

**INDUSTRY RESPONSES TO**  
**REPORT ISSUED IN MAY 2014**

**Search Engines and Piracy:  
A Discussion Paper by  
Mike Weatherley MP**

*Intellectual Property Adviser  
to the Prime Minister*

*1<sup>st</sup> September 2014*

# Introduction

Following the release of my report in May, I submitted it to industry for comment and enclose the public responses that I have received.

As the industry leader, I am delighted that Google has responded – in detail – to the report. I am particularly grateful for the very constructive way they have engaged with me to offer positive suggestions. Moreover, while much press has focused on Google, I must reiterate, as I have point out in my report, the general issues raised concern all search engines.

I would like to highlight that two key search engines that were consulted but declined to comment on the paper were Microsoft and Yahoo. I should note though that I have had very engaging discussions with both companies on this subject and understand why they felt that they could not publish a formal response.

The responses that have been received highlight an overall encouraging level of support for the importance of copyright. Understandably copyright holders are advocating strong, effective steps to tackle the problems posed by online piracy and it is clear that without robust, long-term cooperation from search engines, a solution will not be achieved, which will feed calls for legislation in this area.

I pass on the enclosed responses without further comment from myself, however, I hope that the comments that are included in this document will, as a whole, be taken into consideration by both stakeholders and Government when further discussions on this issue continue in the future.

**MIKE WEATHERLEY MP**

*Intellectual Property Adviser to the Prime Minister*

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Google



**Formal response to recommendations made in Mike Weatherley MP's [final report](#)  
July 2014**

**Recommendation 1 (6.1) :** *Search engines should adopt the suggestions set out in this paper but Google in particular must take the lead in setting responsible industry standards as the largest provider of search in the UK (please see paragraph 2.6)*

Google believes in the importance of copyright and will continue in its leadership role in combating piracy online. We have invested tens of millions of pounds in state-of-the-art technology (Content ID), have robust removal systems in place (currently removing 25 million URLs per month) and, since 2012, take copyright removal notices into account when ranking search results. We have introduced music "rich snippets" (allowing consumers to view authorized previews right in search results-

<https://support.google.com/webmasters/answer/1623047?hl=en>) and have developed the new Knowledge Panel format (see large box below with biographical information about the artist, a summarised discography and ads linking through straight through to download or legally streaming the sites).

The screenshot shows a Google search for 'radiohead'. At the top, the Google logo is on the left, and a search bar contains the text 'radiohead'. Below the search bar are tabs for 'Web', 'News', 'Videos', 'Images', 'Shopping', and 'More'. The search results show 'About 6,580,000 results (0.25 seconds)'. The first result is 'Radiohead' with the URL 'www.radiohead.com' and a description: 'The official website of Radiohead where we put things that we have done.' Below this is a link to 'RADIOHEAD.COM | DEAD AIR SPACE' with a description: 'Just wanted to let you know what I've been up to during my downtime from Radiohead. My second solo album, "Weatherhouse" will be released on October 6th.' To the right of these results is a large 'Knowledge Panel' for 'Radiohead'. It features a collage of images of the band, including a photo of them in a forest and a photo of them in a studio. Below the images is the text 'Radiohead' and 'Rock band'. To the right of the text are links to 'Listen now', 'Google Play', 'Rhapsody', 'Spotify', and 'iTunes Music'. Each link has a corresponding icon and a description of the service. A red arrow points from the 'Radiohead' link in the search results to the 'Listen now' link in the Knowledge Panel. Below the Knowledge Panel is a link to 'Radiohead - Wikipedia, the free encyclopedia' with a description: 'Radiohead are an English rock band from Abingdon, Oxfordshire, formed in 1985. The band consists of Thom Yorke, James ...'.

For more detail about our anti-piracy efforts in Search and other products, you can visit [g.co/fightingpiracy](http://g.co/fightingpiracy) to download our annual report on How Google Fights Piracy.



**Recommendation 2 (6.2) :** *The opportunity for rights holders to discuss with Google how to maximise the prioritisation of sites with legitimate content would be welcome. I also believe that the publicity that such an event might garner could provide a positive contribution to the educational goal described earlier in this paper. (please see paragraph 3.5.2.1)*

We would welcome the opportunity to help rights holders harness the power of technology to better connect consumers with great legal content. We are working with the Alliance for IP on an event in November 2014, aiming to bring rights holders together with Search product experts, YouTube and Play experts, Google analytics teams and innovative start-ups to identify how best to maximise artists reach online.

Plenty of artists and labels doing a fantastic job here. Rihanna, for example, has a particularly effective web-presence, with much of the first page of Search taken up with her own properties: the artist site, Twitter, Instagram, Facebook etc. Others have not yet taken full advantage of the opportunities presented by the web. We have recently had productive meetings with major labels, The Music Business Association (formerly known as NARM), and online distributors to address this -- but we look forward to continuing to work closely with the rights holders ahead of our joint event in November.

**Recommendation 3 (6.3):** *The proposed initiative by Google regarding 'crawlable licensed services' is explored further between licensed services, rights holders and Google, in conjunction with the other proposals set out in this paper. (please see paragraph 3.5.3)*

We agree that making legitimate content more visible to search engines would improve the small set of user queries which might return infringing sites. For a search engine to return results from licensed services, we need to know what songs and programs are available from those services. With more information, search engines could return better, more relevant results to users seeking the content which would direct users to those services. We look forward to continuing our work with rights holders on this.

**Recommendation 4a and 4b (6.4)** *An effective means of promoting/demoting search results on the basis of legality should be implemented, for example demotion based on the volume of copyright notices and PIPCU blacklist; Google and others should take steps to engage with rights holders to design a workable system. This recommendation could be quickly acted upon and a good signpost of intent (please see paragraph 4.1.8 and 4.1.9)*

We are proud that for the vast majority of media-related queries, we already see links to well-known, legitimate sites dominating the first pages of search results. Of course, we are not in a position to evaluate whether a given web page among the trillions online is "legal" or not. Nevertheless, we do have data in the form of the copyright removal notices sent to us by copyright owners. Using this data, in 2012, we implemented a new DMCA-related algorithm signal to improve our rankings



(<http://insidesearch.blogspot.co.uk/2012/08/an-update-to-our-search-algorithms.html>) We continue to monitor its effectiveness and experiment with an eye toward improvement.

We also strongly refute the idea that we set a cap for the number of DMCA requests we are able to receive from rights holders. This is simply not true. While we have safety limits in place to prevent misconfigured systems from flooding our system by accident, we have routinely increased the safety limits in place when rights holders have requested such increases, as can be seen on our public Transparency Report.

**Recommendation 5a and 5b (6.5)** *search engines should agree a protocol with rights holders whereby once they receive a copy of a formal court order blocking a site from access via the main UK ISPs, they must take steps to remove that site from their search algorithms promptly. This may require government assistance by amending legislation to include court orders extending to more situations than ISPs only. (please see paragraph 4.2.2 and 4.2.3)*

It is our understanding that copyright owners have been successful in getting court orders directed to internet access providers to block certain sites for their subscribers. Once ISPs have implemented site blocks in response to court orders, those sites in question will no longer be available to users (including via search engines) within the relevant jurisdiction. In fact, search engine removals may prove counter-productive, as such steps would likely result in other potentially infringing pages rising in search results to replace the links to blocked sites. We would therefore prefer to focus on solutions which have greater chance of having a tangible impact.

**Recommendation 6 (6.6):** *Search engines should fully support the "Follow the Money" initiative and take the lead in reducing the supply of advertising funds to pirates. Given Google state that this would be a breach of their policy to not do this, then this recommendation is not controversial and all are agreed that no revenues should find their way into the hands of those operating sites with illegal activity / downloads. (please see paragraph 4.3.2)*

We are wholeheartedly committed to the 'follow the money' initiative. Advertising on infringing content is already a breach of Google's terms and conditions and we remain committed to enforcing this. As such, we were a founding member of the Digital Trading Standards Group (DTSG) and have also been working with PIPCU.

