

eBay

Types of complaint

Complaints tend to fall into:

1. Fake/unofficial items which infringe the BBC's intellectual property.
2. Resale of tickets for BBC events (which are not for resale).

How to report to eBay

- View the listing. Click on the link underneath the listing on the right hand side, labelled "Report Item".
- When prompted, log in using the details above.
- Complete the form, based on the relevant complaint ("copyright and trade mark" for unofficial goods and "prohibited and restricted items" for ticket resales).
- If necessary from drop-down menu, report item via VeRO by submitting a Notice of Claimed Infringement Form following the instructions at <http://pages.ebay.co.uk/help/tp/vero-rights-owner.html>. You will need to complete the form, sign it and scan it back to eBay at VeRO@ebay.co.uk
- What happens next is:
 - eBay will send a confirmation email.
 - The item will remain listed while eBay staff consider the report.
 - If the eBay staff consider the item to be in breach of their policies, they will remove it and send a confirmation email.

This is the only contact we have for eBay is: VeRO@ebay.co.uk

Facebook

Types of complaint

Complaints tend to fall into:

1. Fan profiles or pages where profile information / image are confusing – the appropriate action may be to request changes (either directly or via Facebook).
2. Profiles or pages which impersonate the BBC with an intent to deceive – the appropriate action is to request that Facebook disables the account.
3. Copyright infringement, where a page includes BBC content without authorisation.

How to report to Facebook:

- Facebook set out their terms of use in a "Statement of Rights and Responsibilities" here: <https://www.facebook.com/legal/terms> (which includes a section on IP infringement in 5. Protecting Other People's Rights).

- Violations of the Facebook terms of use can be reported here:
<https://www.facebook.com/help/?page=223210624415505&ref=hcsubnav> which includes lots of FAQs regarding:
 - Imposter accounts (for profiles only (not pages) and only in relation to real people, not companies):
https://www.facebook.com/help/?faq=174210519303259&in_context; and
 - Intellectual property infringements:
https://www.facebook.com/help/intellectual_property
- **Short cut:** Intellectual property infringements are actually reported via online forms at
<https://www.facebook.com/help/contact/?id=208282075858952>

Copyright

- Form is at <https://www.facebook.com/help/contact/?id=208282075858952>.
- Reporting copyright infringement seems to lead to Facebook removing the specific infringing content only (e.g. a specific photo) and the profile/page remains live.
- The copyright form requires you to provide specific URLs for the infringing content, e.g. photos.

Google Play

Types of complaint

At present Google allow you to make the following types of complaint regarding apps on their market place:

- Copyright infringement;
- Trade mark infringement;
- Enforcement of a court order against an app on their market pace (for copyright or trade mark infringement); and
- Notice about apps that facilitate copyright infringement.

How to report to Google

- You will need to start with the following online form, which is straight forward to follow:
<http://support.google.com/bin/static.py?hl=en-GB&ts=1114905&page=ts.cs>. As part of this process, you will need to decide whether to file a report of copyright infringement or of trade mark infringement or a report for each.
- Once this form is completed to your requirements you will provided with a link to another form, where you will be asked to provide details about the BBC, the infringing app, and the exact nature of the infringement.

Instagram

Types of complaint

Complaints are likely to fall into:

1. Fan profiles or pages where profile information / image are confusing
2. Profiles or pages which impersonate the BBC with an intent to deceive – the appropriate action is to request that Facebook disables the account.
3. Copyright infringement, where a page includes BBC content without authorisation.

How to report to Instagram

- Instagram advise that reports of intellectual property infringement are sent to them directly
- Instagram users sign up to these terms of use: <http://instagram.com/legal/terms/> These terms also incorporate the following community guidelines: <http://help.instagram.com/477434105621119/> You may wish to identify specific breaches of the terms/guidelines

Copyright

- Details of what to include in a DCMA notice and where to send it are here: <http://help.instagram.com/535503073130320/>

iOffer

Types of Complaint

Complaints tend to fall into:

1. Fake/unofficial/counterfeit items which infringe the BBC's intellectual property rights.

How to report to iOffer

iOffer advise that notices of intellectual property infringement should be sent directly to them.

iOffer users sign up to this User Agreement: http://www.ioffer.com/info/user_agreement. The User Agreement also incorporates the following Listing and Prohibited Items Policy

http://www.ioffer.com/info/listing_policy. You may want to identify specific breaches of the iOffer policies.

Copyright

iOffer's copyright policy can be found at the following link

http://www.ioffer.com/info/copyright_policy. Details of what to include in a DMCA compliant notice and where to send it are also available at this link.

The e-mail address to send copyright infringement notices to is: copyright@ioffer.com

Tumblr

It is helpful to cite breaches of Tumblr's terms (http://www.tumblr.com/policy/en/terms_of_service) and community guidelines (<http://www.tumblr.com/policy/en/community>) if possible.

