

**WIPO – ADVISORY COMMITTEE ON ENFORCEMENT
SEVENTEENTH SESSION – FEBRUARY 5, 2025**

SITE BLOCKING BEST PRACTICES



MPA



NETFLIX



prime | AMAZON
MGM STUDIOS



WIPO FOR OFFICIAL USE ONLY



DRAFT AGENDA

- ABOUT MPA AND ITS EFFORTS IN SB
- FACTS AND FIGURES
- THE IMPORTANCE OF NO-FAULT INJUNCTIONS
- BEST PRACTICES PRINCIPLES
 - PRECISE TARGETING AND PROPORTIONALITY
 - LEGAL FRAMEWORK FOR DYNAMIC BLOCKING
 - DUE PROCESS, TRANSPARENCY & FUNDAMENTAL RIGHTS BALANCING
 - SAFEGUARDS AND AUTOMATED TOOLS
- CONCLUSIONS

Karyn A. Temple

SENIOR EXECUTIVE VICE PRESIDENT AND GLOBAL GENERAL COUNSEL OF MPA



MOTION PICTURE ASSOCIATION

MPA is the leading advocate of the film, television and streaming industry around the world, with several international offices, including in Washington D.C., Los Angeles, Brussels, Toronto and Singapore. Our members are:



NETFLIX

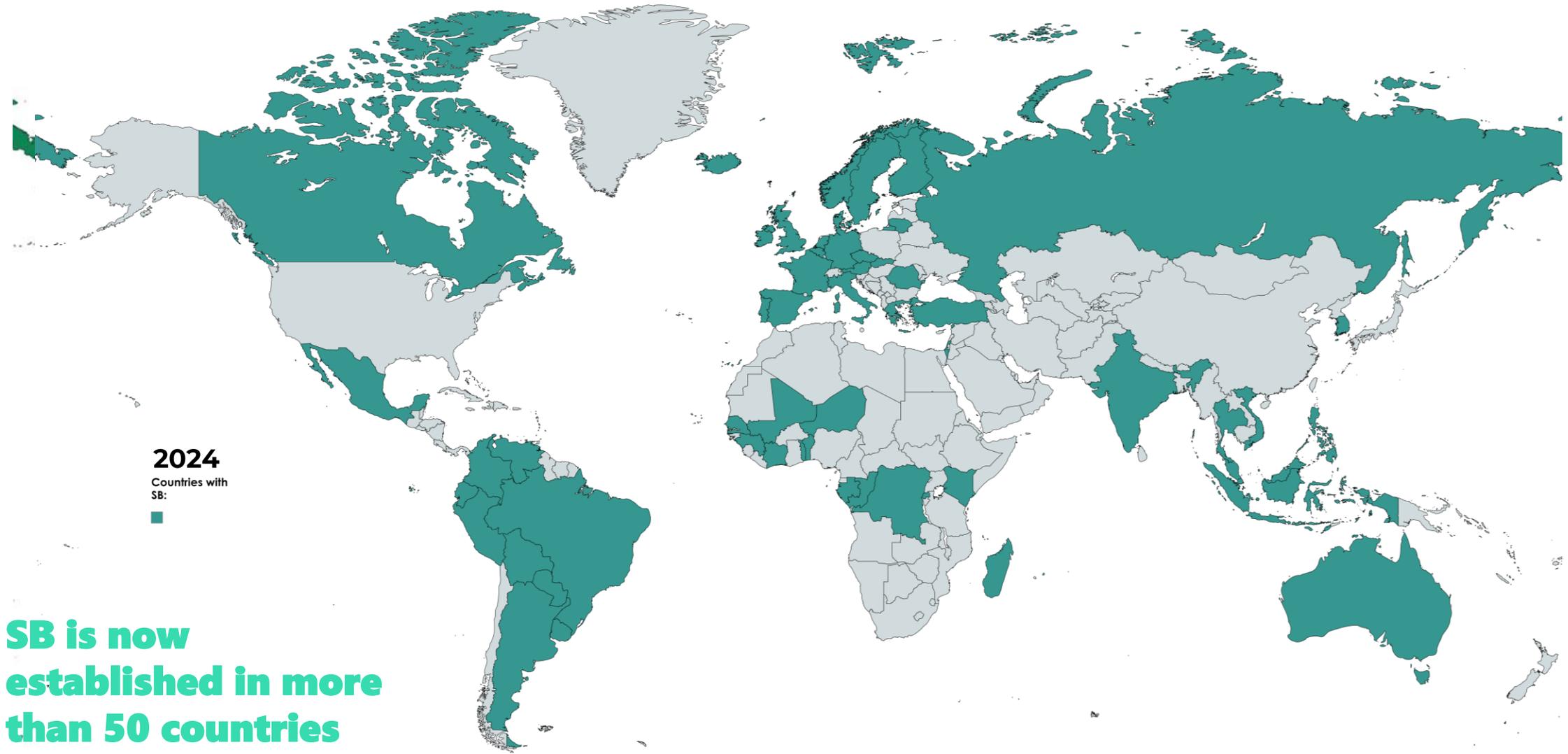


AMAZON
MGM STUDIOS



One of the goals of MPA is to reduce piracy through effective enforcement strategies, targeting the operators of illegal sites and collaborate with online intermediaries whose services are used to illegally spread or access protected works.

Evolution of SB under MPA perspective



2024
Countries with SB:

SB is now established in more than 50 countries

Facts & Figures



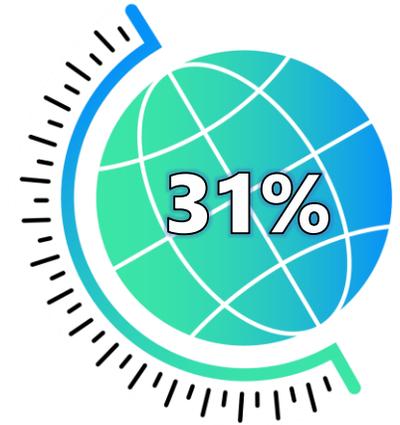
**out of 8 B
people in the
world were
active Internet
users in 2024¹**



**chance that an
audiovisual
piracy app will
cause malware
infections²**



**Europeans suffered of
identity theft in 2018-
2019, potentially
facilitated by
malware infections²**



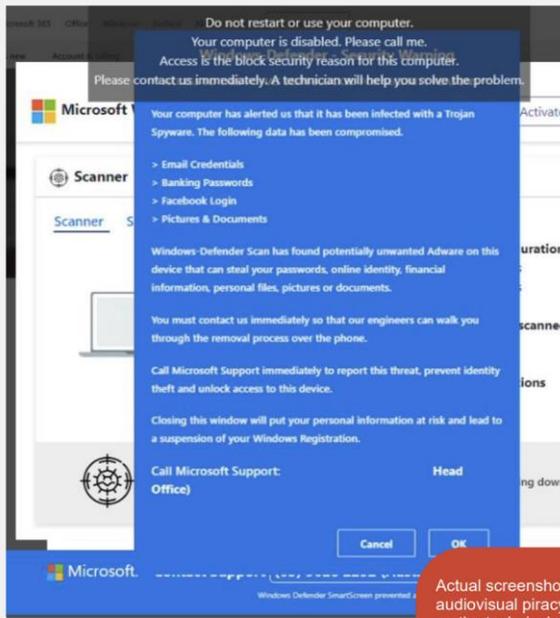
**risk reduction of
malware infections
on devices of
people educated on
online piracy³**

¹ See Lexie Pelchen, Internet Usage Statistics in 2025, Forbes Home, March 1, 2024, [here](#).