**Recommendation 7 (6.7):** *Search engines should enter into open discussions with rights holders to formulate a formal reporting and take-down system for illegitimate Autocomplete terms, the results of which should be included in Google's Transparency Report. (please see paragraph 4.4.3)*

We have already had productive conversations with rights holders about the removal of autocomplete terms. We would be happy to discuss the possibility of listing any terms that have been removed in the Transparency Report, but are concerned that creating a publicly available list of suspected copyright infringing terms could be counter-productive, bringing unwanted



attention to those terms. However, we would be happy to discuss further if indeed rights holders decide this would be helpful.

**Recommendation 8 (6.8):** *Search engines should explore the means of incorporating trust marks and warnings to signify legal content both into its algorithms and into the search results presented to consumers. (please see paragraph 4.5.3)*

We are still unclear about how a traffic light system would work. If we know that content is illegal (which would, presumably, constitute a red light) we would remove it rather than just signal it. Instead, we are working on making trusted, legal content as obvious and accessible to consumers as possible. We have added several features to our search results (both in knowledge panels and ad formats, see the image above) that we hope will accomplish this.

**Recommendation 9 (6.9):** *Everyone should support the VCAP scheme and explore alternative private agreements/codes of conduct to prevent piracy outside of legislation. With the continued delay in implementing the DEA, rights holders and the Committee support the idea of putting voluntary measures to reduce piracy in place. Initiatives such as the BPI's VCAP have the advantage of flexibility over legislation and may remove the need for further legislation if proved to be effective. (please see paragraph 5.2)*

VCAP is an ISP-focussed initiative so we are not engaged in that specific example but we are certainly committed to our own voluntary equivalents. Indeed, we have been engaged in voluntary initiatives and investments for many years, as shown by the publication of principles for both rights holders and search engines (Feb 2012), our involvement in the DTSG, the development of Google's own \$60 million Content ID software and production of YouTube's educational Copyright School ([https://www.youtube.com/copyright\\_school](https://www.youtube.com/copyright_school))

**Recommendation 10 (6.10):** *The initiatives suggested by Google as set out in further detail in Appendix 2 should be explored further between licensed services, rights holders and Google, but only in conjunction with the other recommendations set out in this paper. (Appendix 2)*

Many of these are initiatives that Google pioneered, and we will continue efforts along these lines, namely:

- a) an event to help rights holders make best use of technology to promote and protect their content
- b) encourage take-up of music-rich snippets and new ads formats, as well as new ways to feature authorized videos where relevant
- c) work with licensed services which require users to log in to view the catalogue to ensure licensed content is crawlable by Search engines

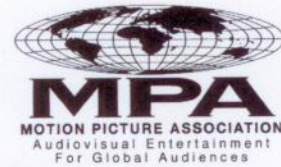


**Conclusion:**

Google works hard to support the UK's creative industries, currently one of the most vibrant and lucrative of its kind in the world. Digital revenues for UK recorded music industry are now up by 11.9% in 2013, whilst UK spending on TV and movie download, streams and subscriptions surged 40% in that same year. Indeed, we are pleased to have sent over a billion dollars in the past few years to the music industry alone, and expect this number to continue to grow. We are the market leaders when it comes to tackling piracy online but are constantly looking at ways to improve our approach. In light of significant progress over the last few years, we would urge those working in this area to look carefully at what else can be done across the broader ecosystem. For our part, we look forward to working on the implementation of several of these recommendations and, through our own commercial relationships with rights holders (through YouTube and Play), will continue to support the growth of the UK's creative industries.

MPA





**Motion Picture Association Response to *Search Engines and Piracy: A Discussion Paper* by Mike Weatherley MP**

**Introduction**

The Motion Picture Association (MPA) welcomes this important report which underlines the need for search engines to shoulder their responsibility in tackling online copyright infringement and ensuring a safe, responsible online environment.

Successfully tackling online copyright infringement requires a multi-faceted strategy. Significant progress has been made in a number of areas in recent years: advertisers and payment processors have engaged proactively with rights holders and the Police Intellectual Property Crime Unit to help cut off revenues to illegal sites; rights holders have made effective use of section 97a of the Copyright Design and Patents Act to block access to illegal sites; and internet service providers (ISPs) have joined right holders to establish Creative Content UK which will deliver a targeted education and consumer awareness campaign to internet subscribers and the wider public.

The one notable exception to this positive trend has been the failure of search engines generally, and Google specifically, to meaningfully engage on this issue.

Research has demonstrated that search engine results play a critical role in directing consumers to pirate sites, especially first-time visitors<sup>1</sup>. The prominence of these illegitimate results in search listings makes it more difficult for the growing number of legal content services online to build their legitimate businesses. This report makes clear that, as the dominant search provider, Google should take a leading role in addressing this problem, and we hope that this call prompts them to adopt a more proactive and constructive approach.

Taking effective steps to address this issue would have positive benefits for consumers. Pirated websites are often sophisticated vehicles for delivering malware and other viruses, which harms the entire Internet. Furthermore, as the advertising on illegal sites is largely unregulated, consumers may also be exposed to fraudulent and otherwise harmful adverts. Not only are these issues potentially damaging to consumers but they can also significantly degrade the browsing experience of unsuspecting internet users.

The report contains a number of recommendations, many of which will require careful consideration and further dialogue between the relevant parties. We will not, therefore, seek to address systematically every recommendation in the report at this time, but instead will highlight the key areas we feel should be progressed as quickly as possible.

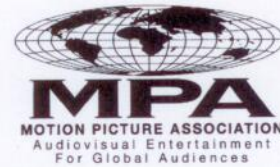
**Google's responsibility as market leader**

We strongly welcome the report's acknowledgement that Google, as the dominant player in the search market, must take the lead in setting responsible industry standards. To date, Google has not

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<sup>1</sup> [Understanding the Role of Search in Online Piracy](#): prepared by Millward Brown Digital for the MPAA





made meaningful efforts to address the role that search engines play in facilitating and exacerbating online copyright infringement.

In August 2012 Google purportedly changed its algorithm to demote pirate sites, but two years on research by both IFPI and MPAA indicates that the change has had no real impact. Further to this, the Culture, Media and Sport Select Committee's *Supporting the Creative Economy* report concluded:

*"We strongly condemn the failure of Google... to provide an adequate response to creative industry requests to prevent its search engine directing consumers to copyright-infringing websites. We are unimpressed by their evident reluctance to block infringing websites on the flimsy grounds that some operate under the cover of hosting some legal content. The continuing promotion by search engines of illegal content on the internet is unacceptable. So far, their attempts to remedy this have been derisorily ineffective."*

We note that Mike Weatherley's report states that Google engaged positively with him as he was gathering his evidence. We hope that this marks the start of a more meaningful and cooperative approach from Google on this issue.

#### **Identifying illegal sites**

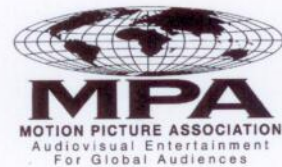
We strongly endorse the proposal that search engines should promptly remove sites from their search listings that are subject to 97A site blocking actions in which affirmative court findings have been made, as described below. Additionally, we believe they should also remove sites that are identified as structurally infringing by another reliable/appropriate means. This is the bare minimum that search engines should do and would be a simple, low cost and transparent step that could have an immediate impact. However, while we consider such moves to be necessary and important, they are not sufficient on their own to effectively address this issue.

