

GREECE

INTERNATIONAL INTELLECTUAL PROPERTY ALLIANCE (IIPA) 2013 SPECIAL 301 REPORT ON COPYRIGHT PROTECTION AND ENFORCEMENT

Special 301 Recommendation: IIPA recommends that Greece remain on the Watch List in 2013.¹

Executive Summary: There is very little news to report of any change in the environment for copyright piracy in Greece over the past year. Several years have passed since the Government of Greece organized its IPR enforcement efforts under a coherent plan with top-level leadership. But there is little to show for this. Greek police forces are a bright spot in efforts to enforce against infringement, but these authorities lack needed resources in difficult economic times. Prosecutors must place greater priority on copyright crimes, courts need to facilitate speedier cases with deterrent sentences, and government leaders need to establish the tools for ISPs and rights holders to cooperate against Internet piracy. In a story of relative, if fleeting, success, several groups within the copyright sector in Greece came together in a civil case in 2011, which in May 2012 resulted in a judicial order to block access to major Greek infringing linking websites, *ellinadiko.com* and *music-bazaar.com*. However, the blocks were in the end not implemented. Furthermore, many attempts to combat illegal file-sharing continue to be frustrated by data protection laws that impede investigations and enforcement actions. IIPA urges the U.S. Government to engage with the Government of Greece to encourage that it resumes and strengthens the efforts of the Coordination Committee for Monitoring and Coordinating IPR and reinstates and implements a Greek national IPR enforcement strategy, efforts that have been abandoned since 2009.

PRIORITY RECOMMENDED ACTIONS FOR GREECE IN 2013

- Introduce clear incentives for ISPs to cooperate with rights holders, both regarding hosted and non-hosted content.
- Consistent with the 2008 European Court of Justice (ECJ) *Telefonica* decision, amend data protection laws to allow disclosure of the identification of infringers and other necessary information for rights holders to protect their rights in court.
- Coordinate at the highest levels a national enforcement campaign to involve rights holders, increase raids and prosecutions, allow cooperation from the Immigration and Municipal police in anti-piracy cases, encourage criminal non-suspended sentencing, and conduct public awareness and training.
- Provide the Authority for the Prosecution of Financial Crimes (SDOE) with technical infrastructure and trained personnel to expand anti-piracy actions affecting all copyright sectors and to support the proactive work they are doing in the software sector.
- Establish annual and monthly targets for the SDOE to perform audits with published results, issue follow-up warnings and conduct raids on non-responsive companies, where appropriate, with published reports of administrative fines imposed.
- Encourage Government ministries and agencies to legalize software usage in public agencies.
- Direct prosecutors to bring cases more swiftly, and instruct courts to issue deterrent sentences without suspension, including imprisonment and fines as provided by the law.
- Establish specialized IPR courts in more Greek cities and expand their jurisdiction to criminal copyright cases.
- Amend the copyright law to provide the same level of protection for technological protection measures (TPMs) utilized in software that is currently afforded to other classes of works.

¹For more details on Greece's Special 301 history, see IIPA's "History" appendix to this filing, at <http://www.iipa.com/pdf/2013SPEC301HISTORICALCHART.pdf>, as well as the previous years' reports, at <http://www.iipa.com/countryreports.html>. To read IIPA's cover letter to this Special 301 submission, go to <http://www.iipa.com/pdf/2013SPEC301COVERLETTER.pdf>.



COPYRIGHT PIRACY IN GREECE

End-user piracy of software in corporate settings is a growing problem in Greece. Some raids against the administrators of Greece's most popular illegal websites (including torrent and forum sites) resulted temporarily in a lower rate of illegal downloading, but the absence of a framework that encourages active cooperation amongst the various actors in the Internet ecosystem has sadly undermined any chance that there will be a lasting impact, and online piracy continues unabated. Rights holders are aware of approximately 75 websites providing access to infringing content in Greece today. Peer-to-peer (P2P) file-sharing of infringing content and cyber-lockers containing pirated material (with relevant links offered through forums) continue to be very popular. Mobile piracy is not a serious problem yet, as most of the mobile companies control the downloadable copyrighted works and the exchange of such works (ringtones) between the mobile users. Many sites continue to engage in illegal subtitling, allowing Greek Internet users to look to foreign online sources for pirated movies.

