

SIIA Anti-Piracy Division News

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SIIA Wins its First European Anti-Piracy Case with Five-Figure Settlement Against German Software Pirate

Settlement with eBay Vendor is Result of SIIA's New European Monitoring & Enforcement Campaign

Washington, D.C. (February 22, 2011) The Software & Information Industry Association (SIIA), the principal trade association for the software and digital content industries, today announced that it settled a software piracy case against a German eBay vendor who sold unauthorized Adobe products. The settlement is the result of SIIA's groundbreaking new effort to take its Internet anti-piracy campaign outside of the United States.

On behalf of SIIA member Adobe Systems Inc., SIIA investigated, and filed a lawsuit against, an eBay vendor from Lower Saxony for illegal parallel importing – or the importation of products to be sold in another market without permission from the trademark owner. The defendant breached German copyright and trademark law by purchasing several hundred authentic Adobe products, importing them to Germany without Adobe's consent and selling them on eBay. As a result of the settlement, the defendant (whose name cannot be revealed due to the settlement terms), paid a five-figure sum to cover damages and agreed to stop selling the unauthorized software. The case was filed before the Court of Justice in Frankfurt am Main.

"This is the first shot in what is a significant new campaign to address international software piracy," said Keith Kupferschmid, Senior Vice President of Intellectual Property Policy & Enforcement for SIIA. "In the U.S., SIIA's anti-piracy campaign has led to large settlements, convictions and even jail time. We are replicating this effort in Europe – so that if you sell illegal software on either continent, you are risking investigation and prosecution."

"SIIA's goal is to stop the sale of illegal software and teach all sellers to make certain they are dealing only in legal software," continued Kupferschmid. "As this settlement demonstrates, it is both a crime to create counterfeit software and a crime to sell authentic software without authorization. Our campaign will continue to educate, investigate, and bring legal action to protect software companies and consumers around the globe."

In January 2010, SIIA expanded its Internet Anti-Piracy Program into Europe and began monitoring Internet sellers there. In most cases, SIIA generates leads and uses local investigators to buy products from suspected software pirates in order to confirm if the products are counterfeit. If sellers bought counterfeit software elsewhere, SIIA also launches an investigation to identify the original suppliers.

During the last three years, SIIA has filed more than 100 lawsuits in the U.S. against illegal eBay sellers as well as sellers on other websites dealing in counterfeit, OEM, academic, and other illegal software. Many defendants have paid thousands of dollars in damages, and, in some cases, criminal charges were pursued and defendants sentenced to jail time. SIIA has also successfully tracked and sued the upstream sources of these products.

Sources in the U.S. and in Europe can contact SIIA about a company, Web site or online auction seller's suspicious business practices in three ways:

- E-mail: piracy@sii.net
- Telephone: +1-800-388-7478
- Online: www.sii.net/piracy/report

For more information about the SIIA Internet Anti-Piracy Division, or to read SIIA's software buying guides, visit the [Software Anti-Piracy Information page](#).

About SIIA

The Software & Information Industry Association (SIIA) is the principal trade association for the software and digital content industry. SIIA provides global services in government relations, business development, corporate education and intellectual property protection to more than 500 leading software and information companies. For further information, visit: www.sii.net. Its **Anti-Piracy Division** conducts a comprehensive, industry-wide campaign to fight software and content piracy. The pro-active campaign is premised on the notion that one must balance enforcement with education in order to be effective. The **SIIA Internet and Auction Litigation Program** aims to educate online buyers and sellers regarding the risks and harm of buying and selling illegal software. Among other things, sellers can be prosecuted, and buyers can be burdened with viruses, faulty products, and/or no technical support. In addition to the Internet and auction piracy lawsuits, SIIA also seeks to protect legitimate sellers and unsuspecting buyers by publishing software buying guides for auction sites.

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