² See Paul A. Watters, Audiovisual Piracy Cyber Risk for European Consumers, September 19, 2022, [here](#).

³ See Paul A. Watters, Time to Compromise, December 2021, [here](#).

Piracy and Nexus with Malware



PIRACY IS NOT A VICTIMLESS CRIME

Actual screenshot from an audiovisual piracy site, a variation on the technical support scam, where a Remote Access Trojan (RAT) is installed on a consumer's PC.

The infection was triggered within 30 seconds of searching for audiovisual piracy content.

On computers:

1. Pop-up windows
2. CPC Fraud Malware
3. Browser Notification Hijacking
4. Browser Extension Installation
5. Adware
6. Full Malicious Application Installation
7. Malicious Banner Ads

On mobiles:

1. Embedded Malware
2. Interstitial and Banner Advertising
3. Hardware Linked Subscriptions

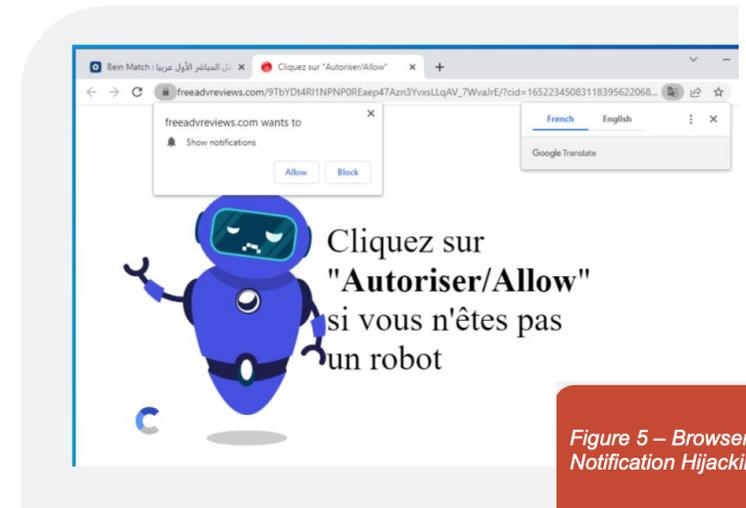
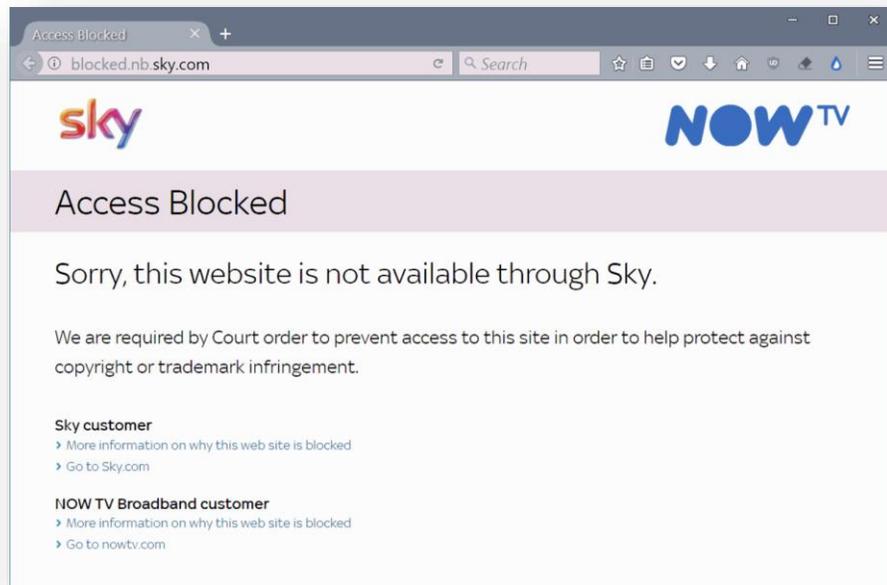


Figure 5 – Browser Notification Hijacking

Why No-Fault Injunctions?

Site Blocking is achieved through “No-Fault Injunctions” when it is too difficult to locate/identify the piracy site/app operators, and Internet service providers (ISPs) – even if not directly involved in the illegal activities - are asked by competent authorities to act in order to avoid and/or prevent that their services are used for copyright infringement, without assignment of blame or fault on them.



The measures are generally accomplished by DNS, IP address or URL blocking.

Why No-Fault Injunctions?

In almost all cases it is practically impossible to find the real operator/organizations involved in commercial scale pirate services. This all the more so due to the lack of KYBC (know your business consumer) requirements.

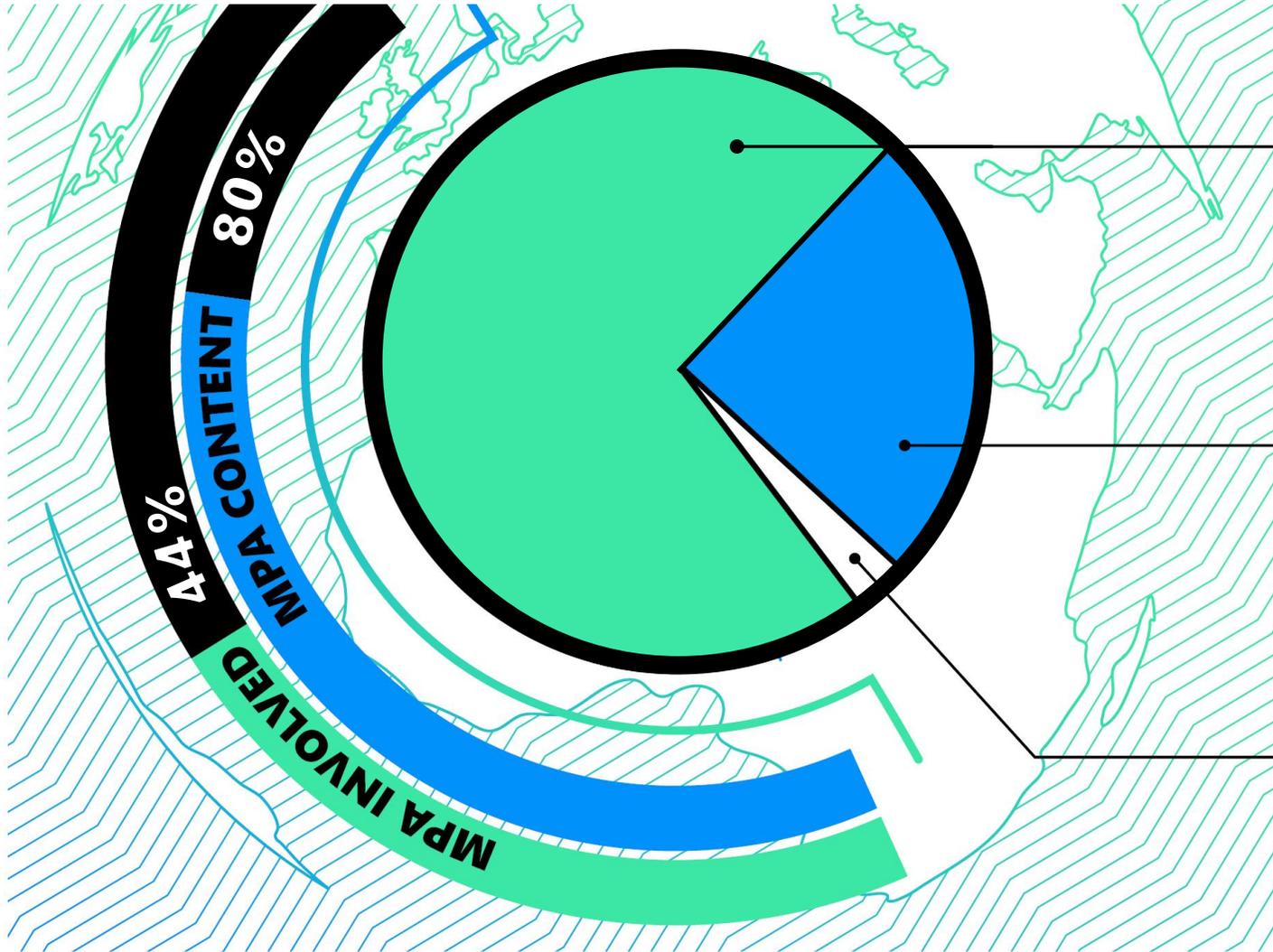
- Name/Surname ?**
- Physical address ?**
- Copy of ID ?**
- E-mail address ?**
- IP address ?**
- Bank Account ?**
- Crypto Wallet ?**
- Domain name ?**



Operators are spread around the world and it is complicated to retrieve these pieces of information ...

