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Press Release

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Regarding the Problem of Digital Bootlegs available on Apple's App Store

As has already been reported, clear infringements of copyright are rampant on the App Store service operated by Apple Inc. ("Apple," hereafter). Even recently, the works of renowned authors such as Haruki Murakami and Keigo Higashino have been illegally distributed on the service. In addition, applications that allow a large volume of illegally digitized comics to be freely viewed have also been distributed via the service.

Authors and publishers have made removal requests to Apple's Japanese arm and to its headquarters in the United States regarding the distribution of these "digital Bootlegs," and while some works have been removed, even now the illegal distribution has for the most part continued.

The associations we represent believe that Apple bears grave responsibility for this problem.

First, Apple claims that the copyrights to applications and other content provided on the App Store are a problem to be resolved between the providers and copyright holders. However, the purveyors of digital bootlegs are committing crimes with full knowledge of their actions from the outset, and the reality is that they have never had any intention of rights handling. Apple's distribution of content that clearly infringes copyright constitutes the aiding and abetting of illegal acts, and this in itself must be deemed illegal.

The digital bootlegs in question all involve duplication by scanning of the printed books, the legality of which should be highly questionable unless undertaken by the author or publisher. Apple has reportedly claimed it is not able to check the handling of copyrights in advance and has no intention of doing so, but the idea that obvious infringements of copyright cannot be checked while conducting the advance screening of content such as writings is a wholly unconvincing explanation. Moreover, Apple is yet to clearly specify a contact point for removal requests or the procedures for

removal, and even for the content that has been removed, it is unclear who removed the content and how the determination for removal was made. In addition, despite directly profiting from this illegal distribution, Apple has also failed to disclose sales data for these digital bootlegs.

Today, with the production and sale of bootlegs extremely easy due to advancements in digital networking technologies, distribution businesses whose services might be used to distribute digital bootlegs have a grave responsibility to establish preventative measures and disclose information. In light of the above circumstances, we request that Apple promptly disclose information concerning digital bootlegs and establish preventative measures. If cooperation by the publishers is required, our associations would spare no effort in offering support. We prefer to sit at the same table and work together with Apple on the creation of new rules for the age of digital networking. We again urge Apple to respond in a responsible manner.

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