary situation is not eliminated as there are still 200 million accesses, twice the highest number recorded by Mangamura.

Many new sites are gaining a huge number of accesses in a short period.

We have a **sense of crisis** that these sites may proliferate and return the situation to the worst.

Reasons behind the sense of crisis = a large number of challenges

No one has been arrested in relation to Vietnam-based sites, resulting in the proliferation of new Vietnam-based sites.

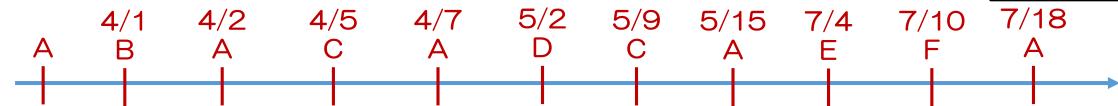
Domain hopping

Some profit-oriented foreign advertisers are willing to place advertisements on piracy sites.

New sites are attracting piracy site users.

Example of piracy sites repeatedly changing domains and redirecting visitors to other sites in a short period

Prepared by Antipiracy Measures Council of Five Publishers



- On April 1, 2022, Piracy Site A redirected visitors to a new Piracy Site B.
- **☞ On April 2, Piracy Site A ceased redirecting.**
- **™** On April 5, Piracy Site redirected visitors to a new Piracy Site C.
- Piracy Site A repeatedly redirected visitors or ceased redirecting or changed the directed website ten times in three-and-a-half months and connected to five new domains.

Redirecting can draw attention from users to new sites and disperse accesses within different sites. This is presumed to be a technique to maintain or even increase the total number of accesses even if some sites are closed.

Suppression of search results, suspension of advertisements, warning by security software and juvenile filtering are implemented on a domain-by-domain basis. So, once the domain is changed, all the measures must be taken again.

[Piracy Site A]
Monthly accesses in March 2022
=Approx. 110 million
One of the top 10 sites
Vietnam-based

As of November 1, 2022:

A = Accessible

B = Non-accessible

C = Accessible

D = Accessible

E = Non-accessible

F = Accessible

Total number of accesses to Sites A, C, D and F in September = Approx. 170 million

Domain hopping can circumvent all anti-piracy measures.

Most of the measures explained in Page 2 are implemented on a domain-by-domain basis.

Switching to a new domain requires the countermeasures from the start.

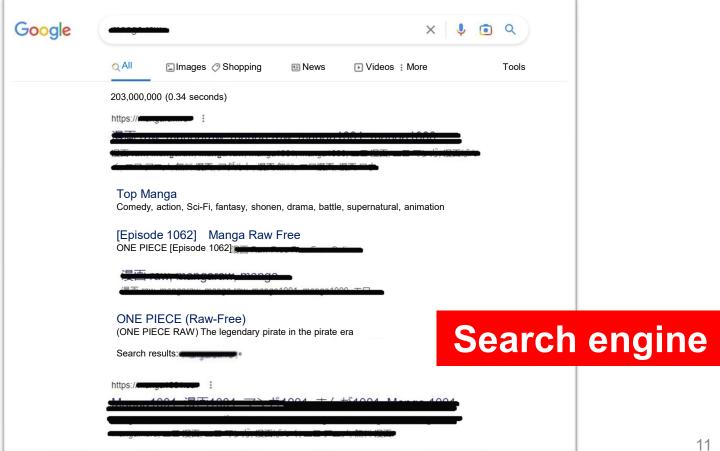
As a consequence, this can create a timing gap in taking countermeasures.

Users are growing to be accustomed to domain hopping.

- In the past, switching to a new domain resulted in the decrease of number of accesses as users tend to leave. Manga Bank and the two large Vietnam-based sites were successful as they did not switch domains.
- However, recently, users have been able to find the site even if new sites emerge or former sites switch domain, making the site very popular in a short time.
- Use of blogs, message boards, SNS and search engines
- Redirecting to different sites or operating different sites at the same time by the operator may have also contributed to this situation.