... and when all the data is eventually found are – as often – the fruit of identity theft?

SB procedures breakdown:



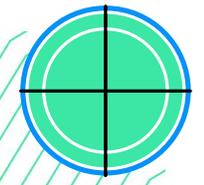
66.72%



28.52%



4.75%



Types of SB Injunctions



Static

- specific list of DNS, IP addresses or URLs
- cannot be extended unless a new procedure is started



Dynamic

- allows for flexibility (update domains, aliases, mirrors, copycats)
- covers the entire pirate brand under certain circumstances
- without starting a new procedure (notification to the ISPs is sufficient)

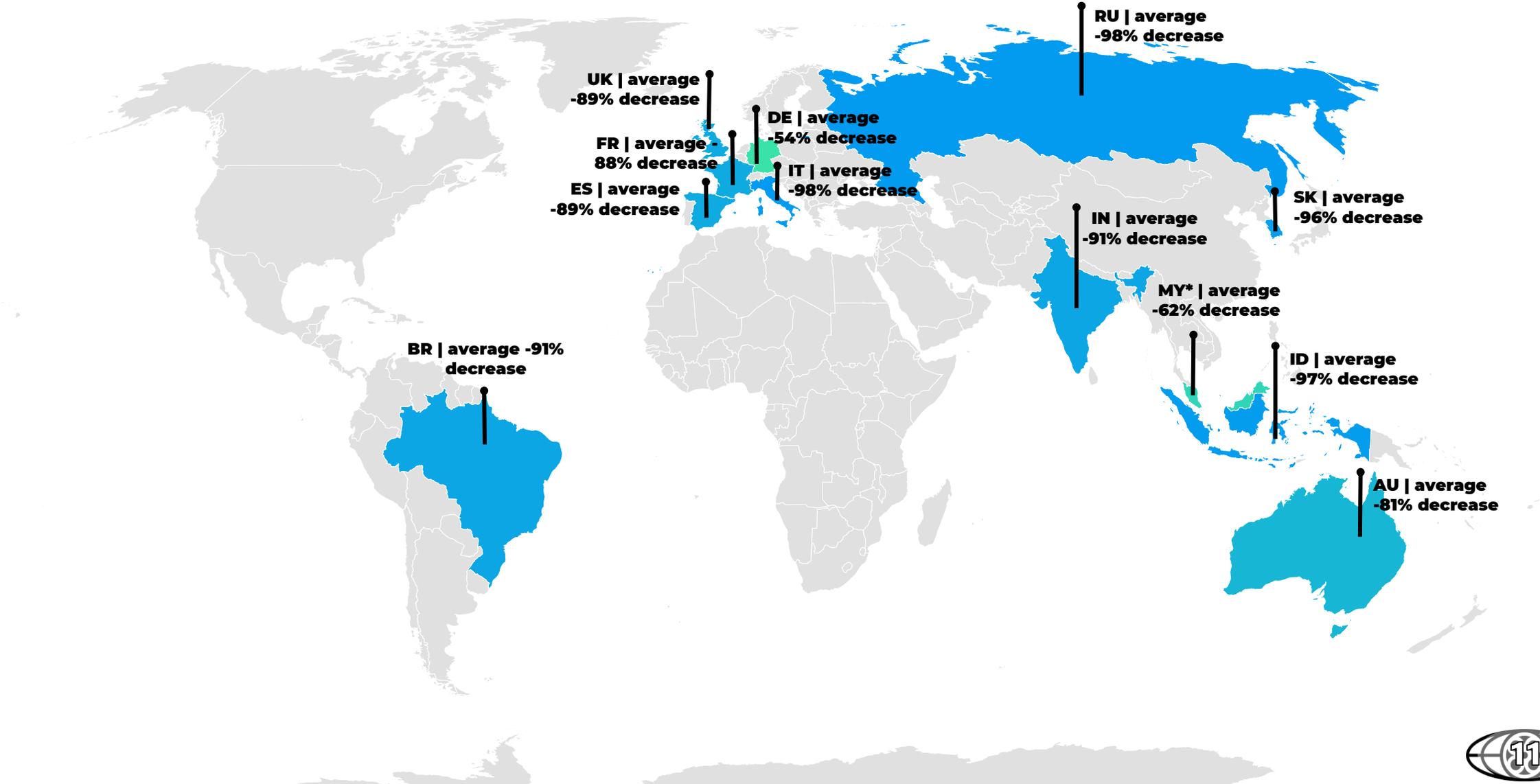


Live

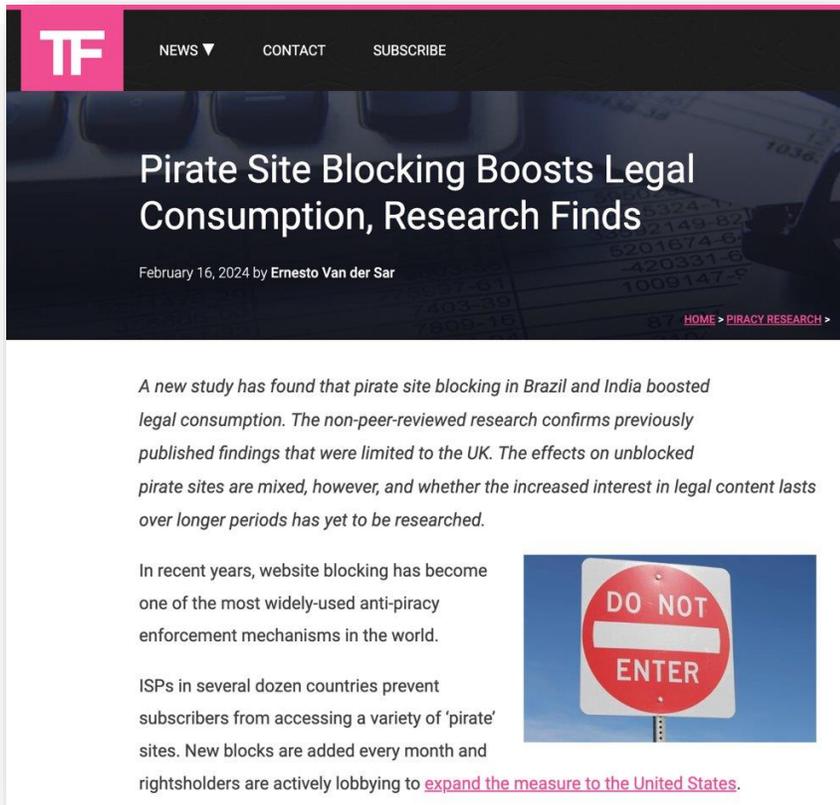
- type of dynamic injunction, specific for live or time-sensitive content
- shorter time for ISPs to comply, and often with automation

See the EUIPO's Study on Dynamic Blocking Injunctions in the European Union (G. Frosio and O. Bulayenco), March 2021, [here](#).

