BSA®
BUSINESS SOFTWARE ALLIANCE

The Critical Role of IP Public Education in a Knowledge-Based Economy and in Developing Creative Industries – Challenges and Opportunities

Jeff Hardee
Vice-President and Regional Director
Asia

Who is the Business Software Alliance?

- A non-profit organization promoting a safe and legal digital world
- BSA educates consumers on software management and copyright protection, cyber security, trade, e-commerce and other Internet-related issues
- Founded in 1988
- Presence in over 85countries worldwide

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BSA Global Members

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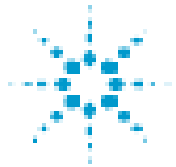
BSA Regional & Local Members in Asia



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Critical Role of IP Public Education in a Knowledge-Based Economy and in Developing Creative Industries – Challenges and Opportunities

Need to Communicate:

- **Piracy is widespread and harmful**
- **IP protection drives innovation**
- **What is IP?**
  - **What is a copyright?**
  - **What does the law protect?**
  - **What are the penalties?**
- **How to manage software**
- **Consequences of not respecting IP**

Piracy is Widespread:
2005 Global PC Software Piracy

▪ Total PC software installed on computers	US$94 billion
▪ Total PC software paid for	US$60 billion
▪ Total PC software loss	US$34 billion
✓ Up from US$33 billion in 2004	
• In Developed World*	
Legitimate market	US$54 million
Pirated market	US$22 million
• In Emerging Economies	
Legitimate market	US$6 million
Pirated market	US$12 million

* Assumed to include US, Canada, Western Europe, Australia, New Zealand, Japan, Hong Kong, Singapore, South Korea and Taiwan

PC Software Piracy By Region

	2005	2004
Central/Eastern Europe	69%	71%
Latin America	68%	66%
Middle East/Africa	57%	58%
Asia Pacific	54%	53%
Western Europe	35%	34%
North America	22%	22%
Worldwide	35%	35%

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Country	2005	2004	2005 Losses ($M)	2004 Losses ($M)
Vietnam	90%	92%	$38	$55
China	86%	90%	$3,884	$3,565
Indonesia	87%	87%	$280	$183
Pakistan	86%	82%	$48	$26
Thailand	80%	79%	$259	$183
Other AP	82%	76%	$29	$63
India	72%	74%	$566	$519
Philippines	71%	71%	$76	$69
Malaysia	60%	61%	$149	$134
Hong Kong	54%	52%	$112	$116
South Korea	46%	46%	$400	$506
Taiwan	43%	43%	$111	$161
Singapore	40%	42%	$86	$96
Australia	31%	32%	$361	$409
Japan	28%	28%	$1,621	$1,787
New Zealand	23%	23%	$30	$25
Regional Average/Total	54%	53%	$8,050	$7,897

Types of Software Piracy

Organizational end-user piracy

- Businesses and organizations using pirate or unlicensed software in the office.

Hard disk loading

- Loading of illegal copies of software onto the hard disk of computers by computer sellers

Retail Piracy

- Sale of pirated software on a retail level

Software Counterfeiting

- Illegal manufacture and distribution of software

Internet Piracy

- Unauthorized downloading/uploading of software, Internet sites offering infringing software, unauthorized sharing of files

Regional Launch Piracy Study

港盜版軟件問題惡化

海關打擊不力 經濟損失逾八億

【本報訊】近年海關積極打擊盜版電腦軟件，但未能改善本港盜版軟件肆虐情況。一項全球調查發現，多個國家與地區05年使用盜版軟件比率下跌，惟獨香港是少數不跌反升的地區。負責調查機構指有關本港的調查結果令人失望，反映海關在打擊盜版軟件不力，造成經濟損失逾八億元。

只顧打擊非法下載

商業軟件聯盟（簡稱商盟）去年調查全球97個國家或地區後發現，多達51個國家的盜版軟件在市場佔有率均錄得輕微跌幅，只有包括香港在內的19個國家或地區出現上升。雖然如此，盜版軟件仍然肆虐全球，估計全球35%已安裝在電腦的軟件均屬盜版，數字與04年相若；去年因盜版軟件造成的全球經濟損失，更高達2675.17億元。

負責調查的商盟副總裁J. Hardee表示，雖然盜版軟件去年在亞洲市場佔有率上升了1%，但中國、印度等擁有龐大個人電腦市場的國家，其盜版軟件情況均有改善，數字上升主要是因為中、印兩國入口個人電腦的比例較高，故此在統計上拉高了整個亞洲區的平均數字。

反觀香港，盜版軟件在市場的佔有率由前年52%增至去年54%，經濟損失多達8.74億元。商盟（香港）聯席主席雷碧玉指，結果令人失望。J. Hardee表示，內地政府有專人監控企業使用軟件情況，但港府只顧打擊網上下載非法軟件及零售盜版軟件。

中小企協會不認同

工商及科技局發言人回應稱，港府一直致力打擊盜版軟件活動，自從2001年修訂《版權條例》，使用盜版軟件者即屬違法後，海關至今先後發現118間公司違例，並拘捕250人，其中47宗個案被定罪。香港中小型企業聯合會會長余繼標不認同本港盜版軟件問題惡化，他稱本港公司重視知識產權，商盟應作澄清。

■商業軟件聯盟指，亞洲區整體電腦軟件盜版情況已有改善。

05年亞洲10大盜版軟件地區

國家/地區	盜版軟件市場佔有率（與04年比較）	造成經濟損失
越南	90%（↓ 2%）	2.96億元
印尼	87%（不變）	21.84億元
中國	86%（↓ 4%）	302.95億元
巴基斯坦	86%（↑ 4%）	3.74億元
泰國	80%（↑ 1%）	20.2億元
印度	72%（↓ 2%）	44.15億元
菲律賓	71%（不變）	5.93億元
馬來西亞	60%（↓ 1%）	11.65億元
香港	54%（↑ 2%）	8.74億元
南韓	46%（不變）	4億元

資料來源：商業軟件聯盟

Regional Launch Piracy Study

Summary of Press Coverage in Asia

Clips

Print	100
Online	330
TV/Radio	20
Total	450

Media Impressions

Print	58,841,952
Online	1,200,275,364
TV/Radio	18,738,930
Total	1,277,856,246

IP Protection Drives Innovation:
IDC Economic Impact of Software Piracy

- 2005 IDC economic impact study showed a lower software piracy rate will:
  - stimulate economic activity
  - Create jobs
  - Generate tax revenue
  - Increase software production, marketing, R&D and better products, which spurs increased demand
- IT sector in countries with lower piracy rates contribute a larger proportion to the GDP