Software piracy: BSA | The Software Alliance (BSA) reports that the software piracy rate in Greece is now above 60% and has risen over the past few years.² The high commercial value of software piracy in Greece (estimated at \$343 million in 2011) translates to fewer job opportunities and decreased revenues for local IT businesses. Local IT businesses have faced huge financial problems in recent years, in addition to the effects of the economic crisis that hit Greece. While unlicensed software use by enterprises ("enterprise end-user piracy") continues to be a serious problem, Internet piracy (such as illegal downloading, P2P bit torrents, business-to-business piracy, and through websites that function as cyber lockers etc.) is on the rise. In areas of Greece where Internet access is improving, such as Athens and Thessaloniki, hard goods piracy of software products is giving way to Internet downloads of illegal products. In other areas, unlicensed software continues to be distributed on low-quality pirated CDs.

Music piracy: The pirate music market is gradually migrating from physical product to the Internet. Piracy of sound recordings and music in Greece represents around 70% for both international and local repertoire. The legitimate market for physical copies of recorded music remains in disarray. Internet-based piracy of music is rapidly growing, particularly in the form of cyber-lockers containing, and forums referring to, infringing content. This is a primary area in which industry action requires government support, not least in ensuring ISP cooperation.

Audiovisual piracy: The severe economic conditions in Greece have affected all sectors of local industry, making it difficult to quantify the direct impact of piracy on the audiovisual industry. But there is no doubt that the legitimate audiovisual market has shrunken considerably in Greece, and Internet piracy creates a very difficult environment for operations in all parts of the film and television distribution chain, from theatrical exhibition to video, and even video on demand. Online piracy takes many forms. Subtitling websites have become a major concern, comprising 20% of the known active illegal websites, as they allow local Internet users to connect with other foreign top sites (FTP servers at the top of the distribution chain for pirated content). Some successful raids against the administrators of the most popular illegal websites (including torrent and forum sites) have resulted in a lower rate of illegal downloading. However, many sites continue to engage in illegal subtitling, allowing Greek Internet users to look to foreign online sources for pirated movies.

²BSA | The Software Alliance's 2012 Global Software Piracy Study, conducted with two leading independent research firms, IDC and Ipsos Public Affairs, measured the rate and commercial value of unlicensed PC software installed in 2011 in more than 100 markets. In 2011, the software piracy rate in Greece was 61%, representing a commercial value of unlicensed software of US\$343 million. These statistics follow the methodology compiled in the Ninth Annual BSA and IDC Global Software Piracy Study (May 2012), <http://portal.bsa.org/globalpiracy2011/index.html>. The BSA study covers piracy of all software run on PCs, including desktops, laptops, and ultra-portables, including netbooks. It includes operating systems, systems software such as databases and security packages, business applications, and consumer applications such as games, personal finance, and reference software. It also takes into account free software, open source software, and software as a service if it is paid for. It does not cover software that runs on servers or mainframes and routine device drivers, free downloadable utilities such as screen savers, and software loaded onto tablets or smartphones. The methodology used to calculate this and other piracy numbers are described in IIPA's 2013 Special 301 submission at <http://www.iipa.com/pdf/2013spec301methodology.pdf>.

The independent sector of the film and television industry (IFTA) reports that online and physical piracy remain a significant export constraint for independent producers and distributors, the majority of which are small- to medium-sized businesses. Independent producers partner with local authorized distributors to finance and distribute film and television programming. These authorized distributors find it nearly impossible to compete with pirates and report that piracy in Greece has reached disastrous levels. DVD sales have been particularly impacted since pirated digital copies are routinely offered for free online and with a similar quality viewing experience that a DVD can provide. Unable to compete with free, legitimate distributors often cannot commit to distribution agreements, or alternatively offer drastically reduced license fees that are inadequate to support the financing of independent productions. As a result, piracy severely undermines and may permanently damage legitimate distribution networks essential to reaching consumers in Greece and leaves little confidence for investment in intellectual property.

Independent producers and distributors are especially concerned with the impact of Internet piracy because of its harm to legitimate online distribution services – harming consumers and rights holders alike. Revenue from these services, which is licensed country-by-country, is critical for the independents to finance the development of new creative works worldwide. Since Internet piracy instantly exports troubled marketplaces and high piracy rates to other markets, this type of copyright infringement not only undercuts anticipated revenue from the distribution of a particular asset, it also harms the ability of independent producers to secure financing for future productions. The independent production sector is limited in its ability to shift to technology-enabled new business practices that might limit piracy. For example, worldwide same day releases (referred to as a “day-and-date” release) may prove an effective method to curb or delay piracy for the major studios, which control their own worldwide distribution, but for independents, whose national distributors release on their own schedule, this technique is impossible.

