

Hong Kong Customs combats provision of infringing karaoke songs by party rooms and restaurant in course of business (with photos)

Hong Kong Customs mounted a territory-wide enforcement operation codenamed "Magpie" between July 2 and 25 to combat illegal activities involving party room and restaurant operators providing infringing karaoke songs to customers in the course of business.

During the operation, Customs officers raided 31 party rooms and one restaurant in various districts, including Kwun Tong, Causeway Bay, Tsuen Wan and Mong Kok. A total of 39 sets of karaoke devices used for playing suspected infringing songs, four sets of game consoles with suspected pirated electronic games, and a batch of audio and video equipment and network devices were seized. The total estimated market value is approximately \$1.1 million. Eleven men and seven women, aged between 23 and 49, were arrested for being suspected of contravening the Copyright Ordinance and Trade Descriptions Ordinance (TDO). They include seven persons-in-charge of the venues, six company directors and five shop proprietors. Two of the arrestees were charged under the Copyright Ordinance, while the rest were released on bail pending further investigation. The investigation is ongoing and further arrest may be made.

In addition, Customs detected the first-ever case of providing infringing karaoke songs by using streaming technology. Through in-depth investigation and with the assistance of copyright owners, Customs officers raided one data centre and four party rooms involved in the case, seizing five karaoke devices preloaded with suspected infringing karaoke songs and a batch of network equipment.

Customs also found a party room owner who claimed to have obtained a valid licence that allowed customers to legally watch movies and television programmes. However, upon investigation, it was revealed that the subject party room did not obtain such a licence and was suspected of making a false trade description in the course of business, contravening the TDO.

Customs reminds business operators to comply with the Copyright Ordinance and the TDO.

Customs will continue to step up inspection and enforcement to vigorously combat infringing activities on all fronts and safeguard the rights of copyright owners and consumers.

Under the Copyright Ordinance, any person who, without the license of the copyright owner of a copyright work, possesses infringing copies of a copyright work for the purpose of, or in the course of, any trade or business

with the view to it being used by any person commits an offence. The maximum penalty upon conviction is a fine of \$50,000 per infringing copy and imprisonment for four years.

Under the TD0, any trader who engages in unfair trade practices, including making false trade descriptions in relation to service, commits an offence. The maximum penalty upon conviction is a fine of \$500,000 and imprisonment for five years.

Members of the public may report any suspected infringing activities to Customs' 24-hour hotline 2545 6182 or its dedicated crime-reporting email account (crimereport@customs.gov.hk) or online form (eform.cefs.gov.hk/form/ced002).

