

## [News story: Criminal law changes to online copyright infringement](#)

The maximum sentence for online copyright infringement has changed from two years to ten years.

### **What's changed?**

The criminal law provisions relating to online copyright infringement have changed. The maximum sentence that can be levied is now ten years. This change brings the law in line with what is already available for physical copyright infringement.

The changes affect sections 198 1(A) and 107 2(A) of the Copyright Designs and Patents Act. These sections outline criminal offences arising from infringement of a performers making available right, and their communication right.

An additional mens rea has also been introduced. It must now be proved that a person "knows, or has reason to believe that the act of infringement will cause loss to the owner of the right or expose the owner of the right to a risk of loss".

### **The facts**

These offences do not criminalise the downloading of material, although civil action can be taken against any infringer in these circumstances.

In some circumstances the downloading of material can also involve the re-upload of the same material, which may mean the requirements of the offences are met.

To avoid the risk of any civil or criminal action being taken against you our advice is to access content legally. If you are unsure how to do this [Get it Right from a Genuine Site](#) can help you.

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## [News story: IP \(Unjustified Threats\) Act comes into force](#)

From 1 October 2017, changes will be made to the law on unjustified threats of infringement

The new law on threats is clearer, consistent across all relevant IP rights, and will help businesses to avoid expensive litigation.

An unjustified threat is made when someone unfairly threatens someone else with legal action for infringing their intellectual property, when no infringement has actually taken place. These threats are costly and disruptive, drive customers away and stop businesses trading legitimately in goods and services.

### **The IP (Unjustified Threats) Act 2017 will:**

- help businesses negotiate fairly over IP disputes, and protect businesses who can be most harmed by unjustified threats
- make it clear what you can and can't say when approaching another business about an alleged infringement
- help IP owners and third parties understand when an approach is a threat
- encourage IP owners to approach the source of the alleged infringement, rather than customers or retailers
- encourage a culture of allowing businesses to "talk first", rather than head to court
- bring consistency and certainty across this complex area of IP law

### **Why did we make the changes?**

The law was complex, unclear, and inconsistent between the various IP rights involved. It made IP owners, particularly SMEs, reluctant to try and enforce their IP. It also made it difficult for businesses to make legitimate attempts to settle an IP dispute before going to court. The changes follow from detailed proposals put forward by the Law Commission for reform in this area of law.

Read our business guidance to find out more information on [unjustified threats](#) and how they affect the actions you can take.

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## **[News story: Use a website address instead a registered design number](#)**

Designers can now use a website address to show their products are protected by registered designs.

### **What's changed?**

From today registered design owners can mark their product with a website address to show the product is protected by a registered design. Previously the only way to do this was to put the registered design number on the

product. The webpage must clearly set out the registered design number(s) relevant to that product.

Removing the need to mark the registered design numbers directly on the product will reduce burdens and costs for businesses and individuals who own registered designs.

### **Why is it important to show the design is registered?**

Marking the product as protected by a registered design is optional, but it gives the design owner the best chance of being awarded financial remedies if their design is infringed. Using a website address will also make it easier for the public to access up-to-date registered design information in relation to a product.

Read our guidance on how to [display your rights](#).

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## **[Press release: Change of Her Majesty's Ambassador to the Czech Republic](#)**

2014 – present UK Trade and Investment, Managing Director, Policy and Network Development 2012 – 2014 UK Trade & Investment, Director, Strategic Trade 2008 – 2012 Copenhagen, Her Majesty's Ambassador 2006 – 2008 Valetta, British High Commissioner 2002 – 2005 FC0, Head, Near East and North Africa Department 2001 – 2002 FC0, Head, North Asia and Pacific Department 2000 – 2001 FC0, Acting Head, North Africa Department 1997 – 2000 Assistant Private Secretary to HRH The Prince of Wales 1995 – 1997 Oslo, Head of Economic & Commercial Section 1992 – 1995 FC0, Assistant Private Secretary to Minister of State 1989 – 1992 FC0, Section Head, Near East & North Africa Department 1986 – 1989 Amman, Political Section 1985 – 1986 Language training (Arabic) 1983 – 1984 FC0, Desk Officer, Far Eastern Department 1983 Joined FC0

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## **[Press release: Sentences for animal cruelty to increase tenfold to five years](#)**

Animal abusers who commit the most heinous crimes could face up to five years in prison under new plans set to be unveiled by Environment Secretary Michael Gove.