COPYRIGHT ENFORCEMENT IN GREECE

In the absence of a comprehensive mechanism for cooperation among rights holders and Internet service providers (ISPs) to combat online piracy, copyright holders can only work through the courts to seek remedies against known infringing websites in Greece. Enforcement results have proven to be possible, but the enforcement tools available to rights holders are arduous and often inefficient – and therefore insufficient to effectively address the piracy problem. Working together, the local author’s music collecting society (AEPI), the audiovisual content protection organization (EPOE), the organization of script writers and film directors (Athina), and the local recording industry affiliate (Grammo) launched an action before the civil court of Athens under Article 8(3) of the EU Copyright Directive, against 11 Greek ISPs seeking an order blocking access to two infamous Greek linking websites (www.ellinadiko.com and www.musick-bazaar.com). The ISPs requested an adjournment at the initial hearing in May 2011. A further hearing was held on November 7, 2011, and the interim injunction was eventually granted by the Court on May 16, 2012, ordering all 11 ISPs to block access to the website in question. The blocks were never implemented as the site www.ellinadiko.com went offline shortly after the hearing, and www.musick-bazaar.com changed its IP address rendering the blocking order of the specific IP address futile. The case demonstrates that while the system is capable of responding to Internet piracy, it is not perfect and moves at a snail’s pace relative to the rapid developments online.

The copyright industries report very positive working relationships with the Greek police, despite a need for more resources and action in key enforcement divisions. BSA reports that, in 2012, the software industries continued to have excellent relationships with SDOE. However, in 2012, SDOE conducted only a small number of raids (13 raids against small and medium companies in Athens and Thessaloniki) to tackle the size of the software piracy problem in the country. This could be attributed to Greece’s ongoing political instability, which also had an impact on the leadership of SDOE, where the Head of SDOE changed four times in 2012. SDOE also lacks trained personnel, with its personnel dedicated to software piracy investigations having only basic IT knowledge. Unfortunately, the new IPR Department of SDOE has not reached into other areas of piracy as well. Many of the historical challenges for copyright enforcement in Greece remain unchanged: court delays, postponements of hearings, and a lack of deterrent sentences are the main obstacles to effective enforcement. Compounding these concerns, rights holders

are also challenged by the fact that no legislation in Greece permits the disclosure of identifying information in the case of online copyright theft.

Rather than coordinating and allocating additional enforcement authorities to increase expertise and effectiveness, resources are being cut back. A Cyber Crime Unit in Thessaloniki recently closed, and both the Police and the Tax Police (SDOE) in Greece's central divisions lack needed resources. Several years have passed since the Government of Greece organized its IPR enforcement efforts under a coherent plan with top-level leadership. Prosecutors must place greater priority on copyright crimes, courts need to facilitate speedier cases with deterrent sentences, and government leaders need to establish the tools for ISPs and rights holders to cooperate against Internet piracy.

Comprehensive Action Plan on the Protection of Intellectual Property Rights: In the past, the Ministry of Foreign Affairs led an Interministerial Steering Committee to ensure more efficient coordination of all intellectual property initiatives for the prevention of piracy and counterfeiting. Members of this "Coordination Committee for Monitoring and Coordinating IPR" included eight Greek Ministries, as well as the Hellenic Copyright Organization, the Hellenic Industrial Property Organization and the Municipality of Athens. Unfortunately, the Coordination Committee has not been active since it issued a Greek national IPR plan in early 2009. The copyright industries continue to urge the Government of Greece to coordinate enforcement efforts at an operational level; to adopt procedures for ISPs to deal effectively with repeat infringers; to develop and fund public awareness and education efforts; and to develop an open dialogue with industry to assist in these and any other enforcement efforts.

Cooperation against Internet piracy: As file-sharing of pirated works becomes increasingly common in Greece, the difficulties rights holders face in working with ISPs to identify infringing users in the file-sharing environment have created a major obstacle to online enforcement, despite the efforts of copyright holders and the Hellenic Copyright Organization (OPI). For its part, the Government of Greece has effectively shelved all efforts to improve the ability to bring Internet piracy actions for years now. Negotiations between copyright rights holders and ISPs started more than two years ago under the auspices of OPI, whose aim is for ISPs to adopt voluntary measures to decrease Internet piracy. Unfortunately, in the absence of the government signaling willpower to bring about legislative change, so far the negotiations have not come to any result with ISPs showing no cooperation; in addition, the data protection provisions remain unchanged, notwithstanding the fact that the Ministry of Justice had promised to support the inclusion of felony copyright infringement as grounds in the data protection law for disclosure of personal data.