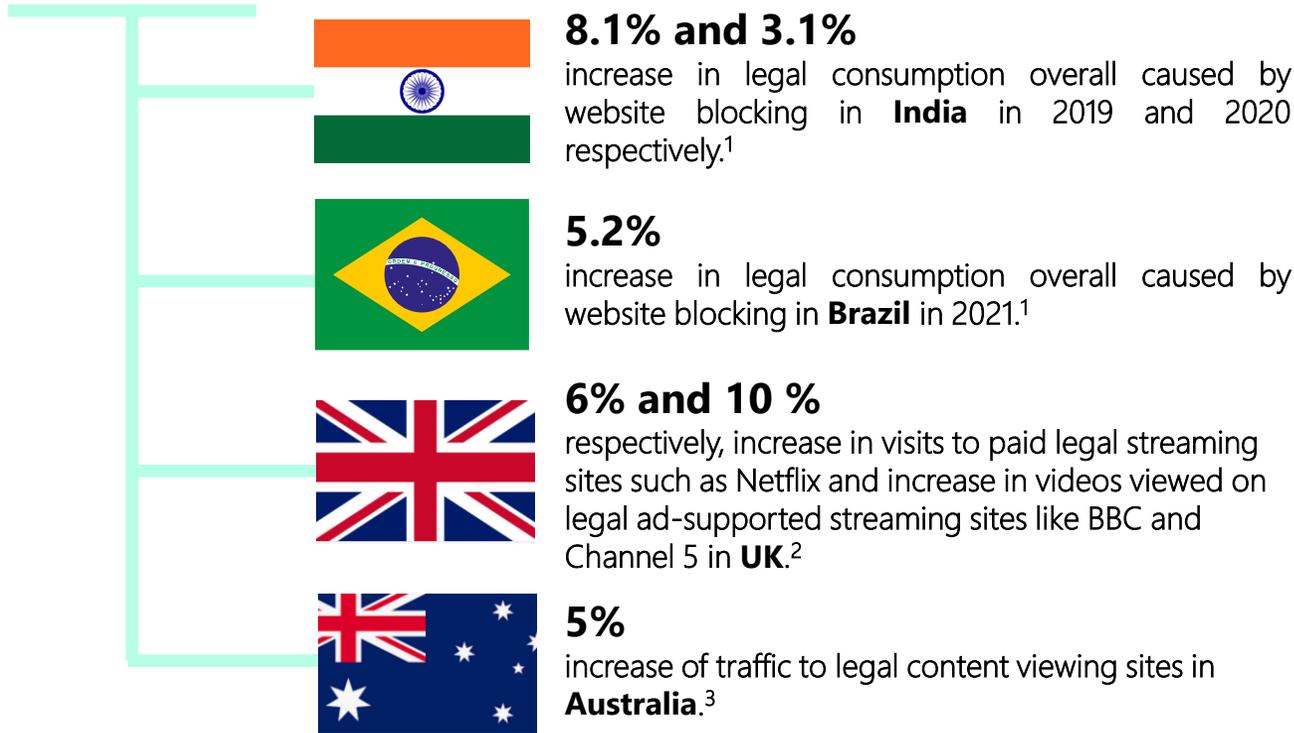
SB Effectiveness



SB Effectiveness & Legal Uptake



2016 - 2024 Reports



¹ See Danaher, Brett and Sivan, Liron and Smith, Michael D. and Telang, Rahul, The Impact of Online Piracy Website Blocking on Legal Media Consumption, February 12, 2024, [here](#). See also a [TorrentFreak](#) article of February 16, 2024.

² See Danaher, Brett and Smith, Michael D. and Telang, Rahul, Website Blocking Revisited: The Effect of the UK November 2014 Blocks on Consumer Behavior, April 18, 2016, [here](#) and Danaher, Brett and Hersh, Jonathan Samuel and Smith, Michael D. and Telang, Rahul, The Effect of Piracy Website Blocking on Consumer Behavior, August 13, 2019, [here](#).

³ See Motion Picture Association, Measuring the Effect of Piracy Website Blocking in Australia on Consumer Behavior: 2018-2019, May 21, 2021, [here](#).

BEST PRACTICES | Overview



Precise Targeting & Proportionality



Legal Framework for Dynamic Blocking



Due Process, Transparency & Fundamental Rights Balancing



Safeguards, especially for Automated Tools

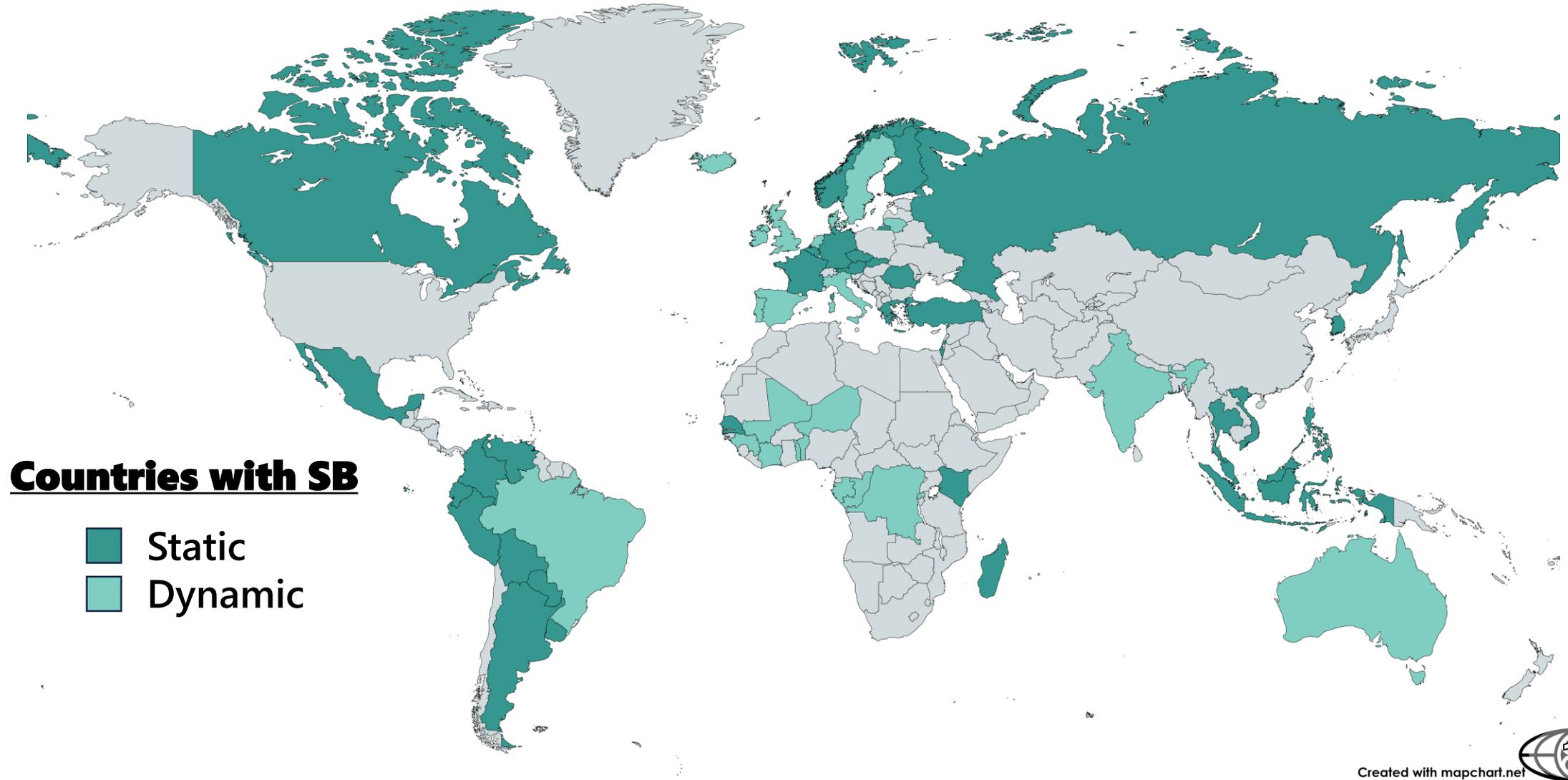
BEST PRACTICES | Precise Targeting & Proportionality

