

Media Release

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## DVD COUNTERFEITER SENTENCED TO OVER FOUR YEARS IN PRISON

SYDNEY – 1 August 2017. A man was sentenced to prison on charges relating to the possession and sale of thousands of High Quality Counterfeit (HQC) DVDs.

Mosaic Defredes received an accumulated total of four years and six months with three-year non-parole period. With time served he is due to parole 4<sup>th</sup> April 2019. In relation to the possession of infringing DVDs for sale he received two years and three months in prison and on the sale of offending DVDs on ebay, he received two years and six months. His Honour found this to be a commercial scale enterprise. For the passport related offences, he received three years and six months.

For Defredes' accomplice, Allison Daniel, His Honour, Judge Bennett, indicated that he was intending to impose a cumulated sentence of up to two years and ordered her to be assessed for an Intensive Correction Order in the community.

Defredes and Daniel appeared at the Parramatta District today following the seizure of 1.2 million DVDs in 2013, which, if sold, would fetch approximately \$21 million in online sales to unsuspecting customers.

Both Defredes and Daniel plead guilty to two counts contrary to 132AJ and 132AC of the *Copyright Act 1968* (Cth). The charges related to jointly participating in a criminal enterprise of possessing thousands of DVDs comprising 251 individual cinematograph films and television program titles which were then sold via the online website eBay. Penalties for such crimes under the Commonwealth Copyright Act carry a maximum of five years' imprisonment and/or a fine of \$90,000 per offence.

Investigators from the Australian Screen Association (ASA) had supported Detectives from Quakers Hill Police which found that Defredes had also sold over 65,000 DVDs totalling over \$1.6 million in sales on eBay to unsuspecting buyers. A significant proportion of the DVDs possessed and sold were HQC DVDs. A factory unit in Kings Park was used for assembling and packaging the DVDs.

Defredes has been in remand since April and faced further State and Federal offences for fraud and false passport applications, including one count relating to the 29(1) Passport Act and for Daniel section 35 - attempting to obtain a false passport.

“Australian film industry businesses work hard to deliver consumers the best possible film and TV viewing experiences. We make and distribute great films and TV shows, employ people and pay taxes. Like any business we get hurt when people operate outside the law, it endangers the health of the entire industry including hard working crews. It affects people at every level and affects our

ability to deliver quality experiences for Australian and international audiences', said Producer, Midwinter Films, Bridget Callow-Wright.

Assistant Managing Director, ASA, Mr Greg Fraser said, "This was a massive commercial scale operation conducted by the accused without any regard to the many legitimate businesses in the area who do their best to provide a quality service, give people an opportunity to earn a living, pay their taxes and play by the rules. It also took advantage of the goodwill of eBay customers who rightly expect that the items they purchase are legitimate and of genuine quality.

"There are no winners in operations such as these. Consumers are being ripped off by not receiving genuine products; small retailers suffer; and the copyright holders and thousands of people that have worked hard to make a film are seeing their proceeds go to criminals," Fraser added.

While counterfeit DVDs continue find their way to unsuspecting customers, it is overshadowed by the massive scale of copyright infringement online. In Australia in 2016, over 74.5 million illegal digital downloads have been tracked.

CEO, Australian Screen Association, Mr Paul Muller said, "If you stacked 1.2 million DVDs you would make it halfway to the tip of Mt Everest. By comparison, if you illustrated 74 million illegal digital downloads as DVDs end-to-end each year, you would surpass the height of Mt Everest by a factor of 28. This really highlights the enormity of the issue filmmakers have to contend with."

The film and television industry makes a significant contribution to the Australian economy directly contributing almost \$6 billion and supporting 47,000 people in work.

Members of the community can provide information on piracy to: Crime Stoppers by calling 1800 333 000 or ASA by calling 1800 251 996.

**The 1.2 million counterfeit DVDs will be destroyed by court order on a date to be advised at a secure facility in Sydney. Further details will follow.**

### **About the Australian Screen Association**

The **Australian Screen Association** has operated since 2004 and was previously known as The Australian Federation Against Copyright Theft (AFACT). Our aim is to promote and protect the intellectual property rights of our members, and encourage the legal consumption of film and TV content across all platforms.

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