In order to secure a blocking order against a site in the UK courts, rights holders must demonstrate that it is an egregious, structurally infringing site whose predominant purpose is to facilitate mass copyright infringement. It is our view that once a site has been found to be illegal through this process, it is reasonable for search engines to remove them from their listings, and failure to do so is irresponsible. Complying with this recommendation would demonstrate good faith on the part of search engines. Given this is a key recommendation of the report, we believe search engines should implement it immediately as a show of good faith. We do not believe that any changes to existing legislation are required for search engines to comply with this recommendation.

Additionally, Google has repeatedly stated its support for the strategy of cutting off advertising revenue to pirate sites. Consistent with that position, there appears to be no reason why Google should continue to direct consumers to structurally infringing sites.

It is important to note that this is a global problem. Currently, 97A injunctive relief is not available everywhere. So, while this represents a logical starting point in the UK, we believe that a more comprehensive approach is required that could also involve search engines developing other mechanisms to address this issue.





### **"Follow the money"**

We agree with the recommendation that search engines should fully support "follow the money" initiatives. As a significant player in the advertising market, Google has an important role in making this strategy effective. As a bare minimum, Google should subscribe all of its businesses to the Digital Trading Standards Group and the PIPCU Infringing Watch List. They should also engage fully with any additional initiatives undertaken to cut off the revenues of illegal sites as and when they develop, both in the UK and internationally.

While progress on this front by Google is important, it is complementary – and not an alternative – to addressing the gateway role of its search function in facilitating and exacerbating copyright infringement online.

### **Next steps**

Google's failure to meaningfully engage on this issue to date stands in stark contrast to many other relevant stakeholders' constructive engagement and willingness to innovate to reduce piracy. Google suggests that it has some ideas and they are worth discussing as part of a comprehensive effort to reduce the role of search in piracy. However, as an important show of good faith on Google's part, we believe it should immediately adopt the report's recommendations to de-list sites subject to 97a injunctive relief and should work with rights holders to remove sites that are identified as structurally infringing by other reliable/appropriate means.

# The Publishers Association



# THE PUBLISHERS ASSOCIATION

## "Search engines and Piracy"

A response to the discussion paper by Mike Weatherley MP,  
Intellectual Property Adviser to the Prime Minister

### Introduction

The Publishers Association ("The PA") welcomes the discussion paper from Mike Weatherley MP, the Prime Minister's IP Adviser, on "Search Engines and Piracy" and supports the recommendations it contains. We have long held that search engines, while not directly responsible for piracy, have the potential to play a significant role in reducing online copyright infringement. For example, not listing illegal sites in search results, or at the very least de-ranking them so they do not appear in early pages, would result in a significant drop in traffic to such sites. This would, in turn, make them less attractive to advertisers, thereby denying those behind the sites one of their main sources of revenue. It would also benefit consumers by increasing confidence in search results. Therefore, it has been disappointing that, to date, action from search engines, and Google in particular, to address this has been limited.

### Autocomplete

Before we provide comments on the individual recommendations contained in the paper, we would like to draw particular attention to a problem which we believe, if addressed, has the potential to make a marked difference to both problems identified above.

Auto-complete and auto-suggestion are driven by the same algorithm and provide users with proposed search terms which Google anticipates is their real need. In the case of auto-complete the proposed search term appears in the main search window; for auto-suggestion alternative search terms appear at the bottom of the page of search results. Despite Google's pledge in 2012 to modify the terms which are generated from this algorithm it remains the case that users are still directed to search terms which are more likely to lead to infringing sites.

As evidenced in the screen grabs attached as appendices, beginning a search for Robert Harris's title "*An Officer and a Spy*" by typing '*An Officer and a Spy e*' brings up a number of suggested search terms (Appendix 1). This in itself would not be a problem if Google operated a more discerning search once one of these suggested terms is chosen. As can be seen, if no suggested term is chosen (the search stopping at *An Officer and a Spy*) then the results do not pose a problem (Appendix 2). However, if '*An Officer and a Spy ebook download*' is selected then the search returns a plethora of sources of illegal content on the first page of the results (Appendix 3). A similar result is seen when typing '*An Officer and a Spy fr*' and selecting '*An Officer and a Spy free download*' (Appendices 4 & 5).

We strongly believe that Google should address this as a matter of urgency, either by limiting the suggested search terms it provides or by ensuring that, by implementing the recommendations Mr Weatherley makes, sites containing, or directing people to, infringing material do not appear in search results.

We also strongly take issue with Google's continuing practice of directing people to the ChillingEffects.org website as seen in Appendix 5. Stopping criminals from making money from other people's work and property is not a chilling effect. It is vital if we are to be able to have a thriving creative content sector where authors receive payment for their work.



## **"Search engines and Piracy" Recommendations**

- 1. Search engines should adopt the suggestions set out in this paper but Google in particular must take the lead in setting responsible industry standards as the largest provider of search in the UK.**

We agree. Google, with over 90% market share in the UK, must lead the way in finding solutions to limiting the visibility and, therefore, the profitability of sites promoting illegal content.

- 2. The opportunity for rights holders to discuss with Google how to maximise the prioritisation of sites with legitimate content would be welcome. I also believe that the publicity that such an event might garner could provide a positive contribution to the educational goal described earlier in this paper.**

The PA is willing to discuss with Google how to best maximise the prioritisation of sites with legitimate content. However, we maintain that this can only be done alongside discussions of how Google is planning to demote sites with illegitimate content.

- 3. The proposed initiative by Google regarding 'crawlable licensed services' is explored further between licensed services, rights holders and Google, in conjunction with the other proposals set out in this paper.**

The PA is unclear as to the necessity of this proposal from Google and would like further information. There are obvious commercial considerations which would need to be taken into account given that Google, via Google Play, is a competitor to many of these services.

- 4. An effective means of promoting / demoting search results on the basis of legality should be implemented, for example demotion based on the volume of copyright notices and PIPCU blacklist; Google and others should take steps to engage with rights holders to design a workable system. This recommendation could be quickly acted upon and a good signpost of intent.**

We believe that sites against which Google has received a significant number of copyright notices under the DMCA<sup>1</sup> should be demoted or excluded from search altogether until so time as they can prove that the content they are hosting or providing links to is legal. As notice and take down requests can only be made against specific URLs, at some point the burden has to shift, with the sites themselves being required by the search engines to prove their legality.

It also should go without saying that sites PIPCU, after careful consideration of the evidence presented to them, have deemed to be infringing on such a scale as to warrant inclusion on its Infringing Website List should be excluded from or demoted in search results.

- 5. Key recommendation. Search engines should agree a protocol with rights holders whereby once they receive a copy of a formal court order blocking a site from access via the main UK ISPs, they must take steps to remove that site from their search algorithms.**

The PA strongly agrees with this proposal. Once a site has been made subject to a blocking order by the High Court it should automatically be removed from search engines' algorithms.

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<sup>1</sup> Digital Millennium Copyright Act



6. **Key recommendation. Search engines should fully support the "Follow the Money" initiative and take the lead in reducing the supply of advertising funds to pirates.**

We agree. The PA is a main partner in Operation Creative, run by the City of London Police and would welcome search engine participation in working with PIPCU to reduce financial gains from piracy.

7. **Search engines should enter into open discussions with rights holders to formulate a formal reporting and take-down system for illegitimate Autocomplete terms, the results of which should be included in Google's Transparency Report.**

Please see our comments above on autocomplete.

8. **Search engines should explore the means of incorporating trust marks and warning to signify legal content both into its algorithms and into the search results presented to consumers.**

We would welcome any suggestions from search engines as to how trust marks such as the BPI's Music Matters, and warnings, such as PRS for Music's 'traffic light' proposal, could be incorporated into search results.