What a 10-point drop in piracy in AP could mean

- Directly contribute an additional US$135 billion to Asia's economies
- Create 2 million new jobs
- Generate another US$14 billion in taxes
- Increase revenues to local vendors by US$106 billion

Asia Pacific Summary

	2004 IT Sector (m)	2004-2009 Growth	2004-2009 growth w/ Piracy Reduction	2005 Piracy Rate
Japan	103,401	13.0%	19.7%	28%
China	27,520	85.3%	209.1%	86%
Australia	19,053	30.0%	38.8%	31%
Korea	12,529	40.4%	47.8%	46%
India	7,377	136.6%	164.50	72%
Taiwan	6,175	13.4%	17.8%	43%
Singapore	3,713	18.5%	24.5%	40%
Hong Kong	3,284	20.8%	27.0%	54%
New Zealand	2,959	29.0%	35.6%	23%
Malaysia	2,902	77.1%	91.2%	60%
Thailand	2,348	64.3%	90.5%	80%
Indonesia	1,673	79.3%	152.3%	87%
Philippines	1,070	80.6%	94.9%	71%
Vietnam	509	107.8%	169.3%	90%
Total	194,529	33.9%	59.1%	54%

Critical Role of IP Public Education

- What is IP
  - What is a copyright?
  - What does the law protect?
  - What are the penalties?
- How to manage software
- Consequences of not respecting IP

Success factors

- IP public education is an important part of our anti-piracy drive
- Successful campaigns have largely been as a result of joint efforts with key government agencies and partners
- Draw attention to new legislation
- Educate businesses on SAM
- Promote hotline
- Publicize enforcement

Example from Singapore

In 2005…

Copyright Law changes took effect on January 1

<u>Objective</u>

Create awareness

Maintain pro-business and industry, pro-IPR stand

- Coordinate publicity efforts with IPOS/government bodies and trade associations where goals align

Radio Clip –
Get Ready for New Law

Intellectual Property Office of Singapore

and BSA SAM seminar in Sept 2004

Radio Clip

Radio commercial for March 2005 SAM Seminars

Activities in Singapore

- BSA/IPOS/IP Task Force SAM seminars & licensing clinics
  - March 10 & 14, 2005
  - November 14 & 15, 2005
  - November 2, 2006
- BSA educational DM campaigns:
  - June 22, 2005
  - August 12, 2005
- BSA media roundtable: “How ready are Singapore businesses?”
  - August 4, 2005

PR/Marketing Activities in Region

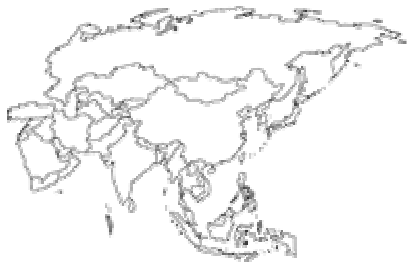
- 49 SAM seminars attracting 7,200 participants in 2005
- Lead generation campaigns launched in 10 cities in China
- Direct Mailings to thousands of businesses
- Examples of country campaigns

  Philippines: Pilipinas Anti-Piracy Team

  Malaysia: “Ops Tulen Korporat”

  Korea: “Talala” Campaign

  Region: Right Click Campaigns



Direct Mailer

What every business needs to know about software and Singapore's amended copyright act

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1 What does the current law say about software piracy?
Under Singapore's amended Copyright Act, which came into effect on January 1, 2005, it is now a ***criminal offence*** for businesses or corporations to wilfully infringe copyright for commercial advantage.

A person or company will be deemed to have done an act for commercial advantage if the act results in a direct advantage, benefit, or financial gain for a business or trade carried on by that person or company.

This means that ***it is now a criminal offence to use unlicensed or pirated software in the workplace.***

2 What are the penalties for companies caught flouting the law?
First time offenders can face a fine of up to ***S$20,000***, or ***imprisonment of up to six months***, or both. Repeat offenders face a fine of up to S$50,000, or imprisonment of up to three years, or both. In addition, the amended Copyright Act now allows for the copyright owner in a civil action to elect for an award of statutory damages against an infringer of up to ***S$10,000*** for each work infringed and ***up to S$200,000 in aggregate.*** Even greater amounts may be awarded if the copyright owner can prove that the actual loss suffered by him is greater.

For more information on Singapore's amended Copyright Act, please visit www.newiplaws.org.sg.

3 Who is liable if a company is found guilty?
Under Singapore's amended Copyright Act, where a partnership is guilty of such an offence, ***every partner*** in a partnership is also guilty of the offence and liable to be proceeded against and punished accordingly, unless that partner is proven to have been ignorant of, or who has attempted to prevent the commission of the offence.

In relation to a body corporate, the ***director, manager, secretary or other similar officer of the body***, or any person purporting to act in any such capacity, may be guilty of the offence and liable to be proceeded against and punished accordingly if the offence is proved to have been committed with his or her consent or connivance.

It is therefore very important that partners and business leaders take ***active steps*** to ensure that only legal and licensed software are used within their organizations.

4 Who will enforce the new Copyright Offences?
Like any other offence, the Singapore Police Force and the Public Prosecutor will typically be involved in the enforcement of the new Copyright Offences. Accused persons and entities will face criminal prosecution in a Court of Law.

BSA Anti-Piracy Hotline (1800-33-33-899)
www.bsa.org/singapore

5 What are my responsibilities as a software user?
Your first responsibility as a software user is to ***use only original and licensed software.*** Software may be used only in a manner as permitted in the accompanying licence agreements. You must ensure that every copy of any software used on every computer has been authorized for such use by the copyright owner. The licence agreement is your guide as to what use is permitted.

Typically, a licensed copy of a program can be installed and used on only one computer at any one time. There may sometimes (but not always) be provisions allowing you to make a backup copy for archival or disaster recovery purposes.

If you don't comply with the terms of the licence – for example, by installing the same copy of a single-user program on several computers – you are committing software piracy, and you and/or your business/company face the ***risk of criminal and/or civil proceedings.***

It is therefore very important that you familiarize yourself with the terms of the licence agreement, and abide by them.

6 What is under-licensing? Is it a form of software piracy?
Under-licensing takes place when a user installs more copies of a software program than he is entitled to under his licence agreement, for example, a company with only one licence installing the software on five computers.

Under-licensing is a form of software piracy.

