

Taking down the pirates at Primal Pictures



A British success story

Primal Pictures manufacture software used in medical training to provide an accurate 3D model of the human anatomy. The software, developed in London, is used for patient, practitioner and student education in over twenty countries across the globe. In 2010 the success of the software was witnessed when over half a million students learnt anatomy using Primal Pictures software.

The company was established in 1991 and prides itself on the accuracy and detail of its modelling of the human anatomy. Derived from genuine medical scan data and translated expertly into three-dimensional images the software also uses three-dimensional animations that demonstrate function, biomechanics and surgical procedures.

To supplement the core three-dimensional anatomy data are clinical videos and text written by some of the world's leading medical experts.

Educators, medical professionals and practitioners and students use Primal Pictures software alike. It also works on many customisation projects every year to tailor the model to the needs of its clients' marketing or training programmes as well as to 'animate' surgery or disease.

Its best selling software products include 3D Human Anatomy, Interactive Functional Anatomy and 3D Head and Neck Anatomy for Dentistry.



THE SOFTWARE,
DEVELOPED IN LONDON,
IS USED FOR PATIENT,
PRACTITIONER AND
STUDENT EDUCATION IN
OVER TWENTY COUNTRIES
ACROSS THE GLOBE

The economic impact of software piracy on UK Plc

Figures on the actual economic impact of software piracy are notoriously difficult to quantify. Invariably they are retrospective and far too few studies are conducted to clearly validate the results. However, there are some statistics that need to be considered.

The IT sector in the UK is a major contributor to the UK economy. Over the past decade we have heard a lot about the need to focus on the so-called knowledge industries. In fact as the economy has continued to face ongoing structural challenges, many in government and industry have called for a rebalancing away from the business services and finance sectors back to manufacturing.

For many, software development, hardware manufacturing and even software games are part of this drive to diversify.

Indeed according to analyst house IDC, in 2009 - at the height of the downturn - the IT sector supported 590,000 highly skilled jobs with companies and employees estimated to be paying around £43 billion in taxes. Furthermore, there is an economic argument that supports the view that just as IT helps drive the economy, software drives IT and spending on IT has a ripple effect on the broader IT market because selling, serving and supporting software creates downstream economic activity.

Julian Heathcote Hobbins, General Counsel, FAST, stated: "It is not just the IT industry that loses out to software piracy, the end-user is often left in a vulnerable position with an unlawful copy, no access to technical support, no information regarding upgrades and a risk of incomplete or virus contaminated products on their computers. The illegal software trade is worth hundreds of millions of pounds in the domestic market alone. Unscrupulous dealers and individuals misuse their computer skills, bypassing the software security, then selling on the illegal copies to others, or simply making available valuable software on the internet,"

"Activities are sometimes justified with claims that publishers make too much money by over-pricing their products, justifying their own actions by claiming they are providing a public service."

Julian continued: "A relatively small number of publishers make healthy profits. However, that is not always the case, as many are beholden to demanding venture capital funders who extract their pound of flesh. Those that do, have spent many years developing products that customers want and are outstanding in their field. There are always large R&D budgets to finance for further product development.

Primal Pictures: specialists in the field

As the software has increasingly become the technique of choice for the teaching of anatomy in institutions from high schools to medical schools, Primal Pictures has evolved the delivery of its software through both sales of DVDs and online portals.

Peter Allan, Managing Director at Primal Pictures, commented: "Primal Pictures has experienced impressive growth and uptake in use of the software has grown rapidly. Although we developed the software here in the UK, I would suggest eighty percent of our business is now done internationally, and we are seeing a surge in procurement in emerging economies such as China. Whilst this is good for us as more people are using the software, it presents us with greater challenges in terms of protecting the Intellectual Property (IP) that we have developed."

Unfortunately for Primal Pictures, it faces a two-pronged threat to protecting its IP. The DVD can be illegally copied and resold as fake merchandise, whilst online peer-to-peer torrent download sites also permit the sharing of pirated versions of the software.



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INCOMPLETE OR VIRUS
CONTAMINATED PRODUCTS
ON THEIR COMPUTERS

Working with FAST

With the desire to fully protect its IP, Primal Pictures began working with the Federation Against Software Theft (FAST).

Having made contact with FAST, the two organisations began working on a project that targeted the illegal torrent file sharing sites that are hotbeds for sharing pirated material. FAST was able to provide essential legal counsel to Primal Pictures, ensuring that the correct avenues were pursued when targeting the torrent sites.

There is a difficult debate around the responsibility of pirated material on torrent sites, as the sites themselves often do not host the illegal copies, but act merely as an open forum or provide links to illicit copies. This perpetuates the exchange of material free of charge when it is paid for product.