9. **Everyone should support the VCAP scheme and explore alternative private agreements / codes of conducts to prevent piracy outside of legislation.**

The PA fully supports the BPI and the MPAA's negotiations with the main UK ISPs over a Voluntary Copyright Alert System. Voluntary, non-regulatory, initiatives such as this are, in the main, preferable to legislation given their greater flexibility and sense of involvement on the part of all participants.

10. **The initiatives suggested by Google as set out in further detail in Appendix 2 should be explored further between licensed services, rights holders and Google, but only in conjunction with the other recommendations set out in this paper.**

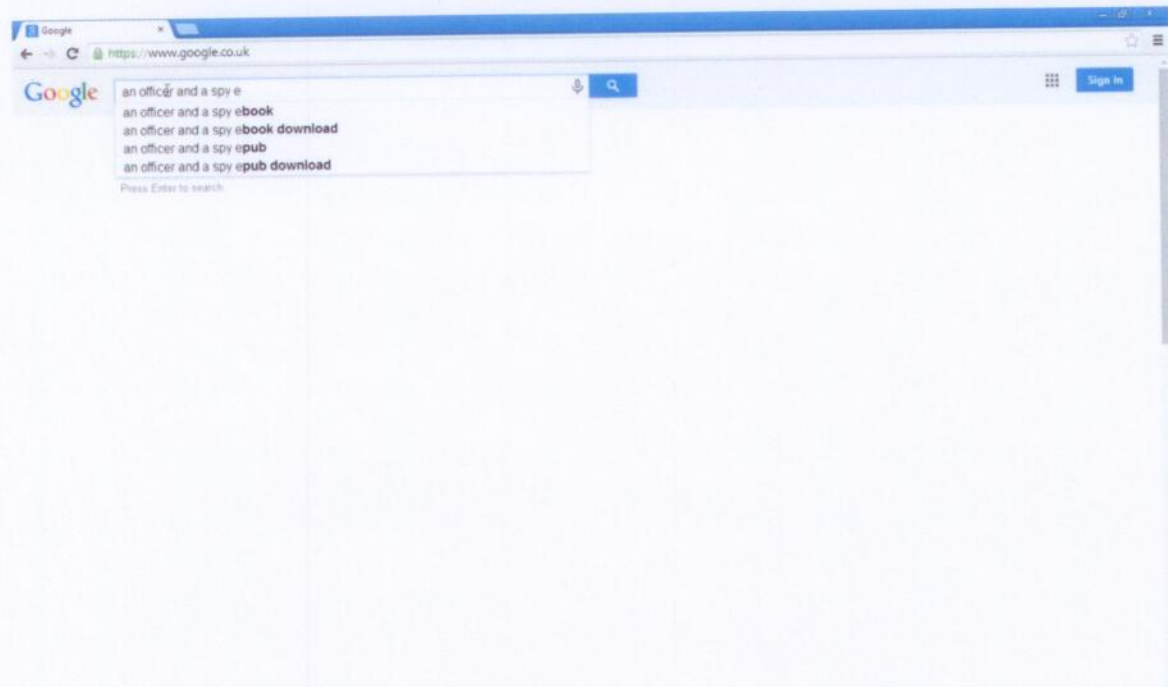
While it is welcome to see some engagement on the part of Google in this issue, we strongly believe that there are a number of policies Google could immediately instigate, such as removing from search results any sites which are subject to a High Court blocking order and addressing the problem of autocomplete. We agree with the inference behind this recommendation that Google should not be permitted to use any potential explorative discussions to delay implementing these recommendations.

**July 2014**

For further information contact:

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Director of Policy and Communications  
The Publishers Association  
020 7691 1409

## APPENDIX 1



## APPENDIX 2



Sign in

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About 21,900,000 results (0.35 seconds)

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[www.amazon.co.uk/Books/Fiction/Historical](http://www.amazon.co.uk/Books/Fiction/Historical)

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**An Officer and a Spy - Wikipedia, the free encyclopedia**

[en.wikipedia.org/wiki/An\\_Officer\\_and\\_a\\_Spy](http://en.wikipedia.org/wiki/An_Officer_and_a_Spy)

**An Officer and a Spy** is a 2013 historical fiction thriller by the English writer and journalist Robert Harris. It tells the true story of French officer Georges Picquart

**An Officer and a Spy review – Robert Harris's thriller based ...**

[www.theguardian.com/Culture/Books/Fiction](http://www.theguardian.com/Culture/Books/Fiction)

Review by Andrew Anthony

1 Mar 2014 - Robert Harris has crafted a compelling narrative of state corruption and individual principle, writes Andrew Anthony

**An Officer and a Spy by Robert Harris – review - The Guard...**

[www.theguardian.com/Culture/Books/Fiction](http://www.theguardian.com/Culture/Books/Fiction)

Review by Christobel Kent

10 Oct 2013 - Harris uncovers the gripping true story of how a French officer saved ...

Born out of a film project with Roman Polanski, **An Officer and a Spy** is

**Robert Harris, An Officer and a Spy - H-France**

[h-france.net/~hrevisting-the-dreyfus-affair-robert-harris-an-officer-and-](http://h-france.net/~hrevisting-the-dreyfus-affair-robert-harris-an-officer-and-)

Perhaps it is the heightened effect of reviewing his book, but Robert Harris's **An Officer and a Spy** seems suddenly to be everywhere. It has been reviewed in the

**Amazon.com: An Officer and a Spy: A novel ...**

[www.amazon.com/Genre/Fiction/Historical/Thrillers](http://www.amazon.com/Genre/Fiction/Historical/Thrillers)

\$19.50

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**Robert Harris on his new thriller, 'An Officer and a Spy' - Th...**

[www.telegraph.co.uk/Culture/Books/AuthorInterviews](http://www.telegraph.co.uk/Culture/Books/AuthorInterviews)

26 Sep 2013 - 'An Officer and a Spy', the new thriller from Robert Harris, has as its here one of history's great whistleblowers. It's a story with plenty of modern

**An Officer and a Spy - Goodreads**

[www.goodreads.com/Cultural/France](http://www.goodreads.com/Cultural/France)

★★★★★ Rating: 4.2 - 3,041 votes

28 Jan 2014 - **An Officer and a Spy** has 3041 ratings and 570 reviews. Jeffrey said: "There is no such thing as a secret-not really, not in the modern world, not

**Review: An Officer and a Spy, By Robert Harris - Reviews ...**

[www.independent.co.uk/Arts/Ents/Books/Reviews](http://www.independent.co.uk/Arts/Ents/Books/Reviews)

6 Oct 2013 - On 13 January 1896, the front page of L'Aurore, a French newspaper, was taken up by an open letter from the author Emile Zola to the

**An Officer and a Spy, by Robert Harris - FT.com**

[www.ft.com/Life&Arts/Books](http://www.ft.com/Life&Arts/Books)

4 Oct 2013 - **An Officer and a Spy**, by Robert Harris, Hutchinson, RRP£18.99, 483 pages. "There is no such thing as a secret – not really, not in the modern

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[an officer and a gentleman](#)
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**An Officer and a Spy**

Book by Robert Harris

★★★★★ 4.2/5 - Good


An Officer and a Spy is a 2013 historical fiction thriller by the English writer and journalist Robert Harris. Wikipedia

