

Provisions relating to circumvention devices and services effective today

Provisions of the Copyright (Amendment) Ordinance 2007 relating to dealing in circumvention devices and provision of circumvention services come into effect today (April 25), a spokesperson for Intellectual Property Department said.

To enhance the protection of technological measures that protect copyright works, the Government has introduced additional provisions imposing civil and criminal liabilities on people who deal in circumvention devices or provide a circumvention service for commercial purpose.

Under the Copyright (Amendment) Ordinance 2007, any person who carries out any of the following activities may be subject to civil and criminal liabilities:

- Making circumvention devices for sale or hire
- Importing or exporting circumvention devices for sale or hire
- Dealing in circumvention devices (including selling, letting, exhibiting in public or distributing in the course of trade or business)
- Providing a commercial circumvention service which enables customers to circumvent technological measures used to protect copyright works

A person convicted of these offences could be liable to a fine of \$500,000 and to imprisonment for up to four years. They may also be subject to civil claims from copyright owners.

Other provisions of the Amendment Ordinance which have also come into operation today are:

- New rental rights for films and underlying works in sound recordings; and
- New moral and rental rights for performers

Details of the Copyright (Amendment) Ordinance 2007 and FAQs on the anti-circumvention provisions can be found on the website of the Intellectual Property Department at www.ipd.gov.hk.

Ends/Friday, 25 April, 2008