

Top 7 Best Practices for Tackling Software Piracy in China

1

REGISTER

Register your software products with the Copyright Protection Center in China (CPCC).

The Registration Certificate issued by the CPCC is admissible evidence in court to prove copyright subsistence and ownership.

2

TARGET

Choose the right targets for software license compliance. The best targets include:

- Local operations of multinational companies
- Large Chinese corporations with overseas offices
- Companies that are financially capable of paying for the unlicensed software
- Companies that are concerned about their reputation and want to avoid lawsuits, including those that are publicly listed or those that are planning an Initial Public Offering (IPO)

Targeting the wrong companies will be a waste of time and money—either because the companies are unable to pay for their unlicensed software or because enforcing compliance will cause political concerns. After all, there is still a high level of acceptance regarding the use of pirated software in China.

3

EVIDENCE

Obtain admissible evidence of unlicensed software use—a crucial requirement that may require some creative approaches.

The Chinese legal system affords no formal discovery tools and the use of private investigators carries a certain level of risk. Nonetheless, a documented history of use of the allegedly unpaid software and clear forensic proof that the software is unlicensed are required as part of admissible evidence.

4

LEVERAGE

Leverage data available in Administration of Industry and Commercial (AIC) business records when investigating compliance targets.

5

BALANCE

Recognize the delicate balance between the conflicting interests of piracy and privacy in China.

When attempting to enforce compliance, understand the risks associated with perceived violation of privacy in China and proceed accordingly. If a Chinese company claims alleged injury of privacy rights, you could become a defendant in Chinese court.

6

AVOID

Avoid entities and organizations that are owned or controlled by the Chinese military or the central government.

7

NEGOTIATE

Negotiate with government agencies during procurement programs and encourage them to serve as good examples of legitimate software use.

Offer government agencies attractive pricing where possible since their use of legitimate software will enable them to help you enforce compliance within other organizations.

Revenera provides the enabling technology to take products to market fast, unlock the value of your IP and accelerate revenue growth—from the edge to the cloud. www.revenera.com