

## Written evidence submitted by MN2S Label Services

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*MN2S is an international music, entertainment and talent booking agency, working with a diverse array of music artists, DJs, celebrities, sports personalities, voice over artists and independent record labels. MN2S Label Services provides distribution and label management services to a carefully-selected roster of clients, and we submit this evidence in order to further the fight against piracy of our clients' music.*

**How can the Government protect the industry from knock-on effects, such as increased piracy of music? Does the UK need an equivalent of the Copyright Directive?**

This submission is intended to highlight an ever-increasing and heretofore unaddressed aspect of online music piracy. Whilst the general public has for a long time been familiar with the concept of sharing music without the consent of the rightsholder, in the form of a one-stop platform such as the original Napster, peer-to-peer via torrents on The Pirate Bay etc, and via file-download sites such as Zippyshare and MegaUpload, all these methods charge nothing to the 'consumer' and generate no revenue for the sharer/uploader.

The music industry currently faces an evolution of this idea, which now sees organisations posing as what might appear to some as genuine music download sites, in that these sites look professional and inviting, include a large amount of current music (perhaps in a specific genre) in the same way that legitimate download sites do, but now *charge money in some way for access to the content*.

Not only do artists and labels lose out to these sites on sales and streams beyond their control, but where this loss previously was to no-one else's direct gain, artists and labels now forego lost earnings to criminals.

In addition artists and labels understandably look to legitimate download and streaming sites for chart positions, and featuring of their music, both of which are also affected negatively by illegal sites cannibalising legitimate sales and streams.

Ben Smethurst (Expressive Records) provided MN2S Label Services with the following expert analysis on one such site, <https://essentialhouse.club/> (detailed diagram included below). Ben's efforts into DNS lookups and network tracing to find their hosting providers, then raising tickets with their top level ARIN domain admin to investigate/suspend their domain and to remove music from their hosting did result in the site being taken completely offline in April 2019.

His analysis also showed the following high level of resources being applied:

- *An experienced technical architect designed Essentialhouse.club and the site would have required a team of at least 2 -3 people several weeks to design, configure, and deploy the solution.*
- *It has at least 1 or 2 full time employees, 2 hosting providers, and clearly has an operational run rate cost attached.*

- *Essentialhouse.club* is a multinational organisation.
- The website work is of a very high standard.
- Technical setup cost would have been in the region of £20,000 upwards even using resources in low cost locations.

Sadly, <https://essentialhouse.club/> is online and fully operational at the time of writing.

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MN2S Label Services is now working with The Music Mission (<https://themusicmission.net>), an industry body created to specifically combat this 'pay-for-access pirate site' problem. Through their hard work and many extensively-researched removal request emails being issued by us and other participants to hosting providers, the following offending site is currently offline:

<https://www.electrobuzz.net/> (currently offline)

<https://zippydown.net/> was also targeted and offline as recently as the w/c 9<sup>th</sup> Nov 2020, but is now back online at the time of writing.

An investigation carried out by AudioLock (<https://audiolock.net>) identified a substantial network of 'pay-for-access pirate sites', with a combined estimated traffic of 11 million visits per month (calculated using the same traffic estimation tools used for legitimate stores).

The Music Mission rightly states 'it is impossible to be sure, but even if you assume that out of those 11 million visits to pay-for-access pirate sites, only 35,000 visitors (0.32%) decided to pay for a subscription (at an average of £15 per month), that is still over **£500,000 lost per month.**'

They further highlight that 'many of these pay-for-access pirate sites are very well made, including news articles and editor's recommendations, and sometimes even clone the look of legitimate download sites. There is also evidence to suggest that many of those who are paying these websites for access to the music, do so without knowing that none of their money is going to the artists or labels.'

While there is now this co-ordinated industry-led initiative to combat these 'pay-for-access pirate sites', it is a time-consuming, labyrinthine procedure that is by now means guaranteed to be successful, or may be successful but only for a short period.

The music industry would welcome a simple and quick-to-use legal tool or mechanism, available to legitimate online music providers, distributors, labels, and artists, that can effectively and permanently remove offending sites. It would be imperative to have the cooperation of hosting providers, which as shown is already given when directly requested, so we recommend that this process is refined and made expeditious.

The Committee asks if the UK needs an equivalent of the Copyright Directive; certainly in this scenario, an Article 13-equivalent that requires a platform (the hosting provider) to detect/filter or remove copyrighted material, and also renders such a platform liable for copyright infringements, would be a very powerful instrument in our endeavour to combat 'pay-for-access pirate sites'.

Establishing and communicating ownership would of course be fundamental, so that only legitimate claims are acted on; the 'he said/she said' DMCA notification takedown process (<https://www.dmca.com/faq/What-is-a-DMCA-Takedown>) currently used by artists and labels to remove copyright infringing material from legitimate online stores is arguably not fit for purpose.

Filename: Essentialhouse.club HLD v.0.2 draft  
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**Legal Disclaimer and Notice:**  
 This is purely an educational view of an illegal file sharing operation called essentialhouse.club and have based this design upon the website data and network information which is freely and legally available on the internet. I have not designed the solution nor have any involvement or association with essentialhouse.club

## High Level Data flows - Essentialhouse.club An illegal Graphics Hosting & illegal Music File Sharing Operation.