Julian Heathcote Hobbins, continued: “The problem with the torrent sharing sites is proving accountability. It is not illegal to set-up the technology which in turn is exploited as a file sharing website mechanism - some argue it is essentially the same service as Google (i.e. just a search engine facility), however, the practical issue is that it is very difficult to track down suspects without significant investment. Given the importance of protecting IP and also the significance of what Primal Pictures develop we wanted to make sure that we targeted the illicit copies and use mechanisms to stop available copies on known websites and search engines.”

However, the availability of illicit copies driving online download only represents a small part of the piracy that Primal Pictures have to combat. The largest threat to the organisation comes from the online reselling of pirated copies of its DVDs for teaching.

Product piracy takedown

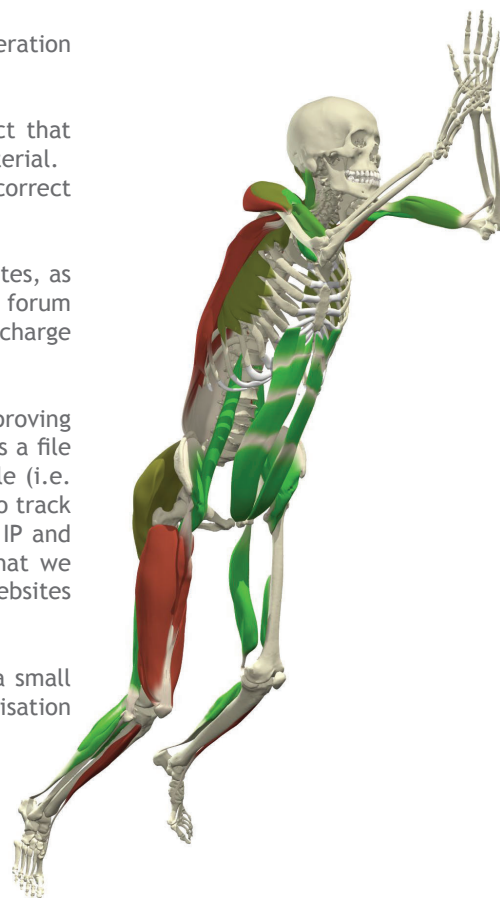
The project, undertaken to identify the revenue loss to Primal Pictures by online piracy, was a two stage programme focusing on Product Piracy Takedowns (PPT) and Positive Product Optimisation (PPO).

FAST instigated a project that sought to disrupt illegal postings and the distribution of pirated products online throughout 2010 and 2011.

Julian Heathcote Hobbins explained: “This was one of the most exciting initiatives we have instigated in recent years, aimed at taking down listings on the web that claim to be selling legitimate software. 63 listings were removed from Google, and 41 forum postings were tackled, plus a host of images containing infringing representations of the Primal product.”

“Internet shops reselling copies of the software are a genuine headache for us,” stated Peter Allan. “As we’ve embraced globalisation, and the software is used more and more abroad, it becomes nigh on impossible to monitor where the discs are copied and distributed. FAST was able to provide us with real practical help and advice in proving exactly where IP infringement had taken place. Together we were able to target those online retailers who it was possible to prove beyond doubt they had committed fraud and who could therefore be closed down.”

With a 100 per cent success rate illegal rankings no longer dominated Google and therefore consumer exposure to these sites was dramatically reduced.



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Positive product optimisation

The second stage of the campaign was to 'repopulate' the Google rankings with legitimate Primal Pictures content. In so doing it changed the results generated when using a search engine to source products.

Peter Allan added: "Ultimately the purpose of this is to clean up the online sales environment enabling consumers to find and buy legitimate products. The overall result was to substantially change the first three pages of a Google search, by replacing infringing content with positive content from the rights holder, which in this case was Primal Pictures."

Julian finished: "It is important for businesses like Primal Pictures to use organisations like FAST, as both will benefit from any partnership. Where the holders of software IP rights can protect themselves from being overrun, at FAST we can use increasing numbers of supporters to have a positive effect on the legislation that is in place to protect rights holders and deter abusers. We run a continuous campaign for better IP protection and the more businesses we have supporting us the stronger our voice is with legislators."

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About FAST

The Federation Against Software Theft was formed in 1984. FAST is a not-for-profit organisation limited by guarantee and wholly owned by its members. It aims to reduce, restrict and or lessen the incidence of unauthorised dealings in computer software. It works on many fronts to promote software compliance and protect its members' rights through awareness, enforcement, lobbying and promoting standards and best practice in business.

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