7 What is software piracy, and what forms of software piracy are there?
Software piracy is the reproduction, distribution, use or other infringement of the copyright in a software product without the permission of the copyright owner. ***Software piracy is theft*** – stealing someone else's original idea and product.

Software piracy comes in the following forms:

- **End user piracy** – end users who are utilizing unlicensed software on their systems, or who have installed more copies than they are entitled to under their licence agreements ***(under-licensing)***.
- **Hard disk loading** – computer dealers pre-installing illegal copies of software onto computers prior to sale. Some dealers use one legally acquired copy but install it on many machines. These computers are usually sold without any form of licensing documentation or disks.
- **Software counterfeiting** – the illegal duplication and sale of software in a form that is almost identical to the genuine product.
- **Client-server overuse** – when too many employees on a network use a central copy of a program at the same time than stipulated under licence agreements.
- **Internet piracy** – the latest and fastest growing form of software piracy. Software programs are placed by third parties on the Internet for downloads free of charge or for a fee. Pirates tend also to use the Internet as a means of advertising to solicit sales.

8 How can I address under-licensing and the use of unauthorized or pirated software in my company?
To prevent under-licensing or the use of infringing software, you should put in place a robust ***software asset management, or SAM***, process within your organization.

BSA Anti-Piracy Hotline (1800-33-33-899)
www.bsa.org/singapore

Example from Philippines

- Government-driven campaign composed of NBI, OMB and PNP, in cooperation with IP Coalition and BSA
- Goal : To drive down software piracy in the Philippines and promote the use of licensed software
- 30-day countdown from Aug. 17 to Sept. 15, 2005
- Crackdown – Sept. 16, 2005

PAPT

PRE-COUNTDOWN

- Held a Software Copyright Seminar for enforcement agencies
- Produced branded jackets, t-shirts, vests which the raiding team wore during enforcement actions and press conferences

30-DAY COUNTDOWN

- Aug. 17 – Sept. 15, 2005
- 30-day announcement ad in 3 major national dailies & 2 leading Cebu dailies
- Press conference & MOU signing on Aug. 24, 2005

PAPT

WARNING!
You have 30 days from today to legalize your software
PILIPINAS ANTI-PIRACY TEAM
Statistics show that 71% of PC software being used in the Philippines in 2004 was illegal.* Losses due to piracy amounted to P 3.7 billion last year, depriving the country of additional revenues and new job opportunities. This is a major blow to the development of the local Information and Communications Technology (ICT) sector and has posed a threat to the country's economy.
OPLAN CRACKDOWN
Various government agencies and private sector representatives have joined hands to stop the prevalence of software piracy among businesses.
All businesses engaged in the use or distribution of illegal software are warned -- you have 30 days to legalize your unlicensed software and to stop selling pirated software.
NATIONWIDE CRACKDOWN STARTS SEPTEMBER 16
Starting September 16, the Pilipinas Anti-Piracy Team will begin a series of raids against companies that continue to use, sell or distribute unlicensed software. Those found guilty of violating the Intellectual Property Code or the Optical Media Act may face imprisonment of up to nine years.**
ACT NOW BEFORE IT'S TOO LATE!
*2nd BSA-IDC Global Software Piracy Study
**Intellectual Property Code of the Philippines (RA 8293) and Optical Media Act (RA 9239)
National Bureau of Investigation
Optical Media Board
Philippine National Police

P1 MILLION REWARD
PILIPINAS ANTI-PIRACY TEAM
Help the Pilipinas Anti-Piracy Team. Report companies using pirated software and get a reward of up to P1 million* from the BSA.
Fight piracy. Make that call now!
BSA anti-piracy hotlines:
819-5897 (Metro Manila)
1-800-1-888-8787 (outside Metro Manila)
Log on to www.bsa.org/philippines
*Terms and conditions apply
BSA Business Software Alliance
In cooperation with:
Department of Trade and Industry
IP Coalition
Intellectual Property Office
National Bureau of Investigation
Optical Media Board
Philippine National Police

PILIPINAS ANTI-PIRACY TEAM
ONLY 7 days left before CRACKDOWN begins.
Starting September 16, the Pilipinas Anti-Piracy Team will start its series of raids against companies that continue to use unlicensed software.
Don't wait for them to come to you. Make sure you have legalized your software.
National Bureau of Investigation
Optical Media Board
Philippine National Police
IP COALITION

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PAPT

PHILIPPINE DAILY INQUIRER

THURSDAY, AUGUST 25, 2005

METROBRIEFS

Pirates, beware!

PROMISING to strike hard after the countdown, a new anti-piracy team had this message to companies using pirated computer software for business, a crime that crippled the local software industry by P3.7 billion in lost profits last year. The Pilipinas Anti-Piracy Team, an inter-agency effort against software piracy, debuted yesterday afternoon, vowing an all-out nationwide countdown against companies using counterfeit computer software by mid-September.

"We are hoping that with this new drive, we could create a greater impact against piracy on the streets," said Edu Manzano, chair of the Optical Media Board (OMB), an agency tasked to wipe out the lucrative piracy industry in the country. Apart from the OMB, other agencies involved in the effort are the National Bureau of Investigation, the Philippine National Police, the Intellectual Property Coalition, and the Business Software Alliance (BSA). The BSA also offered a reward of P1 million to those who can help them pin down companies illegally using software. For those living in Metro Manila, BSA may be reached through 819-5897. Or call the toll-free number 1-800-1-888-8787 to report suspected users of pirated software.

Tarra V.Quismundo

Super team vs software piracy formed

BY RORY VISCO
Contributor

A "super team" of law enforcement officials tasked to once and for all curb software piracy in the country was launched recently.

Composed of the National Bureau of Investigation (NBI), the Philippine National Police (PNP), the Optical Media Board (OMB) and the Intellectual Property Coalition (IP Coalition), the coalition is dubbed "Pilipinas Anti-Piracy Team". Backing up the new team is the Business Software Alliance (BSA), the global organization that promotes the use of licensed software.

At a press conference that marked the forming of this new team, OMB Ch Edu Manzano exp renewed hope in the fight

Super Team members: (L-R) E Hardee, NBI Assistant Director N PNP Director General Arturo Lo

Super team vs software piracy formed

From page 1

would create a bigger and more effective impact on the country's software piracy problems. It is about time that we rid the country of this disease once and for all," Manzano said in a speech delivered before the media.