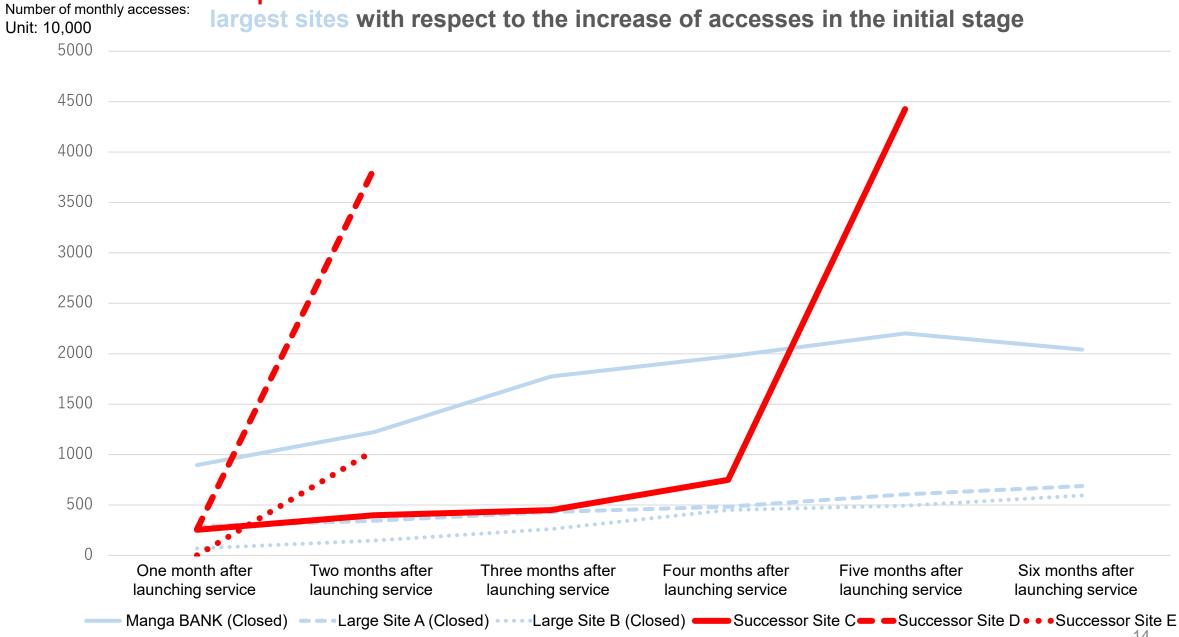


A large number of foreign-based advertisers knowingly committing infringement

- An advertiser based in Barcelona, Spain that placed ads on 27 piracy sites fortunately followed a request from publishers and CODA, who otherwise would have needed to file a legal action, including an injunction claim in Spain.
- We detected foreign advertisers running ads on different piracy sites at the same time. (Discussion is underway on response)
- There are also many advertisers running ads featuring pornography, online casinos, dating, and potential investment fraud.
- We are forced to combat advertisers, in addition to piracy sites.

Conclusion: new sites grow in a short time.

Comparison between three famous successor sites and the former three largest sites with respect to the increase of accesses in the initial stage



Future challenges

- Stronger measures for Vietnam-based sites; early identification of site operators
- © Collaboration with ICANN, registrars and registries
- Measures against advertisers: an international framework is necessary in addition to responses on an individual basis.
- Awareness-raising of piracy site users in Japan and abroad
- Response to piracy sites in foreign languages that are increasingly popular in addition to sites for Japanese
- Promotion of distribution of authorized copies in foreign countries in particular
- * In the mid-term, even supposing that measures against Vietnam-based sites went successfully, it is highly likely that the same situation will occur in other countries. Indeed, the situations formerly present in China also occurred in Vietnam. Countering infringement on a country-by-country basis, namely, engaging with the government and police of the country, would not be sufficient for preventing the spread of damages caused by piracy.