Twitter

Types of complaint

Complaints tend to fall into:

1. Fan accounts where profile information / image give the confusing impression that the account is controlled by the BBC
2. Accounts which impersonate the BBC with an intent to deceive

How to report to Twitter:

- All Twitter policies are located at http://support.twitter.com/groups/33-report-abuse-or-policy-violations#topic_148
- Read the policies on:
 - trade mark infringement (<http://support.twitter.com/groups/33-report-abuse-or-policy-violations/topics/148-policy-information/articles/18367-trademark-policy>);
 - impersonation (<http://support.twitter.com/articles/18366-impersonation-policy>); and
 - parody/fan accounts (<http://support.twitter.com/groups/33-report-abuse-or-policy-violations/topics/148-policy-information/articles/106373-parody-commentary-and-fan-accounts-policy>).

Twitter contact details

Twitter Support: support@twitter.com

Websites

Types of complaint

Our complaints tend to fall into:

1. Websites which purport to be official BBC websites, including the unauthorised use of BBC registered trade marks, look and feel and some content.
2. Mirrors/proxies of official BBC websites. A mirror is a wholesale copy of a BBC website.
3. Websites using the BBC logos
4. Where a website is selling or otherwise commercially exploiting BBC programmes which are distributed by Worldwide

Some websites contain contact details. Another option is to use the Whois records to see who registered the domain name:

- For .uk domains use <http://www.nominet.org.uk/uk-domain-names/about-domain-names/domain-lookup-whois/whois-tool>;
- For other domains use one of the many Whois databases, e.g. www.whois.com

Contacting website hosting service provider

- Start by finding out who hosts the website. Use a tool like <http://www.whoishostingthis.com>. This reveals the name of the hosting company (if there is one).
- The next step is to try to find further information on that host. The results page from Who Is Hosting This occasionally links through to the website of the host. If it doesn't, you may be reduced to web searches.

- If/once you have found details of the host, see if their website details any abuse notification procedures – look at their Legal page or Terms and Conditions/Acceptable Use/Copyright policies. If so, follow those.
- If possible review the host's Terms of Use/Acceptable Use Policy/Copyright or Trade Mark policies and cite specific clauses which the registrant has breached in your letter.
- If the host is based in the US and our claim involves copyright infringement, we are able to complete a DCMA request. Ensure that you have included all of the required elements for a DMCA request (see section 512(c)(3)(a) here: <http://www.copyright.gov/title17/92chap5.html#512>).
- If the host is based in the EU, use the appropriate national process (citing s.14 of the E-Commerce Directive for copyright infringement). In the UK, you should be able to give notice to the host of the infringement. However, some commentators have indicated that the position is more complex – see <http://www.out-law.com/en/articles/2012/january-commission-will-clarify-website-notice-and-takedown-procedures/>.
- You will need to include evidence with the letter of (1) the infringement and (2) the BBC's IP rights. You should email the host and attach 1 pdf which includes scanned copied of:
 - the signed letter (incorporating DMCA notice if copyright matter involves copyright infringement);
 - (dated) screen shots of the infringing website;
 - where relevant, (dated) screen shots of an official BBC website (e.g. a news website or official BBC page to show evidence of our copyright/trade marks, or a programme page or iPlayer page to illustrate our rights in the programme).

Microsoft Windows Marketplace

Types of complaint

The typical complaint is that an app is making use of BBC content without authorisation. (N.B. some content can be reused under the BBC's Business Terms of Use at <http://www.bbc.co.uk/terms/business.shtml>). Our complaints tend to fall into:

5. "BBC" apps which look official but are not.
6. Apps which do not look official but contain BBC content in a way which breaches the BBC Terms of Use at <http://www.bbc.co.uk/terms>.

How to report to Microsoft

Microsoft's pages on IP infringement are at [http://msdn.microsoft.com/en-us/library/windowsphone/help/jj215905\(v=vs.105\).aspx](http://msdn.microsoft.com/en-us/library/windowsphone/help/jj215905(v=vs.105).aspx).

Intellectual property violations can be reported to Microsoft via the forms linked to from <http://www.microsoft.com/info/Marketplace.aspx>. Microsoft say that they may provide your notice to third parties (including the alleged infringer).

For any particular app, you can report a number of separate copyright and trade mark issues. Note that word limits apply to the relevant fields so explanations must be brief. You can also attach documents (such as screenshots) to the complaint form by selecting the "upload" option. Once you

have submitted the form, a page will appear that cites reference numbers for each complaint submitted. This should be printed out and saved.