Recent studies from the IDC revealed that the country's software piracy rate continues to be at a high level, registering a 71 percent rate, contributing to losses amounting to P3.7 billion last year. Software piracy includes corporate end-user piracy, "hard disk" loading, retail CD-ROM piracy and Internet piracy. Software piracy remains rampant especially among corporate end-users and businesses that use more software copies than the ones it has licenses for.

facility in Balintawak, which netted quite a sizable amount of pirated media.

He said that software piracy continues to be a big threat to the ICT industry in the country, causing billions of pesos in lost revenue to the economy. "We hope that through this effort, we can increase awareness and respect for intellectual property rights so that the economy could move faster," Manzano explained in an interview.

Jeff Hardee, BSA vice president and regional director for Asia, said that the forming of the Pilipinas Anti-Piracy Team is a welcome development in terms of combating IP rights violation, as he noted that this would erase the stigma of the country being branded as a software pirates' haven. He said that decreasing

For his part, PNP Directo General Arturo Lomibao said thi nationwide campaign include the forming of composite team around the country, includin agents from the NBI regiona offices. He said that in th campaign, the NBI will do th intelligence work, the OMB an the IP Coalition will do th validation of the confiscate media, and the PNP will be th ones to enforce the law. "Thi partnership would make th conduct of operations against th software pirates more effectiv and efficient," he said.

The campaign started with countdown phase that bega August 16 and will end Septembe 15, to be followed by a crackdow phase where raids will b conducted against softwar copyright violators nationwid Companies are expected to compl in terms of use of licensed softwar prior to the crackdown. Reportin of software piracy cases can b

-tempo-

THURSDAY, SEPTEMBER 1, 2005

DRIVE VS. SOFTWARE PIRACY – The National Bureau of Investigation (NBI), the Optical Media Board (OMB), and the Philippine National Police (PNP), with the support of the Business Software Alliance (BSA) and the Intellectual Property Coalition, have banded together to form the Pilipinas Anti-Piracy Team, a government-driven campaign that aims to reduce software piracy in the country. The team announced a 30-day countdown until September 15 for companies to legalize their unlicensed software or to stop selling pirated software. In photo during the launch are (from left): Jefrey Hardee, BSA vice president and regional director; NBI Assistant Director Nestor Mantaring, OMB Chairman Edu Manzano, Director General Arturo Lomibao, PNP chief; and John Lesaca, IP Coalition chairman.

A18 Business | Sun•Star Cebu | Thursday, August 25, 2005

IT firms put up P1-M bounty on pirated software users

AN ASSOCIATION of launched the incentive program to put a stop to software piracy, which hurts the local and global information and communications technology sector.

BSA is a non-profit international association of the world's leading software manufacturers like Microsoft, Symantec and Adobe.

With the National Bureau of Investigation, Optical Media Board and the PNP, the Pilipinas Anti-piracy Team warned that starting Sept.16, a series of raids will be conducted nationwide on companies that continue to use, sell or distribute unlicensed software.

Those found guilty of violating the Intellectual Property Code (RA 8293) or the Optical Media Act (RA 9239) may face imprisonment of up to nine years.

"It's a good effort and I think it's about time that we get serious about it," said Wilson Tan, president of the Association of Computer Businesses of the Philippines-Cebu chapter yesterday.

However, Tan said that this anti-piracy thrust should be extended to other products covered by Intellectual Property Rights like DVDs, VCDs, and designs, among many others.

"Companies should be willing to make a budget for the software that they would use in their offices. It would cost a bit but that's the legal way," he told **Sun.Star Cebu**.

Tan, who is also the proprietor of Thinking Tools Inc. added, though, that it's still the end-users who will decide if they buy licensed software or not.

"Those who want to continue violating should be ready for the consequences," he said.

Open source software is also an option. "It would require some skills, though, but it can be a good option if they don't want to invest in Microsoft software," he added.

According to a BSA-IDC global software piracy study, 71 percent of PC (personal computer) software being used in the Philippines last year was illegal.

Software piracy caused losses amounting to P3.7 billion last year, depriving the country of additional revenues and new job opportunities, the study said.

Internet Café Association of Cebu (ICAC) president Felix Cogal admitted that many Internet Café operators in Cebu still use pirated software.

"But we are in the process of negotiating with Microsoft. We are willing to cooperate and encourage our members to use licensed software," he said in a separate interview yesterday. **ALC**

Example from Malaysia

Aimed at promoting the effective management of software in corporations, thereby ensuring the use of original and licensed software in the workplace.

Ops Tulen 2005 Korporat

Three key elements :

- **Audit** – Companies were encouraged to conduct a software audit of all computers and submit results to the BSA to receive a 2-year immunity from BSA initiated enforcement actions.
- **Legalize** – Companies to obtain adequate and correct software licenses for all computers
- **Crackdown** – Nationwide crackdown against companies still using pirated or unlicensed software by the Ministry of Domestic Trade and Consumer Affairs

BSA®
BUSINESS SOFTWARE ALLIANCE

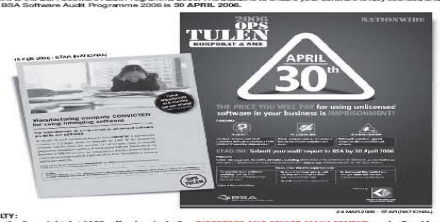
Press - Launch Ad

Audit Mailer

NATIONWIDE CRACKDOWN

Legalise your software before it's too late.

The Ministry of Domestic Trade and Affairs (MOTCA) has launched **2006 Ops Tulen: Korporat & SME**, an anti-piracy campaign in which the Business Software Alliance (BSA) with the support of the Ministry are encouraging all companies to conduct software audits of all computers (including servers) and users to ensure it is properly licensed and submit it to the BSA Software Audit Programme 2006. The deadline to ensure your software is fully licensed and participate in the BSA Software Audit Programme 2006 is **30 APRIL 2006.**



PENALTY:
Under the Copyright Act 1987, offenders including **DIRECTORS AND SENIOR MANAGEMENT** can be fined from **RM2,000 TO RM20,000 FOR EACH UNLICENSED COPY** and/or face **IMPRISONMENT OF UP TO 5 YEARS.**

❶ AUDIT*	❷ LEGALISE	❸ CRACKDOWN
Conduct a software audit of all your computers and users to receive a 1 YEAR IMMUNITY from BSA-initiated enforcement raids*. *Subject to Terms and Conditions.	Obtain adequate and correct software licenses for all your computers and users.	Nationwide crackdown against companies still using unlicensed software.