Greek ISPs do cooperate with rights holders in the rare cases involving websites within the .gr domain that host infringing material. In the more prevalent file-sharing environment, and the hosting infringing material cyberlocker and forum environments outside the .gr domain, but operated by local nationals with local IP addresses identified, ISPs refer to data protection legislation and the possibility of government sanctions to avoid cooperation. As a result, Internet investigations in Greece can go so far as identifying an infringing IP address but cannot uncover an infringer's name or physical address without a court or prosecutorial order. The relevant law for disclosure of personal data (Law 2225/1994) is very strict and limited to a specific range of crimes which, unfortunately, does not include even felony copyright infringement.

Actions by the tax police on software cases: In April 2010, a new department specializing in IPR protection, was established within the Authority for the Prosecution of Financial Crimes (SDOE, or Tax Police) (by art. 88 Law 3842/2010), which has the authority to conduct raids and impose administrative fines on infringers. The new department was activated in the beginning of 2011, but the majority of the few raids it conducted in 2012 were against enterprise end-users and resellers within small and medium companies. The majority of these were against enterprise end-users. Greek Intellectual Property law provides a fine of €1,000.00 (US\$1,343) for each copy of illegal software used and €20.00 (\$26.86) for each illegal sound recording that is distributed by street vendors. The new department within SDOE imposed administrative fines of approximately €60,000 on infringers in 2012. Also, in accordance with the Greek Intellectual Property Law, SDOE submitted the above results to the Hellenic Copyright

Organization (OPI) and OPI provided them to the affected software companies so they could seek compensation for these IPR violations. In addition, in September 2012 the SDOE Directorate of Planning and Coordination of Audits sent 1,400 audit letters to Greek companies requesting: a) a software inventory list, b) a copy of software invoices and c) software licenses, in order to check their software compliance. The subject companies included insurance companies, private clinics, shipping companies, telemarketing and ecommerce companies. Companies that do not reply to audit letters become possible suspects for raids. In 2012, SDOE issued raid orders to all its Directorates for companies that failed to respond to the 3,216 audit letters sent in 2011. 350 raid orders were addressed to Athens IPR Department, 76 raid orders were addressed to Thessaloniki Directorate, 23 raid orders were addressed to Western Greece Directorate, 15 raid orders were addressed to Hpeiros Directorate, 33 raid orders were addressed to Crete Directorate, 23 raid orders were addressed to Thessalia Directorate, 15 raid orders were addressed to Southern Aegean Ocean Directorate and 13 raid orders were addressed to Central Greece Directorate. However, only the Directorates of Athens and Thessaloniki have conducted any raids.

Moreover, in February 2011, in accordance with Article 4c of Presidential Decree 9/2011, a new Copyright Protection Department was established within the Cybercrime Unit of the Greek Financial Police (part of the Greek Police and independent from the Ministry of Finance), authorized to conduct raids against Internet software piracy. The Department was activated in August 2011 and has already conducted raids against operators of websites with illegal copyright products, although it faces a long, uphill battle against software piracy in Greece.

Some needed improvements within SDOE are still advised. In 2000, SDOE circulated instructions to its inspectors to include IPR, including software compliance, as part of their regular audits. In February 2011, SDOE issued a Circular, that was notified to its regional Directorates all over Greece, requesting that its inspectors not only check targets for infringing software and sound recordings, but also impose administrative fines on those found to be infringers. This action was pursuant to an innovative amendment adopted in January 2007 that introduced administrative fines for infringement of software and sound recordings. However, inspectors often do not have the technical knowledge to conduct software audits, and should receive adequate training to fulfill these duties. Technical infrastructure, including basic computer equipment in the Athens offices, and additional personnel are still needed. SDOE should be obliged to perform specific numbers of audits per year and to publicize all the results online (by reopening its currently inactive website) and in the media. SDOE should also publish monthly statistics on the number of raids conducted and the resulting administrative fines imposed. More raids should be conducted against the companies that did not respond to SDOE's warning letters. The Greek government should publicly commit to fight software piracy, an action that would increase public awareness regarding the risks of using unlicensed software and codify the government's commitment to protect intellectual property.

Need to implement administrative fines in software and sound recording piracy cases: Enforcement authorities have not implemented the innovative law provisions now in place since January 2007, which introduced administrative fines for software infringements. For the last several years, the only enforcement activity implemented by the government has been audit letters and raids by the tax police. It is a matter of great importance that the government pursue administrative enforcement against software infringement and expand the scope of its administrative authority and undertake administrative enforcement with respect to establishments (cafés, restaurants, etc.) where there may be illegal reproduction of phonograms for public performance.