- Focus on **structurally infringing services** that have a "*primary purpose*" or "*primary effect*" to infringe or facilitate infringement of copyright.
- The measures taken should be **proportionate** and tailored to the infringement.
- **Technological safeguards:**
 - especially in the fast changing and time-sensitive context of live events protection, the use of **automated solutions** is preferred to **track in real time** the relevant locations (IP/DNS) used by the infringing service.
 - several **technological solutions** are available on the market to ensure that the blocking measures remain **strictly targeted**, also in case the infringing service changes IP or DNS address frequently.
- **Sunset period:**
 - Blocked IP addresses and domain names that are **definitively no longer used** for structural infringement are **unblocked** as soon as reasonably possible and feasible.

BEST PRACTICES | Legal Framework for Dynamic Blocking

- Pirates evade static site blocking orders by switching domain names and IP addresses.
- Many countries adopted **dynamic blocking frameworks and streamlined procedures** so that blocks can be updated without the need for the overall judicial or administrative proceedings to be reinitiated.
- **Benefits:**
 - **swift communication** between ISPs and rightsholders to update the blocks, and to create constructive dialogue
 - crucial to address **live events and newly released audiovisual works** protection
 - with broad **non-exhaustive range of intermediaries** (internet access providers, DNS revolvers, CDN services, ...)

BEST PRACTICES | Legal Framework for Dynamic Blocking



Countries with SB

-  Static
-  Dynamic

BEST PRACTICES | Due Process, Transparency & Fundamental Rights Balancing

- When SB is strictly targeted and proportionate, **freedom of information and expression of Internet users** are not impaired and cannot justify piracy.
- SB injunctions should be tailored to avoid undue impact on **freedom to conduct a business** of the involved **intermediaries**:
 - they should be granted flexibility in determining the concrete measures to apply, as long as sufficiently effective, without discrimination (***technological and net neutrality***).
 - before filing a blocking application, where reasonably possible, best efforts should be made to put the infringing service on notice (notification best effort requirement).
- **Transparency, Awareness & Due Process**:
 - clear information should be provided via a public facing **landing page** informing as to the reasons why the infringing service is blocked (e.g., decision by the administrative or judicial authority), including information where concerns, questions or legal remedies can be raised.
 - publicly available decisions/orders.
 - clear means of appeal for operators/users/intermediaries impacted.

BEST PRACTICES | Due Process, Transparency & Fundamental Rights Balancing

Examples of landing pages

Sorry, the web page you have requested is not available through Virgin Media.

Virgin Media has received an order from the Courts requiring us to prevent access to this site in order to help protect against copyright infringement.

If you are a Virgin Media home broadband customer, for more information on why certain web pages are blocked, please click [here](#).

If you are a Virgin Media Business customer, or are trying to view this page through your company's internet connection, please click [here](#).





Diese Webseite ist aus urheberrechtlichen Gründen nicht verfügbar.
Zu den Hintergründen informieren Sie sich bitte [hier](#).

 CUll Clearingstelle Urheberrecht im Internet Kontakt Impressum Datenschutz

AVVISO

L'accesso al presente sito è stato disabilitato in esecuzione di un provvedimento adottato dall'Autorità per le garanzie nelle comunicazioni, ai sensi del regolamento in materia di tutela del diritto d'autore online approvato con delibera n. 680/13/CONS.

Per maggiori informazioni visiti il sito www.agcom.it

Du var på vej ind på en ulovlig hjemmeside

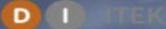
Vi vil meget gerne hjælpe dig med at finde den film eller serie, du søger.

[Søg med FilmFinder →](#)

Hvis du er på udkig efter musik, bøger eller møbler

[Gå til !\[\]\(7b211c3a2c554ce00e8a9a9295809a11_img.jpg\) SHARE WITH CARE →](#)

 **SHARE WITH CARE** Hjemmesiden er blevet blokeret, fordi den er ulovlig ved en dansk domstol. Brug Share With Care til at finde det, du leder efter, lovligt. På den måde passer du både på dig selv og på kulturen. [Læs mere om Share With Care](#)

BEST PRACTICES | Safeguards & Automated Tools

- **Automated communication systems/platforms** have been put in place between rightsholders (RHs) and ISPs in the context of **live SB**, that allow RHs to swiftly communicate the updated online infringing locations (DNS and IP Addresses, URLs);
- Given the processing and implementation **speed** of automated site blocking platforms, authorities should:
 - guarantee due process provisions from the outset, safeguards and fundamental rights balance.
 - put in place "**trusted flagger**" quality standards required to obtain access to the automated platform.
 - ensure that access can temporarily be revoked ("**cooldown period**") in case a qualifying RH is unable to meet the standards after having been granted access (without prejudice to other measures).

BEST PRACTICES | Conclusions



Globally site blocking has proven to be effective in combating online piracy.



Adopting best practices ensures the balance of rights and effectiveness.



Fostering cooperation between rightsholders and intermediaries is key.

Thank you!
Questions?





THE ROLE AND THE WORK OF THE GREEK
ADMINISTRATIVE COMMITTEE FOR COMBATING ONLINE
PIRACY OF LIVE EVENTS

Dr. Maria-Daphne Papadopoulou
Acting Director
Hellenic Copyright Organization

Advisory Committee on Enforcement

Fourteenth Session

Meeting code	WIPO/ACE/14
Date and venue	September 2 to September 4, 2019 (<i>Geneva, Switzerland</i>) Onsite
Language(s) of interpretation	English, Français, Español, Русский, 中文, عربي
Previous / future meetings	WIPO/ACE/13 >> WIPO/ACE/14 >> WIPO/ACE/15
Topic(s)	Advisory Committee on Enforcement (ACE)

Quick links

- [Practical Information](#)
- [Information on COVID-19 measures](#)

[Contact secretariat](#)

Meeting documents

Code	Title(s)	File(s)
Filter by language		
<input type="text" value="All (116)"/>		<input type="button" value="Submit"/>
Download all documents: English  Français  Español  عربي  中文  Русский 		
WIPO/ACE/14/INF/1	English	List of Participants 

**The Greek Committee for the Notification of
Copyright and Related Rights Infringement on the
Internet**

**Dr. Maria-Daphne
Papadopoulou, LL.M. mult
Counselor-at-law**

**Head of the Legal Department
Hellenic Copyright Organization
Ministry of Culture & Sports
Greece**

Thank you for your attention!