YouTube - CVP

Types of complaint

Complaints tend to fall into:

- Removing a video or multiple videos
- Removing an entire channel which impersonates the BBC with an intent to deceive

How to report to YouTube

Copyright infringement - Content Verification Programme

- In rare cases, e.g. where the complaint involves hundreds of videos and we already have a list of the video URLs, it may be easier to email ukcopyright@youtube.com to make a DMCA notice.
- **Take-down process using CVP:**
 - Click on the link to the video that the client has provided you.
 - Click on "...More" and "Report"
 - Tick the box next to "Infringes my rights" and select "Infringes my copyright".
 - Click submit. This will bring up the CVP page.
 - Check the video details match the video you wish to take down. If, for some reason, there are videos listed on the page that you do not mean to take down (i.e. some videos have been ticked previously or in error), click on "remove video from list" under each video.
 - You need to fill in the "work allegedly infringed" box (even though it says "optional", YouTube have said we need to complete this with the name of the work which has been infringed).
 - You do not need to complete the "Representative list of works allegedly infringed" box.
 - Click continue.
 - Tick each of the boxes and type your individual name and position
 - Click "submit complaint".
- **Process for mass take-downs using CVP:**
 - Once you are logged in, search for the title of the relevant clip using the search facility at the top of the webpage. This will bring up the Content-Verification Tool

and the clip should be displayed in the list of search results with a tick box next to each clip.

- Tick the box next to the clip(s) that you want to be removed and then scroll down to the bottom of the page and click 'Add to List'. Provide the details required (the name of the BBC programme etc.) and then check the various boxes in the form confirming that it is BBC copyright material and that it has been uploaded without our consent etc. Then provide your name and our department name.
- What happens next is:
 - The video will be removed automatically within a few minutes.
 - The YouTube user who posted the video will be notified that the video has been removed and will be sent a copy of our notice.
 - That user will have the opportunity to file a counter-notice if they believe the video does not infringe the BBC's copyright. If they do file a counter-notice the BBC will receive a notice explaining this and the video will be reinstated automatically after [10] days. You can then access the video and take it down again.

Retractions

- If you report a clip by mistake (e.g. the clip was actually uploaded by an official BBC account, or the clip was mobile phone footage), you can send a retraction notice to YouTube using the info here: <http://www.youtube.com/t/retractions>.

Amazon

Reporting infringement

Form for reporting copyright and/or trade mark infringement is here:

<https://www.amazon.com/gp/help/reports/infringement>

You will need to identify the relevant infringing products either by using the ASIN (Amazon Standard Identification Number, which is found under "product details" of a particular product) or by copy and pasting the URL into the form.

The relevant options (such as copyright infringement) should be selected from the various drop down boxes. There is a box for additional comments if necessary.

For multiple listings, after submitting the first form in respect of a ASIN, click on the "submit additional allegations" box. This permits you to report another product without having to input your contact details again.

After you have submitted a report

Once you have submitted the form, Amazon will send an acknowledgement of receipt. Amazon can respond and remove infringing content within a few days. However, in some instances, Amazon emails to require further information or they may need to be chased if slow to take action.

Apple App Store

Types of complaint

The typical complaint is that an app is making use of BBC content without authorisation. (N.B. some content can be reused under the BBC's Business Terms of Use at <http://www.bbc.co.uk/terms/business.shtml>). Our complaints tend to fall into:

- "BBC" apps which look official but are not.
- Apps which do not look official but contain BBC content in a way which breaches the BBC Terms of Use at <http://www.bbc.co.uk/terms>.

How to report to Apple

Intellectual property violations can be reported to Apple via the forms linked to from <https://www.apple.com/legal/itunes/appstorenotices/>. Apple say that they will email both parties so that the parties can work directly with each other to resolve the dispute.

Alternately, copyright infringement can be reported to Apple via:

- Online form: <https://www.apple.com/legal/contact/#copyright-infringement> (this must be new as we have only ever used letters previously);
- Letter sent to address at: <http://www.apple.com/legal/trademark/claimsofcopyright.html>
- by emailing AppStoreNotices@apple.com.

In either case, in order to be a valid notice under the DMCA, it must include (from <http://www.apple.com/legal/trademark/claimsofcopyright.html>):

- *an electronic or physical signature of the person authorized to act on behalf of the owner of the copyright interest;*
- *a description of the copyrighted work that you claim has been infringed;*
- *a description of where the material that you claim is infringing is located on the site;*
- *your address, telephone number, and email address;*
- *a statement by you that you have a good faith belief that the disputed use is not authorized by the copyright owner, its agent, or the law;*
- *a statement by you, made under penalty of perjury, that the above information in your Notice is accurate and that you are the copyright owner or authorized to act on the copyright owner's behalf.*

Daily Motion

The terms of use for Daily Motion can be found at <http://www.dailymotion.com/legal>.

Copyright infringement

Information on the copyright notification procedure can be found at <http://www.dailymotion.com/legal/copyright>. The copyright infringement form can be found at https://faq.dailymotion.com/hc/en-us/requests/new?ticket_form_id=136048.

Dropbox

Types of complaint

The typical complaint is that a Dropbox user is hosting material in their Dropbox account which infringes the BBC's intellectual property.

How to report to Dropbox

Copyright violations can be reported to Dropbox via the form at https://www.dropbox.com/copyright_complaint_form. No confirmation email is sent by Dropbox., so you will need to check the content periodically. Once removed the page will be replaced with a page with the message "Error (404) We can't find the page you're looking for". Alternatively, a letter can be sent to the address at <https://www.dropbox.com/dmca>.