Suspects caught with infringing music and software simply refuse to pay fines for pirated CDs, preferring to face a full trial where judges are known to issue light penalties that are often suspended (despite the available fines of €1,000–10,000 (US\$1,335-\$13,350), depending on the quantities seized). The Ministry of Culture ignored suggestions of the recording industry and the local collecting society for music rights (AEPI) in issuing a directive on procedural details, resulting in a new law that is so vague and full of gaps that the police are reluctant to proceed on the basis of the administrative fine procedures. The only new fine legislated is regarding the use of phonograms in cafés and restaurants that are copied/stored in hard drives without permission. IFPI is pressing SDOE to initiate inspections in such enterprises.

Civil actions against software infringement: BSA has no major issues to report regarding civil litigation during 2012. Search orders are normally granted without major difficulties and parties typically settle the cases out of court. BSA reports that one court decision was issued in respect of an application for interim measures that determined that the software had been infringed and ordered the discontinuance of the illegal use of the software products. Moreover, according to the new Greek law 4055/2012, a court hearing on any interim measure must take place within 30 days after the *ex parte* measure has been issued. The court decision should be issued at the latest within 60 days after the court hearing. In practice, according to the new law, within 90 days, starting from the issuing of the *ex parte* order, the temporary measures should be definitely granted, whereas in 2011 the aforementioned procedure could last over a year. However, the courts do not strictly implement this new provision, due to the extremely high number of pending cases.

Criminal actions (raids): The copyright industries report good cooperation with police authorities in Greece, however, the resources available remain insufficient.

The motion picture industry reports positive cooperation with Greek police, but the related court procedures face expected delays. The local film industry organization, the Company for the Protection of Audiovisual Works (EPOE), filed approximately 13 criminal complaints in 2012. Of these, eight cases refer to DVD distributors and video club owners, while five cases refer to Internet cases. A total of 25,100 DVD-Rs have been confiscated. EPOE has also provided support to the police authorities in 77 *ex officio* raids throughout the year.

There is some indication that counterfeit videogame player peripherals are being imported from China through Greece's ports; however, there is only one case of Customs authorities intervention in 2012. Rights holders have conducted training seminars for customs officials at the Athens International Airport and the Port of Peiraeus, but current economic conditions and labor redundancy have a negative impact on those initiatives.

According to BSA, the IPR Department of the Greek Police conducted a small number of raids in 2011 and 2012, but has not provided BSA with precise details. These included raids against the operators of a website dealing in illegal copies of software, movies, PC games, and music products, and against the operators of a website providing unlicensed movie subtitles. While the IPR Department has the ability to conduct *ex officio* raids for software piracy, trained personnel and increased raids are needed.

Challenges in the courts—long delays, non-deterrent sentences: As in the past, court delays, postponements of hearings, and lack of deterrent sentences are the main obstacles to effective enforcement against hard goods piracy in Greece. According to MPAA, local rights holders report a handful of cases in which copyright infringement criminals were issued non-suspended sentences, an improvement over past years. Still, Internet cases are very difficult to litigate, as the laws are not in place to permit plaintiffs to determine the identity of online copyright infringers, even in criminal cases – this despite opinions issued on behalf of the Attorney General that such data be disclosed. The specialized IP courts in Athens and Piraeus only deal with civil and not criminal cases, and therefore are ineffectual against piracy. Greek prosecutors, especially at the local level, have largely ignored Supreme Court circulars directing them to prioritize IPR cases. Although this appears slowly to be changing in major Greek cities such as Athens, Thessaloniki, and Patras, more improvement is needed. Apart from the First Instance Court of Athens (which hears cases and renders judgments fairly quickly), when copyright cases do receive prosecutorial attention in Greece, they face inordinate delays and time-consuming procedures. Courts disregard measures requiring defendants to appear for hearings, and as a result most felony defendants are not present before the Court of First Instance or the Court of Appeals. Judges vary in practice from region to region, and often lack adequate knowledge for sophisticated IPR issues.

Special IP Courts: Specialized IP civil courts have been established in Athens, Piraeus and Thessaloniki. The copyright industries will continue efforts to promote expansion of such courts to additional cities, to encourage their judges to be relieved of other (non-copyright) duties, and to expand the scope of these courts to criminal copyright cases. While *ex parte* search orders are still granted without major difficulties, other delays in copyright

cases, both in setting hearing dates and issuing orders, have reached untenable levels. Judges in typical cases are not adequately trained in IP matters. These concerns could be ameliorated with an expansion of the specialized IP courts throughout Greece.