Published: 2013

Author: Robert Harris

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## APPENDIX 3



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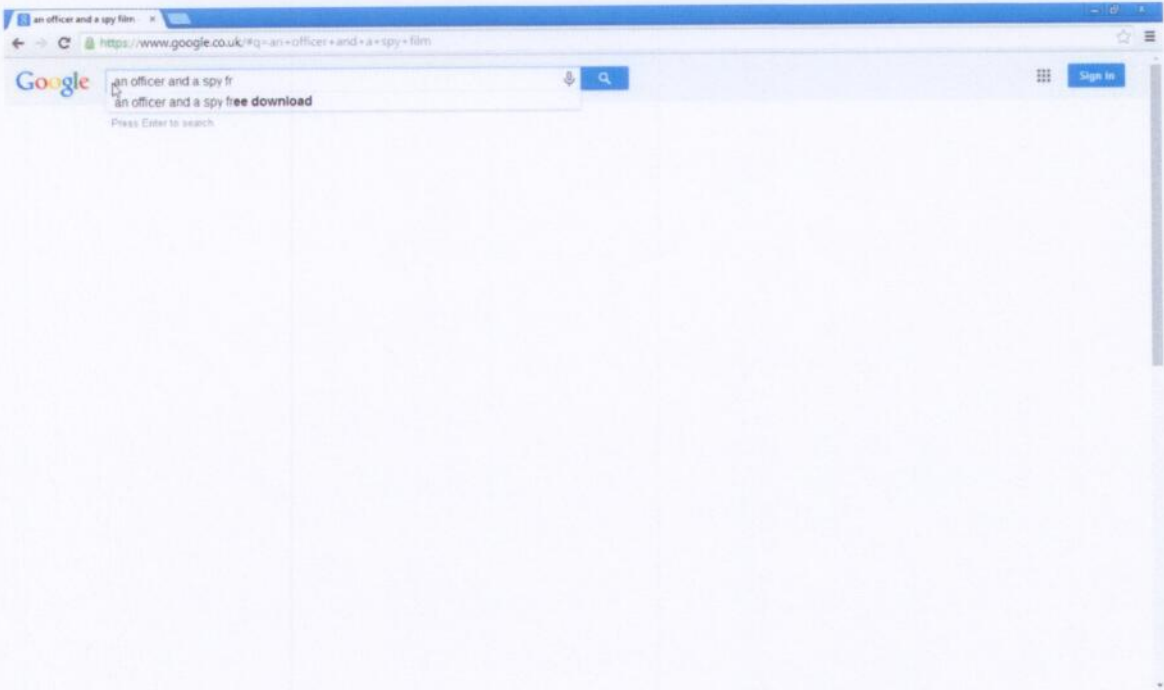

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APPENDIX 4



## APPENDIX 5



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ISBA

14 August 2014

**'SEARCH ENGINES AND PIRACY – A DISCUSSION PAPER BY MIKE WEATHERLEY MP'  
ISBA's 'EXECUTIVE SUMMARY' RESPONSE**

ISBA and its members have been heavily involved in brand safety initiatives for a number of years, so therefore welcome the opportunity to make a contribution to the 'Search Engines & Piracy' Discussion Paper.

Seven ISBA members were involved in the Police Intellectual Property Crime Unit's ("PIPCU") 'Infringing Website List' (IWL) pilot scheme, which ran from July to September 2013. ISBA was present at the House of Commons for the launch of the 'Follow The Money' initiative, as were several ISBA members.

Our members fully recognise that cutting off the revenue streams of pirate sites by removing their ability to advertise is also considered to be an effective means of helping to prevent piracy.

We agree that all elements of the ad industry and the City of London Police need to continue to be involved in brand safety initiatives.

ISBA maintains that only the instruments of the law can practically determine whether content is or is not illegal.

We think that it is important to broaden out both the 'Follow The Money' and Search Engines and Piracy' initiatives from concentrating purely on the concerns of the music and film industries, albeit legitimate.

ISBA is very encouraged with the main search engines cooperation in producing your Discussion Paper.

We agree that search engines play an important role in inadvertently guiding consumers towards illegal content and are well placed to be part of the solution by taking the lead.

The vast majority, if not all of our members, use Google as an important part of their sales strategy. Google should be congratulated for positive engagement with the Discussion Paper.

In the US we were impressed with the work undertaken by Victoria Espinel, appointed as US Intellectual Property Enforcement Coordinator for the White House by Barack Obama in 2009. However, there has been a void since she stepped down in August 2013 which needs to be filled.

ISBA understands the importance of the creative industries. In fact advertisers generally support the creative industries financially. We realise that the creative industry provides thousands of jobs and is central to our economy.

We feel that assiduously educating consumers should be an objective of both Government and industry. We don't think that the ad industry should be tasked with undertaking a consumer advertising campaign to increase awareness.



ISBA agrees with the Rights holders' practical approach in seeking to target extreme piracy sites rather than low level infringement.

We agree that it may well be that the IWL forms a suitable basis of identifying which sites to demote or block as these sites have already been deemed illegal by PIPCU.

ISBA agrees that site blocking has proved itself to be a powerful and effective method of preventing piracy.

We note that the Court of Justice of the European Union has made it clear that website blocking is available under EU law and there is also strong support for site blocking from consumers.

ISBA is fully supportive of and involved in the efforts of the Joint Industry Committee / Digital Trading Standards Group UK Good Practice Principles, aimed at minimising the risk of misplaced advertising. The following companies have been issued a seal and certificate as a result of their policies and processes having been independently verified against the Principles: AD2ONE, Crimtan, Exponential Interactive, IgnitionOne, InSkin Media, Media iQ Digital, Quantcast, RadiumOne, Specific Media, TubeMogul, Unruly and VivaKi.

ISBA has actively supported the IWL as part of "Operation Creative", to identify the URLs of piracy sites and persuade brands, media agencies and advertising networks, to ensure that they are not advertising on such sites.

ISBA is heartened that the Committee is encouraged by progress made towards instituting a voluntary system of warning letters and agrees that if this can be achieved by mutual cooperation rather than legislation, it would be a major step forward.

David Ellison  
Marketing Services Manager, ISBA

# AudioLock





## **Response to discussion paper - "Search engines and Piracy"**

### **Search Delisting**

This is a very effective and cost efficient method of reducing access to infringing content but in the case with Google most companies are sending notices for links found in Google which means they have already been available in the search engine and will take a while to remove (due to the time it takes Google to process and update the indexes).

Therefore we propose the sending of notices for infringing content when it is found on the original sites. We at AudioLock often find content sometimes upto a few days before it is indexed by Google thus being able to notify at the time it is discovered would hopefully mean it is never shown in Google at all. These notices if they arrive at Google before it has fetched/indexed the item should act to stop Google ever publishing the link in it's search results in the first place.

### **Site Blocking**

While site blocking seems to work well to reduce some of the traffic (although because measuring traffic to a site you don't have access to the logs for relies on technology which often will mislead especially if users move to other ways to access the site) to the original target site it does also create many new sites providing a quick way around the block which due to the domains being fresh and therefore not having many DMCA notices sent against them appear higher in the search results than the original target site. So whilst effective in some ways it does have a "Hydra" effect which turns a single issue suddenly into often hundreds of new issues that then all need monitoring and detecting to try to add them quickly to the block list along with the original target site.

In our opinion this should not be used against sites which were conforming to DMCA requests in a timely and efficient manner as blocking not only creates several new sites all generating additional money through advertising impressions but also raises the awareness of such as site in the press which could increase the number of web users then looking for the site.

We have also seen that since the blocking started there have been more torrent indexing sites appearing which simply provide unblocked links to all the blocked torrent sites and this is likely where the traffic that might have been taken away from the target site is actually going because the sites are new with few DMCA notices against them and thus they rank highly. This type of site probably cannot simply be added to an existing domain block order because it is not just providing access to a specific domain but many.

## **Auto complete**

We continually see autocomplete occurring when searching for releases such as the words zippy and leak being suggested which out of context are all innocent enough however in context mean something very different. Zippy refers to zippyshare.com (it has received the 5th highest number of DMCA according to the Google Transparency report) which is the largest unlimited fast download host for music content and is often used in the meta tags on pirate sites to draw traffic. The 'leak' term is most often found around big albums which suggests that this might be driven in part from the volume of searches for such a leak of the release. We believe that removing such terms from searches for releases would help reduce the temptation and thus have a positive effect.