Need Info? Want to report piracy?

- To enquire about software auditing, call the BSA Software Audit Enquiry Line: 03-2164 4217
- To report software piracy, call the BSA Anti-Piracy Hotline: Toll Free: 1800-887-080
- Or visit www.bsa.org/malaysia
- To download BSA Audit Form and get more information, visit www.bsa.org/malaysia

WARNING NOTICE

APRIL 30th

ATTENTION BUSINESS OWNERS & SENIOR MANAGEMENT!
Do you have adequate software licenses? You have till 30 April 2006 to prove if you do.

If you are still using pirated or unlicensed software in your place of business, action will be taken against you soon.

If undelivered please return to:
Program Centre for BSA Software Audit Programme P.O. Box 8356, Kelana Jaya, Petaling Jaya, Selangor, Malaysia.

Place Stamp Here

5 Simple Steps to Software Asset Management

Steps 1 – 2 Get Compliant

Step 1:

Perform a Software Audit

Conduct a check of all computers (including servers) to find out what software has been installed and are in use by each user. Record each software's serial/license number, version (i.e. 2004, Enterprise, Academic, Upgrade, etc) and license type (OEM, retail pack, etc). ATTACHED: BSA Software Audit Form 2006 to be submitted by 30 April 06.

Step 2:

Match Software with Licenses

Match the license/serial numbers of installed software with licenses owned by your company. Ensure you have ALL the proper documents to prove license ownership for each:

- certificate of authenticity (COA) sticker on the PC/Notebook
- original CD/Diskette
- printed copies of license agreements (including server client access license agreements)
- original manuals/user guides
- dated receipts/invoices

Any discrepancies should be corrected by purchasing adequate licenses.

Steps 3 – 5 Remain Compliant

Step 3:

Set Policies and Procedures

Appoint a "software asset manager" to centralise software purchase and distribution, tracking and storing of all license documentation i.e. serial numbers, user manuals, receipts, etc.

FREE: CEO Directive Memo, Employee Compliance Statement, Notice Board Posters, Software Use & Purchase Policy Templates at www.bsa.org/malaysia.

Step 4:

Create and Update your Software Asset Database

Create a software asset database with the audit detail above. Review database occasionally to keep track on software needs i.e. upgrades needed, software no longer needed etc.

FREE: Employee Software Need Questionnaire at www.bsa.org/malaysia.

Step 5:

Ongoing Tracking and Management

Repeat steps 1 – 4 every 6 months to manage and maintain software compliance.

WHY SAM AND NOT JUST SOFTWARE AUDIT:

With the full software asset management process implemented, you will benefit from better use of the IT budget through more informed purchasing decisions, greater productivity from a better integrated software set up, and reduced risks that comes with having inadequately licensed software such as virus attacks, limited software support, and prosecution by the law. SAM helps you get and REMAIN compliant.

WHAT SAM IS NOT:

- SAM is more than just a software audit - though a software audit is the first part of the SAM process
- SAM is more than just a tool - it is a process to get and remain compliant though there are free and payable SAM tools that aid the process
- SAM is not just a ONE time deal - it is an on going process to ensure you remain compliant after you have done the initial software audit
- SAM is not just IT department's responsibility - it requires management endorsement and employee sign-off

MULTIPLEXING DOES NOT NECESSARILY REDUCE SOFTWARE LICENSES:

The use of multiplexing devices (pooling, dumb client, thin client = hardware that reduces number of CPUs/ PCs/ input devices) **DOES NOT** necessarily reduce the number of software licenses required. Please refer to the specific licensing terms or product usage rights accompanying your software. Contact the respective BSA member company in question for more details or call the **BSA Software Audit Enquiry Line** at 03-2164 4217.

BEWARE OF SOURCES SELLING CHEAP SOFTWARE ONLINE:

Protect yourself and your company when looking to purchase software especially online. Beware of sources selling cheap software disguised as 'on sale' or 'OEM software' - if the deal seems too good to be true, it probably is. Avoid spam email software offers which pass themselves off as legitimate. It is always good practice to only purchase from a reputable local source / reseller. For more tips on purchasing software online, visit **www.bsa.org/malaysia** and **click on "Right Click".**

Example from Korea

“Talala” Campaign

- A Korean word, meaning “It may get you into trouble”
- Famous local comedian – MS Park designated BSA Ambassador
- Tactics
  - Launch “Talala” song and music video
  - Launch campaign poster
  - Launch i*concert
  - Launch “44” Day Anti-Piracy Day (with gov’t)

Poster

Campaign posters with the message, ‘Piracy will get you in trouble’ were distributed to media

i*concert

- i*Concert?

  Korea’s largest and most famous public concert organized by the Korea Music Association, involving the top local singers.

- What BSA Korea did:
  - Organized the opening show, highlighting the importance of stopping piracy and using licensed software
  - Distributed posters with photos of BSA Ambassador