Dr. Maria-Daphne Papadopoulou, LL.M. mult

... to be continued

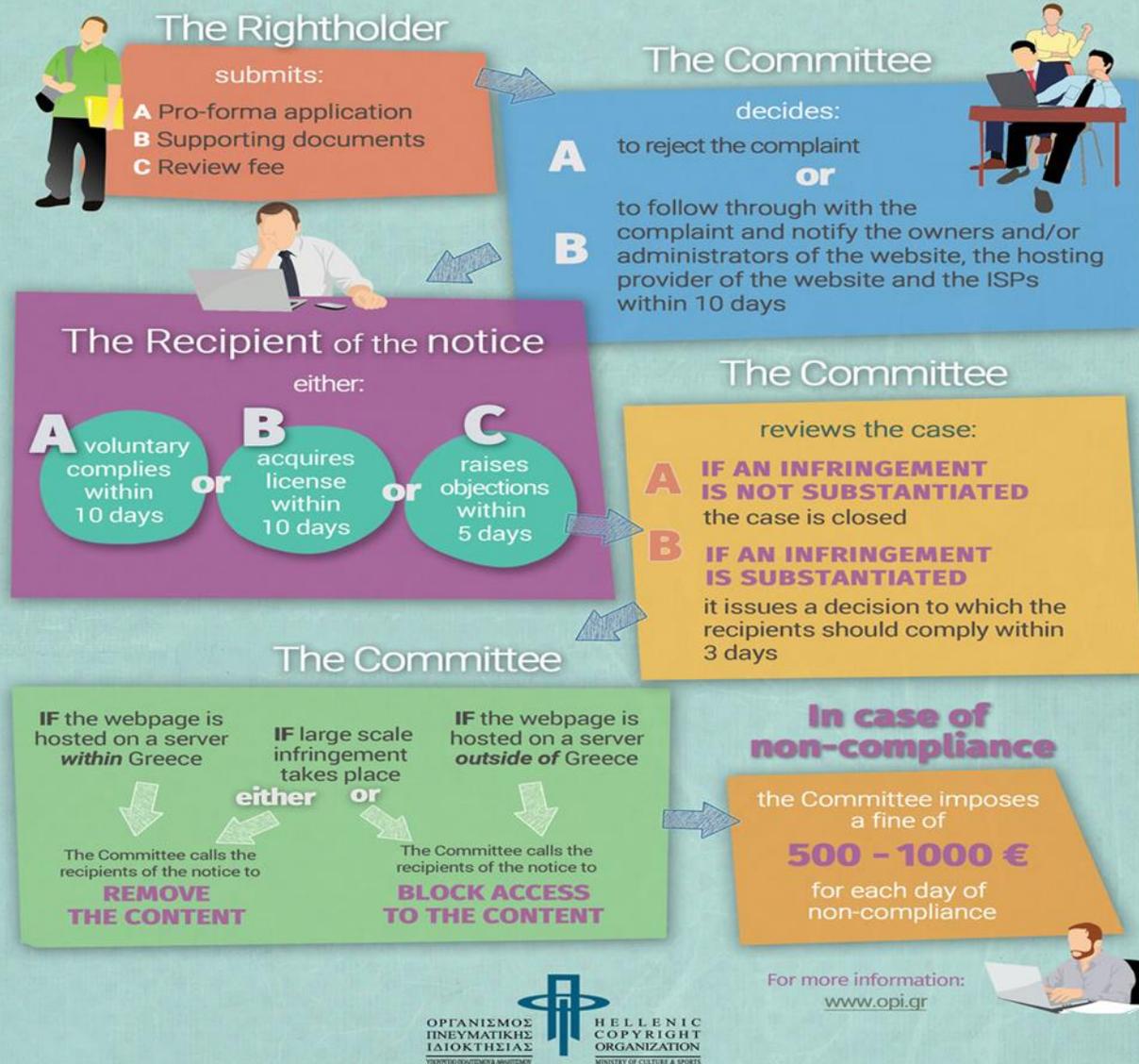
Dr. Maria-Daphne Papadopoulou, LL.M. mult

- PART II

THE ROLE AND THE
WORK OF THE GREEK
ADMINISTRATIVE
COMMITTEE FOR
COMBATING ONLINE
PIRACY OF LIVE
EVENTS
(EDPPI)

- An **administrative procedure** under the aim of effectively dealing with **online piracy**
- Rightholders may request the **removal** or the **blocking of access** to infringing works and/or other subject – matters of protection
- **Article 66E** of the Law **2121/1993** & 9 Ministerial Decisions
- **Four procedures**
- The Committee started operating in **September 2018**.
- The operation of the **live blocking system** started in **September 2021**.

Complaints procedure for online copyright infringement



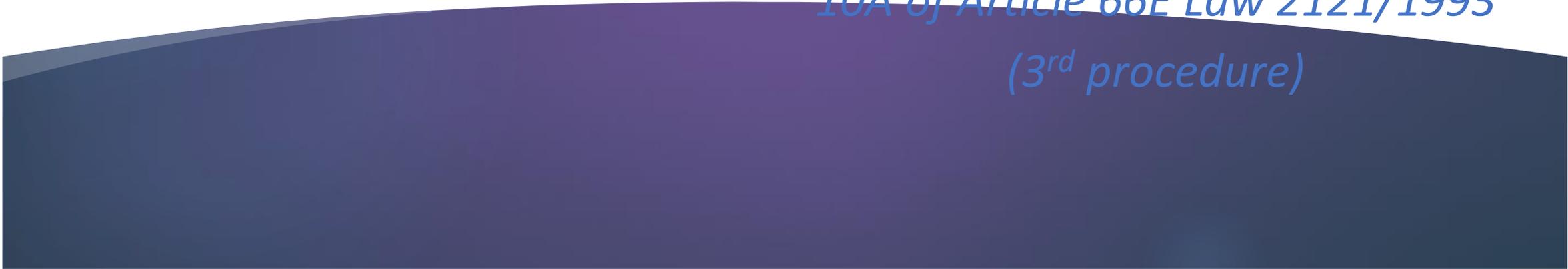
Procedure for online copyright infringement