Currently the maximum sentence is six months but the government will announce plans to bring forward new legislation that will increase that tenfold, sending a clear signal to any potential offenders that there is no place for animal cruelty in England.

There have been a number of recent shocking cases where courts have said they would have handed down longer sentences had they been available, including a case in April last year when a man bought a number of puppies just to brutally and systematically beat, choke and stab them to death. The new legislation will also enable courts to deal more effectively with ruthless gangs involved in organised dog fights.

Environment Secretary Michael Gove said:

We are a nation of animal lovers and so we must ensure that those who commit the most shocking cruelty towards animals face suitably tough punishments.

These plans will give courts the tools they have requested to deal with the most abhorrent acts.

This is one part of our plan to deliver world-leading standards of animal welfare in the years ahead.

Cases of extreme cruelty are rare – while on average about 1,150 people per year are convicted for animal cruelty, fewer than five of them receive the current maximum sentence. The change in law will ensure that offenders are properly punished in those rare but shocking cases.

Under the government's plans, courts will retain the ability to hand out an unlimited fine and ban an offender from owning animals in the future, but crucially they will also have the ability to sentence the worst cases appropriately. The move will bring maximum sentences for animal cruelty in England into line with other countries such as Australia, Canada, the Republic of Ireland and Northern Ireland.

Some of the recent shocking cases in which courts commented they would have handed down longer prison sentences had the law allowed them include:

- A man who systematically abused and killed several puppies by beating, choking and stabbing them, sentenced to the maximum six months' imprisonment and banned from owning animals.
- A man who kicked his girlfriend's dog to death, given a custodial sentence of just over five months, fined £1,000 and banned from owning animals.
- A man who fed his dog aspirin and paracetamol to try to kill her, before beating her to death with a shovel, sentenced to four months in prison and banned from owning animals.

The move was widely welcomed by animal welfare groups and follows dedicated campaigning from Battersea Cats and Dogs Home and the RSPCA.

Claire Horton, Chief Executive of Battersea Dogs & Cats Home, said:

Battersea is thrilled that the Government plans to raise the maximum sentence for the most abhorrent cases of animal cruelty in England from six months to five years.

This shows that the political will is there to make the punishment fit the crime and so many innocent animals will benefit from their actions.

This news will be very positively received by the public, the majority of whom share Battersea's wish to see this change. Since we launched our campaign calling for five year sentences at Westminster in February, the momentum has clearly been building and the response has been tremendous, with close to 62,000 members of the public across the UK calling on their elected representatives to back this change – and 145 politicians already have.

Battersea stands ready to help in any way we can to support this move to five year sentences and make such shocking cruelty to animals a thing of the past.

RSPCA Head of Public Affairs David Bowles said:

We are thrilled that the Government has responded to calls from the RSPCA and members of the public to toughen up sentences for the worst animal abusers. We now feel that those who commit these acts will soon be receiving sentences that reflect the seriousness of their crime and hope this will act as a real deterrent against cruelty and neglect.

The RSPCA picks up the pieces of animal cruelty every day of the year. Our inspectors regularly rescue animals from horrific circumstances of mistreatment, brutality and neglect. It is only through the prosecutions that we take that many of the perpetrators are brought to justice.

The strength of feeling behind a move to toughen up these sentences is huge – but at the moment the courts are limited by the law under which the strongest sentence for animal cruelty is six months' imprisonment and an unlimited fine – but this rarely happens.

Michael Gove's promise to bring sentences in line with Northern Ireland – which has a maximum of five years imprisonment – should help to deter people from abusing and neglecting animals and will finally mean that the sentence fits the crime.

The government will publish draft legislation for consultation around the turn of the year.

These plans are part of an ambitious programme of reform that will cement the UK's position as a global leader on animal welfare as we leave the EU. Last month we announced plans to make CCTV mandatory in all slaughterhouses and we have committed to taking steps to control the export of live farm animals for slaughter as we leave the EU.