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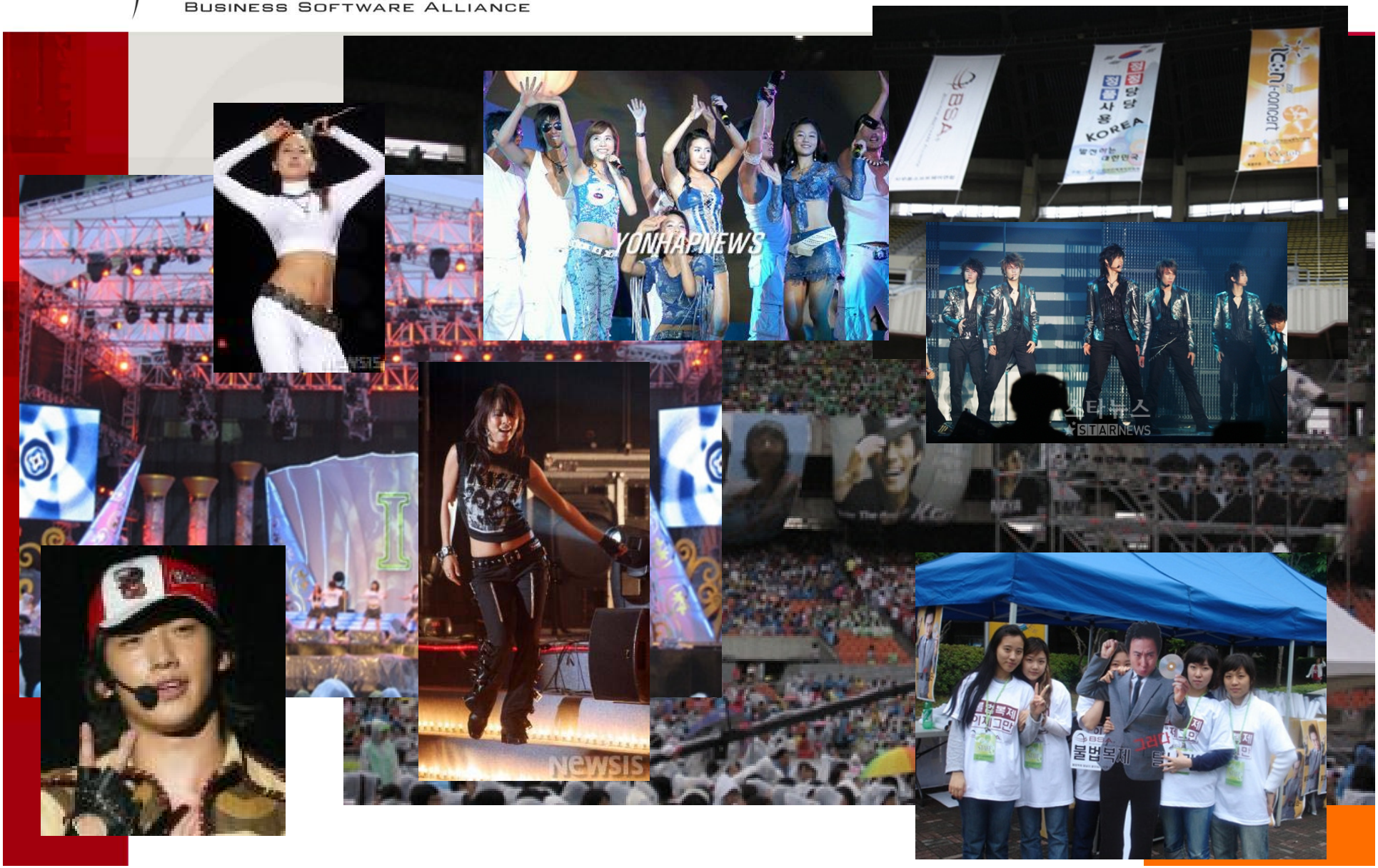
i*Concert



“Talala” song and music video

Korea 44 (辭寫) Day Launching ("BSA Anti Piracy Day")

- Title: 44 Day - Anti Piracy Day - Declaration
- Background – Declaration that April 4 of every year would be anti piracy day. Reason – April 4, or '44' could mean 'Rejection of Piracy' in Korean and Chinese. '44(四四)' => '辭寫'.
- Organized by BSA Korea
- Sponsored by National Assembly, Korea Music Association
- Media attendance: 60 journalists from 42 media

44 (辭寫) Day Declaration – Anti Piracy Day

TV Ad in Hong Kong

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Software watchdog offers amnesty

Firms using pirated gear given chance to legalise systems

Norma Connolly

A software piracy watchdog is offering a six-month "amnesty" from civil prosecution for businesses that use pirated or unlicensed software if they join a programme to legalise their systems.

The Business Software Alliance is calling on businesses to take stock of their software and acquire legitimate licences for software that they possess illegally.

More than half of the software used in Hong Kong is pirated, according to a survey carried out by the alliance in May, representing a loss of more than US$112 million.

"We strongly urge companies to participate in this unique and limited-period programme to get their house in order and remedy any

no specific operation to clamp down on offenders was planned at the end of the six-month amnesty.

But he said customs would continue to investigate reports of illegal software use and companies could still face criminal liability, even if they signed up for the alliance programme. The Department of Justice would decide if prosecutions should be carried out. He added

BAD BUSINESS

	Arrests*	Convictions*
Company director	99	8
Owner	13	3
Staff	72	3
Total	**184**	**14**

* For possession of pirated software since 2001

SCMP Graphic — Source: Customs

making themselves known to the alliance, the association's director of anti-piracy, Tarun Sawney, said many businesses were unaware they were running pirated software and the programme offered them a chance to clean up their systems.

"Some companies deploy counterfeit or unlicensed software onto their computers without knowing the serious consequences that can arise," he said.

Director of Intellectual Property Stephen Selby said authorities were

Small and Medium Enterprise Association president Simon Shi Kai-bui said he did not expect the programme to be overly successful because, despite the alliance survey, few businesses used pirated software – and if they did, they would need financial incentives to buy legal software.

"Our association fully supports this project," he said. "I think some people will join, but not so many."

TALKBACK

Example from India

BSA-Nasscom anti-piracy film clip

Right Click Campaigns

- To educate on responsible use of Internet
- Conducted in:
  - China
  - Hong Kong SAR
  - Malaysia
  - Philippines
  - Singapore
  - Taiwan
- Partners – Government and other 3rd Parties

