[RU] New Act to Counteract Piracy Online

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On 24 November 2014, the President of the Russian Federation signed into law a Statute amending the civil procedural law and the information law. The new act introduces a number of measures aimed at boosting the ability of rightsholders to cease distribution via the Internet of illegal content.

In particular it specifies that Article 10 (Distribution of Information or Provision of Information) of the Federal Statute "On information, information technologies and on protection of information" (see also IRIS 2014-6/31) shall include an obligation of all owners of websites to publish on their sites their names, whereabouts and address, as well as email address and an electronic form for complaints.

These data and the e-form shall be instrumental in submitting complaints by rightsholders to website owners. A new Article 15-7 of the same federal statute provides for a list of information that the rightsholder shall submit in order to have the illegal information taken down from the website. Unless the website owner has proof that the publication of information (works) on the website complies with the copyright law, he/she shall remove it within 24 hours from the receipt of the complaint.

Another important innovation in the Statute is the expansion of the content-blocking procedures introduced in 2013 for audiovisual works (see IRIS 2013-8/33) for all protected works online with the exception of photographs and similar works. A rightsholder, after obtaining the Moscow City Court's resolution, shall submit a request to the supervisory authority, Roskomnadzor (see IRIS 2012-8/36), to order the blocking of illegal content on the Internet. Within three working days said body shall notify the hosting provider of a website containing illegal content. The latter shall inform, within a working day, the owner of the website about the supervisory authority's notification and demand that access to the illegal information be blocked. If neither the hosting provider nor the owner of the website reacts properly to the notification within the expected period, Roskomnadzor shall require Internet providers to block the domain names of the website with the illegal content.

A new article, 15-6, is introduced to the Federal Statute "On information, information technologies and on protection of information"; it addresses the issue of websites where copyright violations happen on a regular basis. Upon obtaining

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the Moscow City Court's resolution in this regard, Roskomnadzor shall order Internet service providers to block, within one working day, access to the illegal website indefinitely. Roskomnadzor shall also officially publish online a register of such blocked websites.

Relevant changes, embracing all copyrighted works (with the exception of photographs), were added to the Civil Procedure Code of the Russian Federation. They include the expanded competence of the Moscow City Court on such matters, as well as procedures for using injunctive remedies in cases of protection of a wider spectrum of intellectual property rights online.

The Statute enters into force on 1 May 2015.

О внесении изменений в Федеральный закон "Об информации, информационных технологиях и о защите информации" и Гражданский процессуальный кодекс Российской Федерации

http://www.pravo.gov.ru/laws/acts/92/5154524510601047.html

Federal Statute of the Russian Federation of 24 November 2014 # 364-FZ "On amending the Federal Statute of the Russian Federation 'On information, information technologies and on protection of information' and the Civil Procedure Code of the Russian Federation"

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