



# NEWS RELEASE

**For Immediate Release**

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## **TWO MOVIE PIRATES SENTENCED TO SIX MONTHS JAIL AND DEPORTATION**

### ***Operators of Web-based Movie Piracy Operation Stung by Police and NZFACT Investigators Plead Guilty to Movie Piracy Offences***

Hong Kong / Auckland – On 9 May, a 39-year-old man, Hi Jan Wee, and a 24-year-old woman, Sun Lei, were sentenced by Judge Josephine Bouchier in Auckland District Court on charges related to the manufacture and sale of pirated movie DVDs. Both defendants, overstayers from China, were sentenced to six months imprisonment and ordered to be deported from New Zealand after serving their sentences.

Hi and Sun both pled guilty to one count of each of the following offences:

- (a) Making an object that the person knows is an infringing copy of a copyright work (section 131(1)(a) Copyright Act 1994).
- (b) Selling an object that the person knows is an infringing copy of a copyright work (section 131(1)(e) Copyright Act 1994).
- (c) Accessing a computer for a dishonest purpose (section 249(1)(a) Crimes Act 1961).

The charges arose from raids on two residential premises in Auckland's CBD conducted by officers from the Asian Crime Unit on 5 March this year. The raids were the culmination of a joint investigation by the Police, supported by investigators from the New Zealand Federation Against Copyright Theft (NZFACT) and resulted in the seizure of over 6,000 pirated DVD movies, four computers and eight DVD-R burners. The burning operation had a capacity to burn 430,000 pirated discs per year, potentially generating NZ\$2.6million (US\$ 2 million) for the criminals.

The operation was identified by NZFACT investigators, who discovered advertisements for pirated discs being offered for sale via an Internet trading site in September 2007. NZFACT investigators contacted the trader, who used the name "White Pig", and over the course of the investigation bought a number of DVDs containing infringing movies at a cost of NZ\$6 (US\$4.6) each.

Movie titles burned on the seized discs included "Sweeney Todd", "No Country for Old Men", "Juno" and "Michael Clayton", all either currently in release or yet to be released in New Zealand cinemas.

“New Zealand is very aware of the importance of the creative industries for economic growth,” said Mike Ellis, President and Managing Director, Asia-Pacific for the Motion Picture Association. “But creative industries have to be protected and nurtured and that means punishing people who steal movies and other intellectual property. Anyone in New Zealand thinking of pirating movies should take note of the message being given by the New Zealand courts – piracy is no longer an easy option.”

“This is the third conviction of a movie pirate this year, and the custodial sentences awarded to Ji and Sun confirm that movie pirates face a very real prospect of imprisonment in New Zealand,” said NZFACT’s Executive Director, Tony Eaton. “The recent conviction of another defendant operating in Levin just underlines that it doesn’t matter whether those who steal our members companies’ movies in major cities or in smaller rural communities, NZFACT investigators will find them and they will be arrested and sent to prison.”

The unauthorized distribution and manufacturing of films on DVD or other media is an infringement of New Zealand’s Copyright Act. Anyone who commits an offence under the Act faces up to five years imprisonment or a fine of up to \$10,000 for every infringing copy (up to a maximum of \$150,000 in respect of the same transaction). Reparation may also be ordered where the offence involves the making of a profit or gain.

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### ***Piracy in New Zealand***

A study undertaken by independent research firm LEK Consulting on behalf of the Motion Picture Association (MPA) showed that piracy cost the film industry in New Zealand an estimated 25 percent of the potential market in 2005 – \$70 million. Internet piracy via P2P file-sharing networks is a significant concern and accounts for the majority of New Zealand movie industry losses – an estimated \$33 million in lost consumer spending in 2005. NZFACT represents the MPA in New Zealand.

### ***Piracy in Asia***

A comprehensive study aimed at producing a more accurate picture of the impact that piracy has on the film industry including, for the first time, losses due to internet piracy, recently calculated that the MPA studios lost US\$6.1 billion to worldwide piracy in 2005. About US\$2.4 billion was lost to bootlegging\*, US\$1.4 billion to illegal copying\* and US\$2.3 billion to Internet piracy. Of the US\$6.1 billion in lost revenue to the studios, approximate US\$1.2 billion came from piracy across the Asia-Pacific region, while piracy in the U.S. accounted for US\$1.3 billion.

In 2007, the MPA’s operations in the Asia-Pacific region investigated more than 36,200 cases of piracy and assisted law enforcement officials in conducting nearly 13,000 raids. These activities resulted in the seizure of more than 31 million illegal optical discs, 40 factory optical disc production lines and 6,400 optical disc burners, as well as the initiation of more than 10,000 legal actions.

*\*Bootlegging: Obtaining movies by either purchasing an illegally copied VHS/DVD/VCD or acquiring hard copies of bootleg movies.*

*\*Illegal copying: Making illegal copies for self or receiving illegal copies from friends of a legitimate VHS/DVD/VCD.*

*\*Internet piracy: Obtaining movies by either downloading them from the Internet without paying or acquiring hard copies of illegally downloaded movies from friends or family.*

**About NZFACT:** The New Zealand Federation Against Copyright Theft was established in 2005 by the Motion Picture Association to protect the film industry in New Zealand from the adverse impact of copyright theft. NZFACT works closely with its members, government and enforcement authorities to protect the New Zealand film and television industry, retailers and movie fans. NZFACT members include: Walt Disney Studios Motion Pictures, New Zealand; Paramount Pictures Corporation; Sony Pictures Releasing International Corporation; Twentieth Century Fox International Corporation; Universal International Films, Inc.; Warner Bros. Pictures International, a division of Warner Bros. Pictures Inc and Roadshow Entertainment NZ Ltd.

NZFACT works in association with the Motion Picture Association, which represents the interests of the film industry across the world. NZFACT also has an alliance with the Recording Industry Association of New Zealand to share information regarding copyright infringement, and is a member of the recently-formed Anti Counterfeiting Group, which represents the interests of New Zealand's major intellectual property stakeholders, such as the music industry, computer software and publishing. NZFACT has a nationwide hotline that enables the reporting of film copyright theft 24 hours a day, 7 days a week: 0800 267 9744. For more information about the NZFACT, please visit [www.nzfact.co.nz](http://www.nzfact.co.nz).

**About the MPA:** The Motion Picture Association and Motion Picture Association - International (MPA) represent the interests of major motion picture companies in the global marketplace. On behalf of its member companies, the MPA conducts investigations around the world, assists with the criminal and civil litigation generated by such cases, and conducts education outreach programs to teach movie fans around the world about the harmful effects of piracy. The MPA directs its worldwide anti-piracy operations from its headquarters based in Los Angeles, California and has regional offices located in Brussels (Europe, Middle East and Africa), São Paulo (Latin America), Montreal (Canada) and Singapore (Asia-Pacific). The MPA's anti-piracy activities have helped to transform entire markets from pirate to legitimate, benefiting video distributors, retailers, and foreign and local filmmakers alike. The MPA member companies include: Buena Vista International, Inc.; Paramount Pictures Corporation; Sony Pictures Releasing International Corporation; Twentieth Century Fox International Corporation; Universal International Films, Inc.; and Warner Bros. Pictures International, a division of Warner Bros. Pictures Inc. For more information about the MPA, please visit [www.mpa-i.org](http://www.mpa-i.org).

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