COPYRIGHT LAW REFORM AND RELATED ISSUES

Greece was the first of the EU member states to complete implementation of the directives in its copyright law, and the copyright industries have been generally pleased with that implementation. Greece also has implemented the EU Enforcement Directive. However, some reforms are still urgently needed to allow rights holders to effectively enforce copyright in the face of modern challenges, foremost regarding Internet piracy and the circumvention of TPMs.

The Copyright Act: There are currently no known plans for the Greek government to take up amendments to the Copyright Act that the Ministry of Culture initiated in 2008 but abandoned soon thereafter. New initiatives are urgently required to introduce legislative amendments to bring about the following: encourage ISP coordination on copyright infringement matters regarding both hosted and non-hosted content, strengthen court-imposed fines and sentences against suspension or non-payment, encourage ISP coordination on copyright infringement matters, and rectify shortcomings in provisions regarding TPMs to bring Greece into compliance with the WIPO Internet Treaties. When it initially adopted implementing legislation for the WIPO Internet Treaties, Greece opted for a bifurcated approach under which TPMs used by the creators of computer programs (Articles 66(5)(a) and (c)) are afforded less protection than those utilized in other types of works (Article 66A). Unfortunately, the software provisions fall far short of the requirements mandated by the WIPO Treaties, failing to explicitly cover both copy- and access-controls or provide civil remedies. The software provisions also utilize an impermissible “sole purpose test” for assessing whether a circumvention device runs afoul of the law. To achieve compliance, Greece must afford the same level of protection for TPMs applied to software as that which is applied to other types of works.

Government software legalization: BSA reports no new developments or progress in 2012 on ensuring government agencies use only legal software. Governments should lead by example, stressing the importance of protecting intellectual property rights and legal software use within the Public Administration. By taking these positive steps and implementing policies that support legal software use, the Greek government could raise significant awareness of the problem and help bring down the unacceptably high software piracy rate.

Problems with obtaining access to personal data from ISPs: There has been no progress in the past year to amend Article 4 of the Data Protection Law (Law 2225/1994) to require ISPs to disclose the identity of users suspected of copyright infringement. **The Attorney General has issued circulars that, at a minimum, would permit law enforcement to work with ISPs to obtain identification information for criminal enforcement, but ISPs have not complied.** A legal structure by which ISPs may reveal the identities of copyright infringers, consistent with the 2008 European Court of Justice (ECJ) *Promusicae vs. Telefonica* decision, is a critical component of an effective mechanism to address Internet piracy regarding hosted and non-hosted content. Such a provision should include appropriate steps to facilitate the ability of rights holders to obtain the necessary information to take civil actions to protect their rights.

Law 3982/2011 for the confiscation and destruction of illegal merchandise: The Ministry of Development, Competitiveness and Shipping introduced new provisions for the confiscation and immediate destruction of all merchandise illegally traded with the new Law No. 3982/2011 (and, more specifically, its article 74, para. 11). The law stipulates that all illegal merchandise, including those which constitute an infringement of copyright, shall be immediately confiscated and destroyed on the spot, if it is traded in violation of the Tax Code or if the vendor does not hold the permit and the legal documents required to accompany the sale of the goods.

This regulation facilitates the fight against physical street piracy, as compared to the previously followed procedure and formalities. At the same time, it strengthens the controlling ability of the Open Markets Control Service

and of the Municipal Police and contributes towards a healthier economy and spirit of entrepreneurship by protecting legal trade from unfair competition and public health from dangerous products.

There have been numerous raids in open markets throughout the country but it seems that, according to the statistic data of the Ministry, no DVDs and CDs were among the counterfeit products that were seized and destroyed.

IPR TRAINING AND PUBLIC AWARENESS

Greek judges would benefit greatly from IPR training organized by the Greek government, as a critical first step in effective enforcement against piracy.

The motion picture industry's local affiliate, EPOE, has recently conducted training seminars with customs officials from the Athens International Airport and Port of Piraeus, but cites current economic conditions and some redundancies in attendance that negatively affected the usefulness of the trainings.

BSA has contributed to capacity building efforts for enforcement authorities by providing technical assistance, supporting and organizing training seminars, and providing technical experts in order to assist SDOE staff during the execution of administrative raids.