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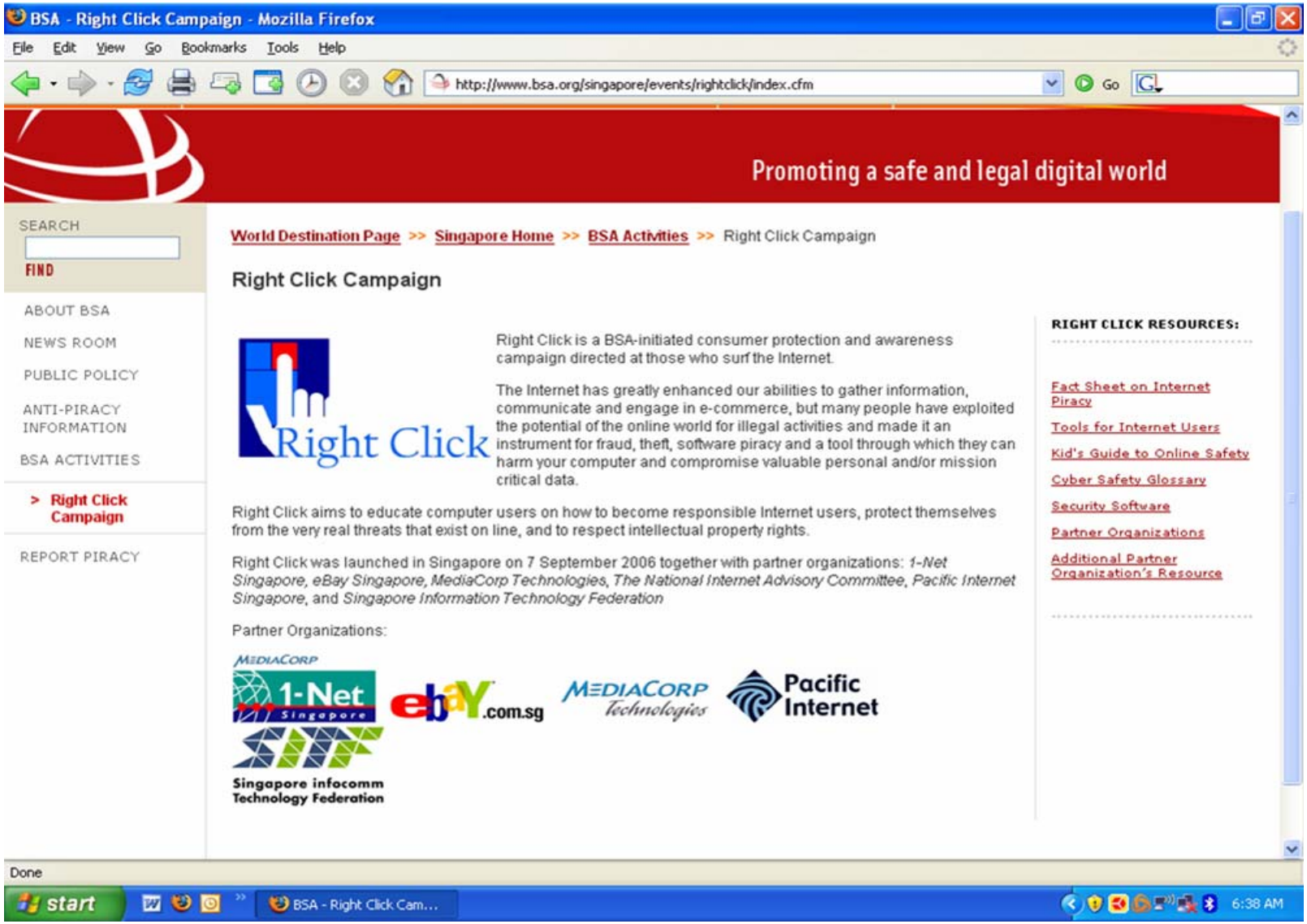

China Right Click

Target Audience

- Youth community
- Netizens

Tactics

- Children's Drawing Competition
- Right Click micro-site
- Joint press conference with third party

Results

- Nearly 30,000 online game registrations
- 20,000 page views
- 278 media clippings monitored

Campaign micro-site

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"正确点击，无忧冲浪"网络安全教育项目启动

6月26日，商业软件联盟(Business Software Alliance，BSA)在北京可创铭佳艺苑启动了主题为"正确点击，无忧冲浪"(Right Click Campaign)的网络安全教育项目。这个项目是商业软件联盟在亚洲地区开展的重要宣传教育活动之一，专门面向互联网上网人群，尤其是青少年群体，旨在教育电脑用户成为负责任的互联网用户，保护自身免受来自网络的现实威胁，同时倡议大家尊重网络知识产权。此项目在国内举办正值国务院最近颁布的《信息网络传播权保护条例》即将实施之际，因此具有特殊的意义。活动得到了国家版权局、中国互联网协会、YMCA以及eBay、Yahoo、Microsoft和百度等多家互联网相关公司的支持。

同时，BSA还举办了主题为"我心中的未来网络世界"的儿童画展，体现了BSA网络安全教育从青少年开始的宗旨；并启动了联盟网络安全宣传网站(http://global.bsa.org/rightc-lick-china/)，旨在向青少年介绍在上网时如何保护自身安全，并且防止电脑受到病毒侵害的相关知识。□

正确点击 无忧冲浪

昨天，商业软件联盟(BSA)在北京可创铭佳艺苑启动了主题为"正确点击，无忧冲浪"的网络安全教育项目，倡议互联网使用者提高自我安全保护意识，免受来自网络的现实威胁，并且尊重网络知识产权。

■本报记者 王晓晨/摄影报道

正确点击无忧冲浪 网络安全项目启动

本报北京6月26日讯 记者**席锋宇** 主题为"正确点击，无忧冲浪"的网络安全教育项目今天在可创铭佳艺苑启动。这项活动旨在通过发布针对互联网用户，尤其是青少年的相关网站，倡议互联网使用者提高自我安全保护意识，并且尊重网络知识产权。

国家版权局的一位负责人在启动仪式上指出，随着互联网逐渐成为人们生活和工作的重要组成部分，在线知识产权保护成为越来越受关注的话题。新近颁布的《信息网

商业软件联盟启动网络安全教育项目

本报讯 (记者刘 超北京报道)日前，商业软件联盟的"正确点击，无忧冲浪"网络安全教育项目在北京启动。国家版权局有关领导以及中国互联网协会相关人士出席了启动仪式。

"随着互联网逐渐成为人们生活和工作的重要组成部分，在线知识产权保护已成为愈来愈受关注的话题。该项目的举办正值国务院新近颁布的《信息网络传播权保护条例》即将实施之际，因此具有特殊的意义。"国家版权局版权司版权处处长赵秀玲对此次活动的主旨给予了肯定，她表示，商业软件联盟倡导的此项活动将在提高公众意识，保护互联网用户远离网络环境潜伏的各种危险等方面起到有益的推动作用。

据悉，作为全世界领先软件行业及其硬件合作伙伴的代言人，商业软件联盟致力于建立安全及合法的数字世界。自成立以来，已在全球超过80个国家和地区开展了工作，传授有关版权保护、网络安全、贸易、电子商务和其它与互联网有关的知识。此次启动的网络安全教育项目是商业软件联盟在亚洲地区开展的重要的宣传教育活动之一，该项目专门面向互联网用户，尤其是青少年群体，倡议互联网使用者提高自我安全保护意识，免受来自网络的现实威胁，同时倡导人们尊重网络知识产权。

Hotline, Reward & Enforcement Campaign Launches

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Pirate firms exposed

Hardware and illegal software seized in raids

KUALA LUMPUR: Enforcement officers have seized computers, laptops, computer peripherals and unlicensed software worth more than RM150,000 in raids on three companies here.

Federal Territory Domestic Trade and Consumer Affairs enforcement head Othman Nawang said the success came following a tip-off from anti-software piracy watchdog Business Software Alliance (BSA), which is an international trade organisation representing software and hardware manufacturers.

