

Challenges of Counterfeiting & Piracy for MSMEs – Fight Against Counterfeit and Protection of Market in Italy – The Role and Activity of SIAE

SIAE (Italian Society of Authors and Publishers) is the public body organised on an associative base entrusted by the Italian law on a monopoly basis for the intermediation of the assertion of the rights of representation, execution, acting and broadcasting of works or parts of works protected by the Italian copyright law.

SIAE is a “generalist society” because it administers copyright related to all genres of intellectual works: music, literature, visual arts, etc.

Authors, publishers, and other right holders voluntarily adhere to economically protect their works. Nowadays, the Society represents approximately 100,000 members.

SIAE is well present throughout the Italian territory with the Headquarters located in Rome, 13 regional offices, 34 branch offices and over 600 agents.

ANTI-PIRACY DEPARTMENT

With regard to the protection of the members' economic interests, the fight against counterfeit products containing creative works represents an essential element

Therefore an Anti-Piracy Service has been formed within the society, consisting of a Central Office in Rome with 16 people-staff, and some regional offices with a total staff of 20 people.

SIAE's inspectors are granted by law with powers of inspection that can be used in any place in which show activity is performed, in replicators' factories, in sales or distribution stores.

In fact, even though they do not have police powers, SIAE's inspectors cooperate actively with the State Police, carrying out intelligence activities, providing news, expert reports, technical reports, and taking action to support the operational phases of seizures. They also take part in the trial phase, in collaboration with the Legal Department, attending hearings in Court

THE AUTHENTICATION

The authentication of recording carriers by means of special SIAE anti-piracy sticker was adopted in Italy in 1973.

Since 1987, the affixation is required by law.

Of course, before issuing stickers to the producers or importers, the Society checks that the corresponding fees have been paid.

In fact, the authentication system has a number of advantages:

- sticker is useful both for the police and SIAE's inspectors to distinguish between the original work and the pirate copy.

- Possibility, at the trial, to obtain evidence of infringement without resorting to complicated and expensive examinations by technical staff: the absence of the sticker is sufficient for the sentencing

- protection of the consumer who can immediately recognize the counterfeit product, avoiding being cheated

- product traceability, from the requests for authorization, through all subsequent steps up to the final consumer.

THE STICKER

Of course, for the system to run smoothly, the sticker must be equipped with a series of requirements.

After more than 30 years of experience, SIAE is able to provide a sticker with the following features:

- each sticker comes with a unique progressive alphanumeric number, that identifies the single carrier without errors. SIAE keeps a special data base with authentications of the last 20 years.

- the sticker contains the title of the work and producer, or a code that shows this data.

- the sticker is metalized and it cannot be photocopied or scanned.

- the sticker once applied cannot be removed without making it useless.

- the sticker, created nowadays with the most innovative techniques, contains elements to prevent counterfeit which are not visible to the naked eye, and whose falsification is almost impossible, except at very high costs: SIAE logo in thermo sensitive ink, which changes colour with the touch of a finger; special holograms; microscopic writings like those used by the producer; other anti-counterfeit elements verifiable only by experts

Authentication aims at providing an irreproducible sticker, easily analyzed by the consumer or by the police (just place a finger to check the authenticity) and with low cost.

At the same time, it is always possible, in case of sophisticated counterfeiting, to use the security features not visible to ascertain the authenticity.

USE OF STICKER

As mentioned before, the sticker is required by law for all audiovisual carriers.

However, the SIAE, if required, can provide the sticker and its inspection services for other kinds of products. For instance:

- For some years now, the sticker has been used to protect the craft-made violins produced in Cremona from the low-cost imitations.
 - the sticker is affixed on a perfume line
 - the sticker is applied on multiple artworks duplications to prevent both counterfeiting and over pressing

SIAE is always ready to provide both its technology and, above all, its regional organization and its inspection services for the protection of anti-counterfeiting of products of any kind.

Clearly, anyone can print and apply a sticker, but the authentication reveals himself useless if it is not supported by a thorough inspection of producers, distributors and retailers, and by an organization capable of acting quickly and effectively in case of abuse.

SIAE is capable of doing this.