## **Search Ranking**

Currently many legitimate music sites are not high ranking in the search results when looking for a specific release. This is largely due to the pirates being better at SEO than the labels. However this we believe is something that could be solved with technology and is something that we have already been working on and would be keen to discuss.

## **Site Certification**

Certification for sites is a great idea but it needs to be standardised and be controlled by multiple stakeholders around the industry. Ideally it would be styled around a digital startup tech company making it agile enough to keep pace with technical requirements and provide an efficient way to certificate and monitor sites.

The certification though should go further than e-tailers and streaming sites. Currently it is very difficult to determine for example whether promo sites and promo service companies are legitimate or not. Ensuring these types of sites also have to certificate would be great for labels and would help stop promos leaking.



BVA



## BRITISH VIDEO ASSOCIATION

3 Soho Square, London W1D 3HD Telephone 020 7439 8817

Website: [www.bva.org.uk](http://www.bva.org.uk)

18 July 2014

Mike Weatherley MP  
House of Commons  
London  
SW1A 0AA

Dear Mike

### Search Engines & Piracy – a response to your report

The BVA and its members (film, TV and independent video labels whose retail value amounted to £2.245 billion last year) welcome this report on the role and responsibilities of search engines and your subsequent *Follow the Money* report as important pointers to a variety of solutions that the industry has long been calling for, as well as some new suggestions which we support.

As you know, our sector introduced a 4-pronged strategy to tackle copyright theft 10 years ago when I set up the Industry Trust for IP Awareness in 2004. Experience has shown that this multi-layered approach is the right way to produce measurable results. We therefore agree that a combination of consumer education, enforcement, technological measures to facilitate, promote and protect creative works and an appropriate IP regime that enables the audiovisual sector to continue producing great entertainment in a sustainable creative economy is vital to the UK's future success.

Regarding your recommendations in the *Search Engines* report:

- a. We agree that Google should use their dominant market position to show leadership in improving standards of practice to reduce the ease with which users can find illicit copies of audiovisual works, although
- b. we reject the notion that rights owners should pay for Google Ads to promote the legal over illegal services or make all online services "crawlable". Annual discussions on sharing best practice would be too infrequent, as the dialogue between Google and rights owners must be more proactive and steer clear of commercial issues, in order to focus on preventative measures and to make better progress in implementing solutions, as per your last recommendation in the report.
- c. PIPCU is a valuable initiative and its list of infringing sites is the simplest and most appropriate method of ensuring legal certainty for advertisers, in conjunction with other services, such as [www.TheContentMap.com](http://www.TheContentMap.com) and [www.FindAnyFilm.com](http://www.FindAnyFilm.com), whilst simultaneously facilitating criminal intelligence to the police for enforcement purposes.
- d. For this reason we would urge the Home Office to maintain PIPCU's funding after the IPO's two-year budget expires and we suggest the use of POCA actions as the chief source of future funding so that PIPCU may become a self-financing unit. The model for this has already been successfully tested by FACT with the dedicated Film Piracy Unit in the Metropolitan Police set up in 2006, which was able to prosecute major DVD piracy enterprises and in one case to identify £6 million for recovery by the then Asset Recovery Agency. (See also attached sample report.)



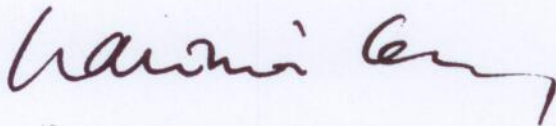
- e. We support the recommendation that search engines should not restrict the number of reports of infringing links. Although we know they are quickly replaced by new links, the quality of the substitutes appears in some instances to decrease and thus pose less of a threat to rights owners.
- f. Recommendations 5a, 5b, 6, 7 and 8 have the support of the video industry.
- g. The BVA has assisted in the preparation of the MPA's plans to support the VCAP scheme with a public awareness campaign and is delighted that its launch has been announced by the DCMS and BIS today.

I very much appreciate the work you have done in the preparation of these two reports and in raising political awareness of the value of intellectual property to the UK economy, particularly in respect of the importance of copyright to the creative industries. I hope that the Prime Minister will retain the post of an IP Advisor in future. I will continue to work closely with the IPO and DCMS, as well as with colleagues in Brussels in my new role as the BVA's policy consultant from September and look forward to resuming our dialogue after the Summer Recess.

I wish you a relaxing and well-deserved break!

With kindest regards.

Yours sincerely



**Lavinia Carey**  
Director General  
[www.bva.org.uk](http://www.bva.org.uk)

Copy to Michael Ireland

Enc: Metropolitan Police Film Piracy Unit summary report, FACT, 2006

BPI



Dear Mike,

Thank you for your report "Search Engines and Piracy – A Discussion Paper". BPI welcomes this important intervention into the ongoing debate about the role of search in helping guide customers to legal, rather than illegal content.

BPI agrees wholeheartedly with the finding that *"search engines play an important role in inadvertently guiding consumers towards illegal content and are well placed to be part of the solution"*. We also agree with your conclusion that, given its dominant market share Google should *"take the lead in setting responsible industry standards for search"*.

Creative organisations from the worlds of music, film, TV, book publishing and sport have driven forward a number of initiatives in recent years to reduce levels of piracy. These include working with the City of London Police to disable advertising on pirate sites, obtaining court orders requiring ISPs to block access to illegal sites, sending tens of millions of notices to search engines to remove illegal URLs and asking for filtering of Autocomplete suggestions interlinked with piracy.

Whilst these have had a positive impact, the market for entertainment content remains heavily distorted by illegal sites. Copyright owners including BPI have therefore pressed search engines to prioritise search results based on their legality, incorporate "trust marks" to denote legal content, and delist or remove sites such as The Pirate Bay which the High Court has already ruled are illegal and should be blocked.

BPI publicly welcomed the report as a thorough and carefully considered contribution to the policy debate on the need for action to reduce the prominence of illegal websites in search results. We agree with its Recommendations and are very open to working with search engines to bring them into effect. At the moment the search engines are set in stark contrast to other intermediaries: ISPs; advertisers; and payment providers, in not signing up to significant joint voluntary action.

#### **Specific comments on the Report**

We do have some specific comments on the text, which we would like to put on record:

**Para 2.2** – We understand your point that, in principle, "Follow the Money" could in the long term have "the potential of fighting piracy to a much greater extent than measures suggested in the report specific to Search Engines". It has the potential to make pirate sites disappear by making them unprofitable, rather than just make them less visible.

However, for Follow the Money to have a substantial impact, it will require a lot of cooperation from many hundreds of brands, ad networks and exchanges right around the world because until most are signed up, pirate sites will find it relatively easy to secure advertising elsewhere – either from different brands, or ad networks/exchanges, or from overseas.

As we have seen, bringing the online ad industry on board requires significant effort - we still have quite a way to go to establish an effective UK regime - and to do so on a global scale is likely to take several years. Meanwhile, actions taken by Google, Microsoft and Yahoo on search could have an



immediate significant impact on levels of online copyright infringement. This is not only the case for the three companies that Government needs to persuade, and their actions would affect all pirate sites. The vital importance of search engines should therefore not be understated.

**Para 3.1.1.** BPI's experience is that in general our DMCA notices are acted upon by Google. There is a specific problem with duplicates. If we find the same infringing URL for a second time and re-notify it, Google will reject it as duplicate URL even though it was a valid link to an infringing file and Google had failed to remove it before we sent a second notice. This problem is amplified because Google does not report back to us which URLs it removes. This is a quirk of the system, rather than representing a problem with the notifications sent by BPI or other content owners.