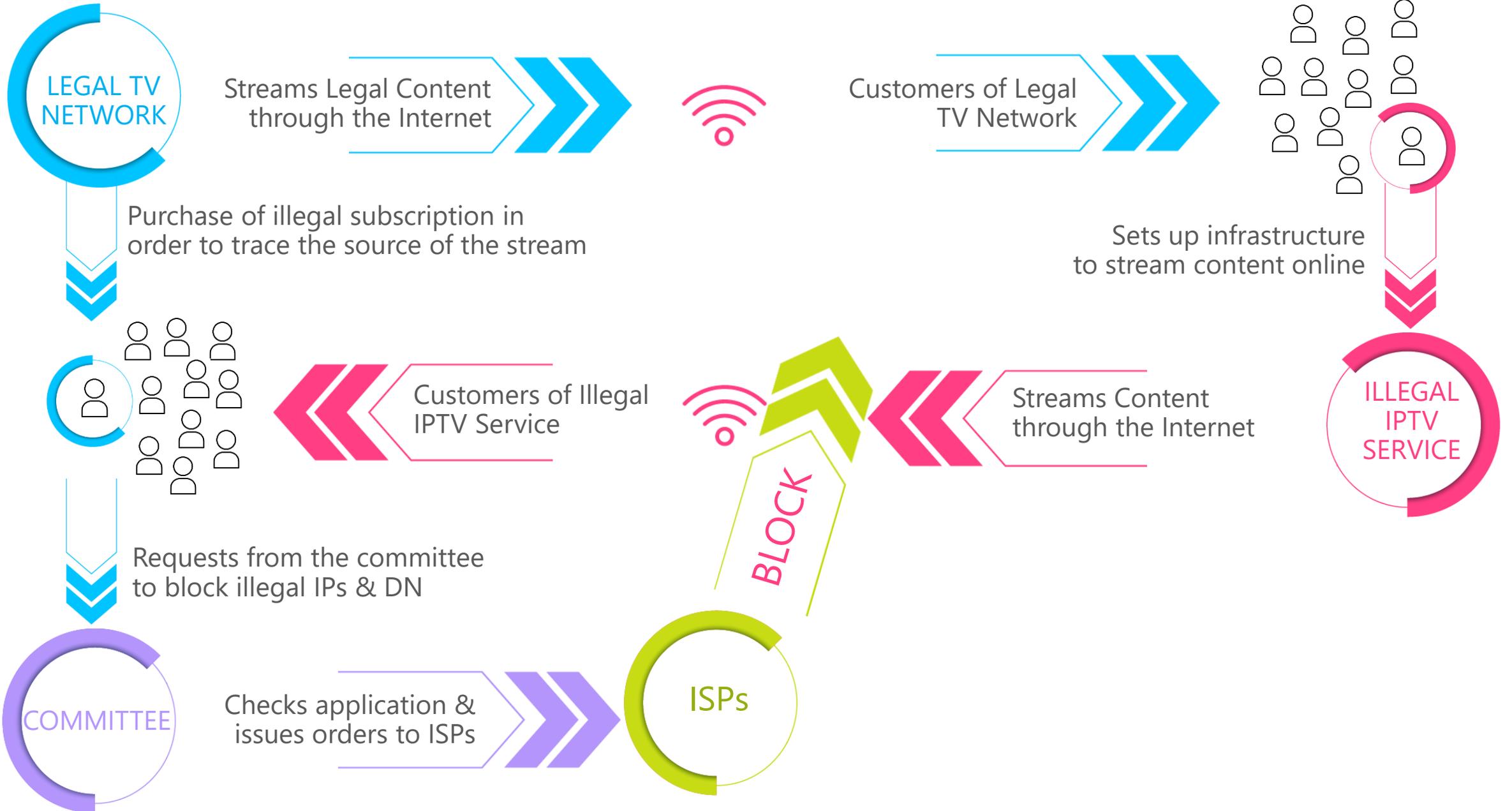
https://opi.gr/wp-content/uploads/infographic_en.jpg

<https://opi.gr/en/committee/>



*The establishment of paragraph
10A of Article 66E Law 2121/1993
(3rd procedure)*







LIVE BLOCKING

Requirements

- If: a) a **large-scale** infringement is **imminent** in events of **national or global viewing that are going to be transmitted LIVE (sport or cultural event)**; (*probability suffices*), and
 - b) such an infringement will indicatively take place via URLs or IP addresses or DNs which **support the unauthorized subscription connection** by any means, and in particular by the means of the use of passwords or of decoders; (*probability suffices*)
- AND**
- c) there is an **urgent case for preventing an immediate, serious and imminent danger** or an **irreparable damage to the public interest** or to **the right holder**.



Live blocking APPLICATION

- + if the application form and the relevant excel is filled in ([form edppi par 4 EN.docx](#))
- + the required evidence is brought
- + **AND A FEE IS PAID...**

<https://opi.gr/en/committee/the-request-before-the-committee/>

- May order the **blocking of access for at least 15 days** &
- take **any other measure deemed as appropriate for discontinuation of the infringement, the prevention of recurrence or/and the prevention of infringement**

New evidence e.g., for other DNs, URLs or IP addresses maybe submitted **until the issuance of the Decision.**

Competence of the committee

- The **application** shall be submitted **15 days** (at the latest) **before the scheduled transmission of the event**.
- The Decision is issued at the latest **24 hours before the transmission of the first event** and it is sent (within the same time limit), to the applicant, to ISPs & to the Hellenic Telecommunications and Post Commission (EETT).



Live
blocking
details

- ISPs are ordered to block access within a timeframe of **6 to 12 hours from the dispatch of the Decision.**
- **Within this deadline ISPs shall inform** the Hellenic Telecommunications and Post Commission (EETT) that they have complied with the Decision of the Committee.
- Following the blocking of access, the Committee **notifies** the website operators and owners of the websites/DNs concerned, if their identities are known.

A large orange circle graphic on the right side of the slide, containing the text "Live blocking details II".

Live
blocking
details II

Live blocking ^{4th}
proCEdure

- If the **illegal transmission is transferred** to a new URL, IP address, **EETT** DN, the rightholder may **submit to EETT** any **supplementary evidence** regarding the circumvention of the Decision of the Committee, **even during the transmission of the event and without paying a new fee.**
- If a circumvention of a prior Decision of the Committee (new infringement) is speculated, **EETT orders ISPs to block immediately access** to the additional URLs, IP addresses or DNs, and **shall notify respectively the Committee.**

Live blocking

more than 50.000 subscribers,
are obliged to block the access within 30
minutes

supplementary
decision by the Committee which shall be
issued within a month

communicated

LIVE BLOCKING SAFEGUARDS

Administrators and owners of the websites/DNs may bring an **action** against it before the **Administrative Court of Athens within 10 days** from their notification.

This action does **not automatically suspend the execution of the Decision**.

If no action is brought OR in the case where it is dismissed, **the blocking of access becomes irrevocable**.

If the action succeeds, **the rightholder pays compensation** to the administer or the owner of the websites/DNs.

The
decisions of
the
committee

PUBLICATION

The Decisions of the Committee are **published** to the **official website of the HCO** (special category 'COMMITTEE')

<https://opi.gr/en/committee/decisions-of-the-committee/>



the “black
List”

List of domain names and IP
addresses that have been blocked
is also published:

https://opi.gr/wp-content/uploads/edppi_list_10A.pdf



Numbers

DECISIONS OF THE COMMITTEE (Art. 66E par. 10A)

**MORE THAN
240 DECISIONS**

In 2024: 124 Decisions

In 2023: 61 Decisions

In 2021-2022: 56 Decisions

Since 09/2021

BLOCKED DN's and Ips
(Art. 66E par. 10A)

- **710 DOMAIN NAMES**
- **2.445 IP ADDRESSES**

Since 09/2021

Conclusions ...

- All applications concern **sport events**.
- The rights infringed concern the **right of producers of audiovisual content and/or the right of broadcasting organizations** (Arts 47 & 48 Law 2121/1993).
- The Committee orders the blocking of access **which does not cover only** concrete URLs or DNs or IP addresses **but to any other to which the illegal transmission will be transferred afterwards**.
- **Blocking of access** was ordered for **9 months** in relation to **DNs** and **for 6-9 months** in relation to **IP addresses**.

POSSIBLE
legislative
AMENDMENTS?
DRAFT LAW IN PUBLIC
CONSULTATION till
2/2/2025 I

- **Sport organizers** will have **legal standing**.
- The scope of the provision will concern **also audiovisual works** in general and **not only live events** (sport and cultural events).
- The scope will be extended as to cover **not only infringements concerning unauthorized subscription connection, but access** in general (**by any means**).
- An addendum concerning **DSA** is to be introduced providing for the obligation of the Committee to notify its orders (Decisions) to the national Digital Services Coordinator (EETT).