He said his men raided the office of a banking software provider at Jalan Bukit Bintang on Tuesday and seized three laptops installed with 12 types of illegal software, worth RM23,000.

The company had been operating for 15 years, he added. The next day, the team raided a management firm and a financial affairs consultancy in the city, where they seized 17 computers worth RM51,000 and 104 copies of illegal software worth an estimated RM130,000.

"The illegal software were for business purposes, such as photo editing, office productivity, virus detection, web-design, document reader data-base management and computer operating systems.

"The proprietors of the firms can be fined up to RM20,000 under Section 41 of the Copyright Act 1987 for each copy of the software used, and fined up to RM40,00 for each seized computer installed with unlicensed software," he told a press conference yesterday.

Tarun Sawney, BSA's anti-piracy director for Asia, said 15 raids had been conducted so far this year.

He added that end-users had already been sufficiently warned of the consequences of using unlicensed software, and that BSA officers had been educating senior management to use original or licensed software.

On another matter, Othman said the Federal Territory enforcement division had filed 96 cases related to the use and distribution of illegal software, while 37 people had been remanded under the Copyright Act *so far* this year.

"On Friday, our officers arrested a man who had recorded, with a mobile phone, a movie that was being screened at a cineplex," he said, adding that the highest fine meted out so far for a software offence was RM7mil.

ILLEGAL BUSINESS: Tarun Sawney (left) and Othman Nawang with the seized computer peripherals. End-users have been sufficiently warned of the consequences of using unlicensed software.

Enforcement Coverage - Taiwan

發燒話題

軟體盜版檢舉 8成指向工業區

桃園龜山一資本額近億光電廠被查緝 侵權金額達4千萬元

■陳大任／台北報導

台灣軟體商業聯盟（BSA）昨天表示，今年上半年接獲檢舉盜版案件達910件，其中有82%的案件都指向工業區企業，其中位於桃園龜山一家光電廠，在16日被檢警查緝，成為今年首件案例。

BSA共同主席宋紅媞表示，這家公司資本額近一億新台幣，但是被查緝發現的侵權金額竟高達4000萬元，包括美商參數科技（PTC）的Pro-Engineering、美商歐特克的AutoCAD，及微軟的Office、Windows等82套軟體都被起出軟體重製光碟片，全公司30幾台電腦裡幾乎全部都是盜版軟體。

宋紅媞說，高科技廠商一向重視研發成果的智慧財產權，但是卻發現不少公司自己就在使用盜版軟體，是相當諷刺的事。今年9月還在中秋節前夕，透過經濟部發函給全台57個工業區，並寄送包工代言的宣傳海報給各園區管理中心，提醒業者使用正版軟體。

從過去的案例顯示，很多情況是老闆辯稱這些盜版軟體是員工的「個人行為」，把責任推給員工；但也有不少員工指控老闆，總是以「公司還沒有達到損益兩平」、「專案未完成」等為理由，表示公司目前沒有更新軟體的預算，要求員工繼續「撐下去」。

宋紅媞說，統計顯示有7成的檢舉人是離職員工，其他的部分則是周邊或上、下游廠商。檢舉的原因大部分都是因為覺得心虛，所以選擇在離開職務後舉發。她建議員工應該即時對公司或主管表達要求使用正版軟體的立場，甚至最好有文件，在未來如果發生爭議時能自保，相反地，企業主也一樣。

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Business Software Alliance

Korea Tech Summit

BSA®
Business Software Alliance

Regional Innovation Forum

Thank you

香港特別行政區政府
知識產權署

APEC Workshop

The Critical Role of IP Public Education in a Knowledge-Based Economy and in Developing Creative Industries

Stephen Selby

香港特別行政區政府
知識產權署

Knowledge: a Natural Resource

- Hong Kong has little in the way of natural resources other than our people.
- Strategically, Hong Kong has to exploit our unique position as a gateway to China.
- Historically, Hong Kong has built up an international reputation in entertainment (music and movies.)
- Our fashion and accessory, jewelry and software sectors are gaining more and more attention in international markets.
- *Our knowledge is our strongest natural resource.*

Challenges

- Having a production base in the Mainland, Hong Kong's creative industries face the challenge of 'one country three IP systems'.
- With a huge flow of goods through Hong Kong's port, many economies expect the Hong Kong SAR Government to act as 'gate keeper' in preventing the flow of counterfeit goods.

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Core Objectives

- ***Compliance***
  - Stakeholders need to understand IP issues before they can comply.
  - They need a good understanding of local ***and*** overseas IP protection requirements so that they can compete in foreign markets.
- ***Intellectual Asset Management***
  - Enterprises need guidance so that they can identify their intellectual assets, extract value from them and protect their intellectual property.
- ***Public Support***
  - It is impossible to control piracy and counterfeiting activities if there is an insatiable market demand for fake products.
  - Public support for the fight against piracy and counterfeiting is vital.

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Core Approaches

- ***Compliance***
  - Explaining IP concepts in simple, layman's language.
  - Coverage of issues related to both domestic *and* overseas markets.
- ***Intellectual Asset Management***
  - Exhortation to 'be creative and invent' is often not enough: many SME's need to be led through the creative process and understand IAM tools.
- ***Public Support***
  - Need to understand public attitudes and behavior through surveys, and identify target audiences.
  - Need to build public support by presenting IP protection in a positive light.

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The Carrot and the Stick

- Education needs to focus on the positive value to society from good IP protection (e.g. job and wealth-creation)
- **But** there must always be *credible and visible enforcement against IP infringement*, so that the public understands that there is always a risk involved in IP infringement.

Role-models

- The Government and leading politicians can't afford to be caught out infringing IP, otherwise education efforts will lack credibility. *All education must start 'at home' and be endorsed at the highest levels of government and politics.*
- The use of media idols in marketing is very valuable. Film and music stars have a vested interest in helping us to spread the message.

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IP Systems and their Use

- Creative enterprises need to know how to use IP registration systems and how to make cost-effective choices when selecting the method and scope of IP protection.
- IP protection can be expensive for SMEs: we should be sensitive to the way that the businessman thinks and perceives business risk.

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Conclusions

- Governments should be good role-models.
- We need to understand that creative industries are high-risk. Our role is to help lead enterprises through the minefield.
- We all have limited resources, so we should make objective judgements about where the greatest needs exist, and use resources in the most effective way.
- All enterprises have the potential to be inventive; but many don’t know how to go about it.
- If every enterprise could increase it’s value by 10% by realizing its creative potential...

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END