**Para 3.1.2.2** This paragraph raises the issues of "notice and stay down". Like IFPI, BPI believes that once specific content has been notified for a specific (infringing) website, such as "Coldplay - Ghosts - on mp3juices.com" then a search engine should not relist that content in search results even if the same site reposts the content (or a link to it) at a different URL. We have already notified the search engine that that content on that website is unlicensed. We should not have to do so time after time just because the URL changes by a few characters. The content is the same.

**Para 3.1.3.3** BPI has set out previously to you, operational constraints imposed by Google which in practice significantly hamper our ability to find and then notify for removal illegal content in Google search. We continue to seek agreement from Google to resolve these problems.

**Para 3.5.2** The steps outlined by Google do not resolve the problems with search rankings for illegal sites. BPI does not oppose them; it merely points out that on their own, they will not make any meaningful difference:

- **Para 3.5.2.1** BPI has held similar joint events on SEO best practice with Google; while welcome, any results are at best indirect and immeasurable.
- **Para 3.5.2.2** Preview streams in search do not remove links to illegal downloads which appear alongside and did not prove successful as an initiative in the US.
- **Para 3.5.2.3** Google is offering rights owners the ability to pay Google to appear alongside or above illegal results. BPI does not believe the answer to this is for rights owners to outbid the pirates for better search listings.
- **Para 3.5.2.4** There are so many music releases (as opposed to film) that individual pages for each single or album featuring all online DSPs are not feasible; and BPI does not believe this will get traction among consumers.
- **Para 3.5.2.5** This is happening already. iTunes and Spotify, which are applications rather than web pages, have already created "preview" versions of their sites which allow them to be crawlable by search engines.

**Para 4.1.2** Information that is available on Alexa.com shows that sites such as beemp3s.org, mp3skull.com, mp3juices.com, dilandau.eu, mp3olimp.net, all have between 30-50% of their traffic coming from search engines.

**Para 4.2.1** Using Comscore and Nielsen, BPI tracks in detail every month the impact of the blocks it secured in the High Court of 25 leading pirate sites. Even factoring in traffic to proxy sites established to circumvent the blocks (which are themselves regularly added to the list of blocked sites), total UK traffic to the blocked sites (and their proxies) has **fallen by more than 70%** since the blocks were put in place. In parallel, total illegal P2P traffic in the UK has fallen by 16% since the blocks.



**Para 4.3.2** BPI strongly welcome Google's expressed support for Op The British Recorded Music Industry Infringing Website List. However, we are informed by the IAB that only DoubleClick has signed up to the DTSG Principles; and Google has only just confirmed that it will sign up as a brand for its own advertising. Its other advertising services Google Display Network and AdSense are not covered. Moreover, even for DoubleClick, Google's position is that it will continue serving ads to the sites identified by PIPCU **until** a brand instructs it not to do so. We understand that Doubleclick does not ask brands for their instructions.

Hopefully, these are problems that can be resolved and Google is aware of BPI's concerns, but it illustrates how long it may take to have a really effective programme that prevents ads appearing on pirate sites. The other main issue with the DTSG is coverage – there are many major suppliers of ads to pirate sites who are not yet part of the programme.

**Para 4.5.2** BPI is strongly supportive of the PRS "Traffic Lights" proposal as a way of providing consumers with more information and steering them away from illegal sites. The cooperation of anti-virus companies in this regard could be very effective. We agree (as do PRS) that placing red flags next to illegal sites in search results should be a complement to, not a substitute for, demotion of illegal sites and promotion of legal sites in rankings.

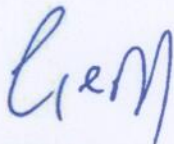
**Para 6.4** For the reasons set out re para 2.2 above, BPI would strongly press for Recommendations 4(a) and (b) to be made Key Recommendations, alongside Recommendations 5 (a) & (b) and Recommendation 6. Recommendations 4(a) & (b) would create a significant impact in a short timeframe, are simple, objective, and verifiable and require action by only three significant companies. These actions together would make the biggest difference to the digital economy in the UK. The demotion of sites currently is not in any way effective for searches for music to download; and there is **no** promotion of legal sites in place.

**BPI would also add a new recommendation** to deal with the operational constraints on right holders' ability to search for and remove illegal content. BPI does not think it is right that Google places limits on our ability to identify and remove illegal copies of our content from their search engine, or that it proposes to charge us for the ability to do so effectively. Even though BPI and RIAA have sent almost 130 million DMCA notices to Google, this is still not sufficient at present to allow legal copies' of artists' works to feature prominently in search results.

## **Conclusion**

Supporting legitimate business against illegal online distribution will help boost growth in the UK digital economy and at the same time will give consumers confidence they can search for entertainment safely and legally. Search has a critical role in helping consumers find legitimate content and acting against illegal sites when they have full knowledge of the nature of those sites.

Best wishes,



**Geoff Taylor**  
**BPI Chief Executive**

PRS



By email to: [mike.weatherley.mp@parliament.uk](mailto:mike.weatherley.mp@parliament.uk)



21<sup>st</sup> August 2014

Robert Ashcroft  
Chief Executive  
Tel: 0207 306 4211  
Fax: 0207 306 4050

Mike Weatherley MP  
House of Commons  
London, SW1A 0AA

Dear Mike,

**Re: *PRS for Music* response to the 'Search and Piracy' Report**

I am writing to provide a short response to your recently published 'Search Engines and Piracy' Report. I have limited my remarks to recommendation 8, that search engines should explore the means to signify legal content both into its algorithms and into the search results presented to consumers.

*PRS for Music* welcomes your timely report. It provides an important intellectual contribution to the debate on how the creative sector and technology businesses can work together to support consumers with helpful information when they go online to access creative works (often featuring our members' repertoire). Your report specifically references the worrying evidence from Ofcom which shows that 44% of consumers (aged 12 or above) lack confidence in identifying legal content online. To have such a high proportion of consumers in that situation is entirely unacceptable. It underlines the obvious demand for more and better educational measures that signpost and nudge (music) users towards legal sites.

As you know and refer to in your report, *PRS for Music* has been championing a 'traffic lights' technology solution for several years. This measure is designed to help consumers of all ages identify whether creative content is legal or not via a red-cross or green tick system. We are disappointed that some say they remain unclear about how this system would work. Until search engines, including Google, stop listing illegal services to consumers, a traffic light system is required to help inform those consumers how to access legal sites. We are currently taking our traffic light system forward to the technical development phase. We believe our solution will usefully complement the forthcoming Creative Content UK Programme, for which we are grateful to Government for its funding and political support.

It's high time that industry and Government partnered together to help consumers, and at the same time support the sustained growth of the creative industries. We thank you for taking the time to write this report, which provides us all with an important contribution that supports these goals.

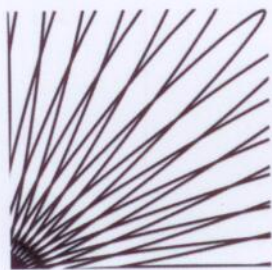
Yours sincerely,

A handwritten signature in black ink, appearing to be 'RA' with a stylized flourish.

Robert Ashcroft

# Alliance





# ALLIANCE

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## FOR INTELLECTUAL PROPERTY

### **Alliance for Intellectual Property response to 'Search engines and piracy: A discussion paper by Mike Weatherley MP'**

The Alliance for Intellectual Property welcomes the publication of Mike Weatherley's reports on 'Follow the Money' and 'Search Engines' in regards to tackling online copyright infringement. These reports have proven useful and timely first steps in opening up the policy debate around the digital creative economy.

Online copyright infringement is of serious ongoing concern to the UK's creative industries but responsibility for tackling criminality and infringement must be accepted by all involved in providing and delivering access to content. A key focus of this debate is the role that search engines play in providing that access. In a Populus poll from Autumn 2013 33% of consumers stated that they would be confident that the content they found online was legal if they were directed there through a search engine,<sup>1</sup> but we know that search engines can provide a gateway for consumers to infringing content<sup>2</sup>.