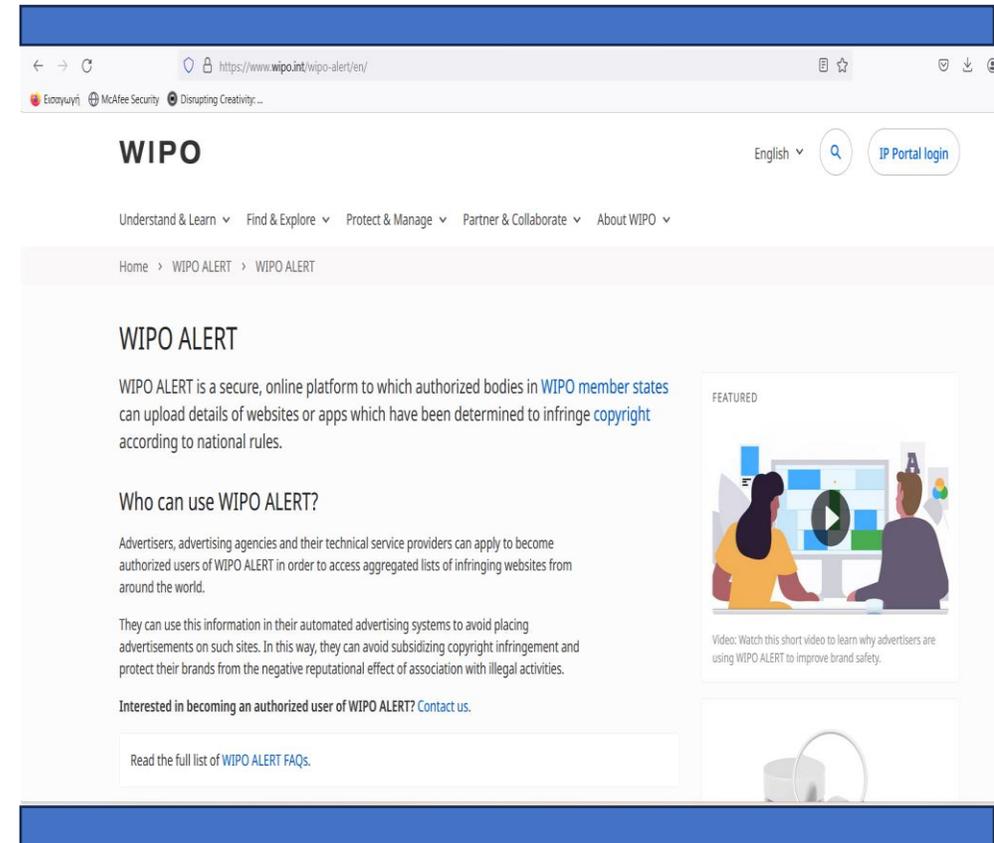
POSSIBLE
legislative
AMENDMENTS?
DRAFT LAW IN PUBLIC
CONSULTATION till
2/2/2025 II

- ISPs with more than ~~50.000~~ 20.000 subscribers will be obliged to block the access within 30 minutes from the dispatch of the EETT's order.
- Establishment of administrative sanctions for the users:
 - 750 euros
 - 1500 euros - if presentation to public places
 - 5000 euros - if direct or indirect commercial financial gain
- X 2 = if repeated offense

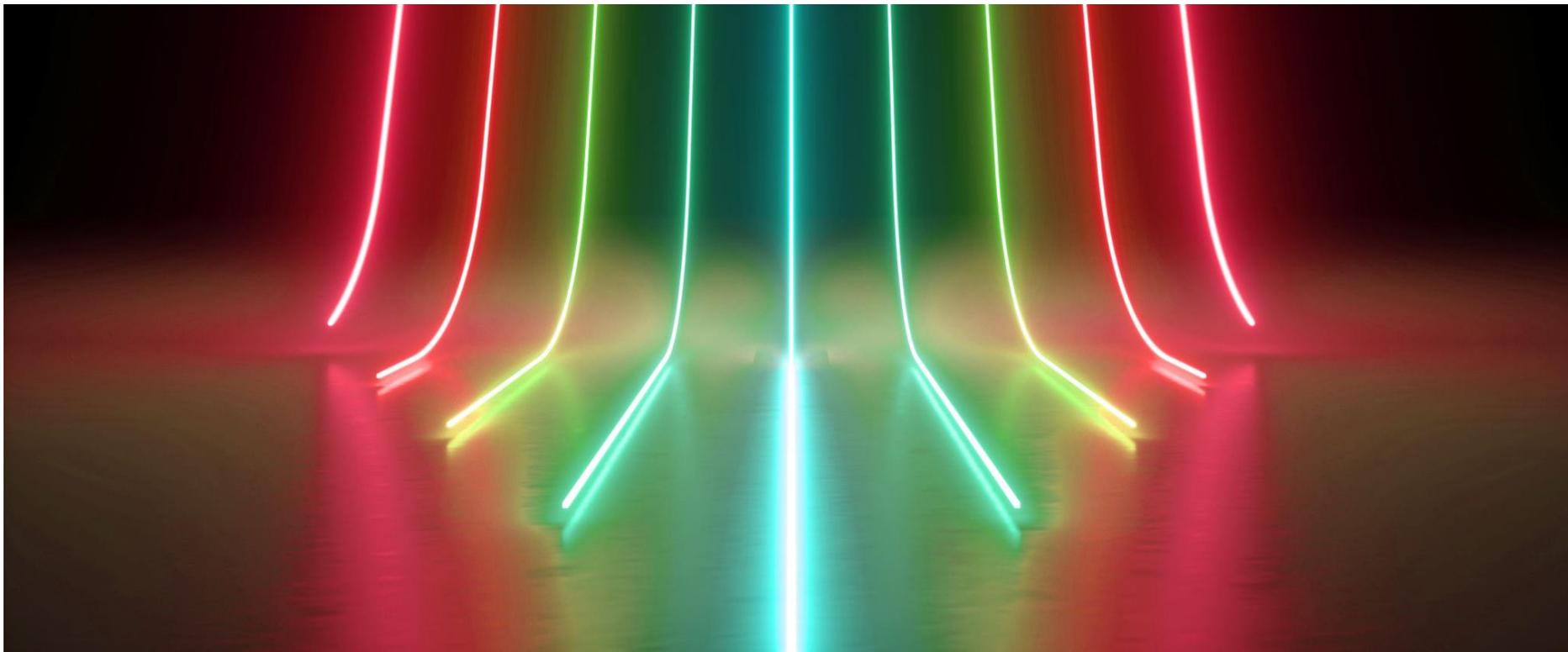
“WIPO ALERT”

Greece/EDPPI is a contributor to BRIP Database WIPO

...Global blacklist in “an online platform that coordinate the sharing of information about copyright-infringing websites with the advertising sector.”



The **European Observatory on Infringements of IPRs (EUIPO)** established a **Dedicated Network of Administrative Authorities** designed to **exchange good practices** and consider **cross-border opportunities to mitigate live event piracy** (in the framework of the COMMISSION RECOMMENDATION on combating online piracy of sports and other live events).



Greece via the HCO is a partner to this Network providing the relevant know-how and expertise that is built on the ongoing experience of the operation of the Greek administrative enforcement system.

Future challenges

1

CLOUD STORAGE

2

CROSS-BORDER
IMPLEMENTATION
OF INJUNCTIONS -
DIGITAL SERVICES ACT
(DSA) REGULATION
2022/2065

3

SAFEGUARDING
OF PROTECTION
AND
ENFORCEMENT IN
THE ERA OF AI

Dr. Maria-Daphne Papadopoulou
Counsellor-at-law

Acting Director
Hellenic Copyright Organization
Ministry of Culture
Greece



THANK YOU
FOR YOUR
ATTENTION!

... to be continued ... (?)