#### **Report recommendations**

Recommendation 1: All search engines have a role to play in tackling copyright infringement online, and many of the major market players – Google among them – have started to engage on this important issue. The Alliance would welcome any moves by major market players to take the lead in engaging fully with right holders.

Recommendation 2: Alliance members have variously worked or discussed with Google ways of better protecting creative content online. A yearly event may be a useful addition to these conversations and we would welcome seeing specific details of any such event were it to go ahead. Crucially it would be helpful for those attending to work on ways to delist and 'unpromote' infringing content as well as working on promoting legal content and services. Furthermore search engines need to engage in ongoing conversations with rights holders about reducing access to IP infringing content via their platforms and services.

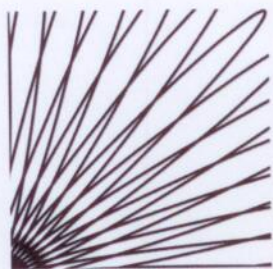
Recommendation 3 & 4: We welcome Google's engagement in trying to promote legal services over services which provide access to infringing content although some Alliance members have stated that they have seen little improvement since the reported change in algorithm in August 2012. As noted in the report there is concern from creators and rights holders over the effectiveness and viability of these measures as well as a large amount of data about sites that is held by search

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<sup>1</sup> Populus 'Public Attitudes to Intellectual property Rights' 2013  
<http://www.allianceforip.co.uk/dev/downloads/pdf/Populus.pdf>

<sup>2</sup> Millward Brown Digital 'Understanding the Role of Search in Online Piracy' 2013 <http://www.mpaa.org/wp-content/uploads/2014/03/Understanding-the-role-of-search-in-online-piracy.pdf>





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## FOR INTELLECTUAL PROPERTY

engines in the form of DMCA notices and site blocking orders which are evidence-based ways of determining whether a site and/or content is legitimate or not.

Recommendation 5: We agree that search engines should use court orders (97A orders) for ISPs to block copyright infringing websites as a basis for removing those sites from their own search algorithms. Search engines should take those court rulings, based as they are on stringent evidence gathering proving that a site is egregiously infringing, and act to remove them from listings in good faith.

Recommendation 6: 'Follow the Money' initiatives are extremely important in tackling copyright infringement and we would welcome moves by search engines to further engage in the industry and police-led initiatives.

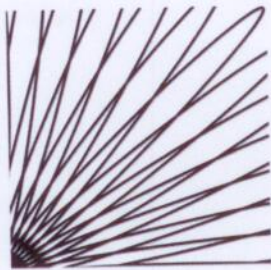
Recommendation 7: Autocomplete is an ongoing problem. As pictured below, consumers searching for the recent UK best-selling artists 'Nico & Vinz' do not have to go far before being offered their single 'Am I Wrong' in MP3 format. Clicking on this option leads to a page which features infringing versions as the top results. Google's autocomplete means that consumers are inadvertently being led to infringing content with very few key strokes and clicks.

Recommendation 8: There have been several initiatives from the creative industries, such as PRS for Music's traffic light system, that we believe could be pursued by search engines and other portals as a method of directing consumers towards safe and legal content, and we welcome this suggestion.

Recommendation 9: As highlighted by the Report, the continued delay of implementation of the DEA means that voluntary initiatives need to gain as broad a support base as possible..

Recommendation 10: Engagement by Google as well as other search engines on this issue is welcomed and we look forward to discussing how right holders and search engines may be able to take forward the suggestions in this paper.





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## FOR INTELLECTUAL PROPERTY

### Appendix 1

Google search results for "nico & vinz".

Search results include:

- Nico & Vinz - Wikipedia, the free encyclopedia
- Am I Wrong (song)
- In Your Arms (Envy song)
- Nico & Vinz - Am I Wrong [Official Music Video] - YouTube
- Nico & Vinz still number one in UK charts
- Nico & Vinz

The main result is "Nico & Vinz - Wikipedia, the free encyclopedia". The snippet reads: "Nico & Vinz is a Norwegian singing/songwriting duo composed of Nick Serabe and Vincent Dery. They formed in 2009 as Envy and are based in Oslo." Below the snippet are two images: "Am I Wrong (song)" and "In Your Arms (Envy song)".

The "Nico & Vinz" result shows a photo of the duo and a brief description: "Nico & Vinz are a Norwegian singing/songwriting duo composed of Nick Serabe and Vincent Dery. They formed in 2009 as Envy and are based in Oslo. They changed their name to Nico & Vinz in January 2014 after the international success of 'Am I Wrong'." Below this is a table of songs:

Songs	Year	Album
Am I Wrong	2012	The Magic Soup and the Bittersweet Face
In Your Arms	2012	The Magic Soup and the Bittersweet Face
One Song	2012	The Magic Soup and the Bittersweet Face

Google search results for "nico & vinz am i wrong mp3".

Search results include:

- Nico & Vinz - Am I Wrong [Official Music Video] + Download ...
- Nico Vinz - Am I Wrong MP3 downloads | www.MyFreeMp3.cc
- (7.86MB) Am I Wrong Nico & Vinz.mp3 Download (320Kbps)
- Nico & Vinz - Am I Wrong (Justin Sane Bootleg) MP3 ...
- NICO VINZ AM I WRONG - Mp3 Download (2.62 MB)
- Nico And Vinz - Am I Wrong - Free mp3 Download - Mp3.it

The first result is "Nico & Vinz - Am I Wrong [Official Music Video] + Download ...". The snippet reads: "www.youtube.com/watch?v=2OjMwm9MGY 4 Jul 2014 - Uploaded by Willy Woickal nico & vinz - am i wrong mp3 nico & vinz - am i wrong download nico & vinz - am i wrong zippy nico & vinz - am i wrong free mp3 download".

The second result is "Nico Vinz - Am I Wrong MP3 downloads | www.MyFreeMp3.cc". The snippet reads: "www.myfreemp3.cc/music/Nico+Vinz+-+Am+i+Wrong Nico Vinz - Am I Wrong mp3 downloads. Free MP3 search engine for listen online music and fast free downloads mp3".

The third result is "(7.86MB) Am I Wrong Nico & Vinz.mp3 Download (320Kbps)". The snippet reads: "mp3clan.net/mp3/am\_i\_wrong\_nico\_vinz.html Found! Am I Wrong Nico & Vinz mp3 | 320Kbps | (7.86MB) | Download Free | Play | Cut ringtone or audio sample of Am I Wrong Nico & Vinz song online".

The fourth result is "Nico & Vinz - Am I Wrong (Justin Sane Bootleg) MP3 ...". The snippet reads: "soundowl.com/track/6uk6/nico-vinz-am-i-wrong-justin-sane-bootleg Download Nico & Vinz - Am I Wrong (Justin Sane Bootleg) | MP3 10.8 MB".

The fifth result is "NICO VINZ AM I WRONG - Mp3 Download (2.62 MB)". The snippet reads: "www.stafaband.info/download/mp3/lagu\_nico\_vinz\_am\_i\_wrong/ file size: 9.54 MB | Click Download to Save mp3 Nico And Vinz Am I Wrong from 4shared.com. [download] Nico And Vinz - Am I Wrong mp3 file size: 9.54 MB".

The sixth result is "Nico And Vinz - Am I Wrong - Free mp3 Download - Mp3.it". The snippet reads: "mp3.it/index.php?o\_%20Nico%20And%20Vinz-Am-i-Wrong-Mp3-Mp3's for: Dielochis - Nico And Vinz-Am I Wrong Nico And Vinz - Am I Wrong - Lakraze Audio Remix. 3.35. Download Nico And Vinz - Lakraze Audio Remix.mp3".