



NEW YORK STATE SENATOR

Frank Padavan

Senate Passes "Piracy Protection Act"

FRANK PADAVAN June 4, 2008

The New York State Senate today passed legislation sponsored by Senator Frank Padavan (Queens) that would combat the creation, distribution and sale of illegally recorded movies in New York state. The legislation passed the Senate with bipartisan support and now awaits action in the State Assembly.

The legislation, know as the "Piracy Protection Act," was unveiled and met with widespread acclaim in early May during a press conference with Attorney General Andrew Cuomo, Senator Padavan, Assemblyman Joseph Lentol (D-North Brooklyn) along with film and television industry leaders and executives. The "Piracy Protection Act" is similar to bills sponsored by Senator Padavan and Senator Dale Volker (R,C,I-Depew).

The "Piracy Protection Act" establishes the new crime of the unlawful operation of a recording devices by increasing criminal penalties for illegal recording a film or live performance or using an illegal recording for commercial purposes to a Class A misdemeanor. First time offenders could face up to a year in prison and a \$1,000 fine. Multiple repeat offenders will be charge with a class E felony offense punishable up to four years in prison.

"Film and music piracy has quickly become a major part of the growing criminal counterfeit epidemic that has made its roots here in New York York City," Senator Padavan said. "Year

after year, multimedia piracy has had an adverse impact on the state and national economy. This wave of criminal activity has cost the entertainment sector billion in income while leaving New York state with a significant loss in tax revenue.”

“The legislation we passed today in the Senate is vitally important in order to effectively and proactively combat the emergence of multimedia piracy and crackdown on these criminals in New York state,” Padavan said.

As chairman of the New York State Senate Majority Taskforce on Immigration, Senator Padavan has been at the forefront in the fight to eliminate the counterfeit good trade and sales in New York City and throughout the state. In this role, Senator Padavan has investigated and authored two key reports outlining the negative impact that the counterfeit epidemic has had on the City and state economies.

Senator Padavan’s most recent report, “The Counterfeit Connection,” published in 2005, details the counterfeit good trade, intellectual property theft and terrorist financing. The report estimates that counterfeiting cost the City and the State an estimated \$3 billion and continues to grow each year.

“As our technology becomes more advanced so do the methods by which film counterfeiters use to commit their crimes,” Padavan said. “Recent raids in Flushing and Bayside on two sophisticated movie piracy rings have made it clear that New York City is the center of this troubling criminal trend. By quickly enacting this legislation into law, New York will have another powerful tool in the fight against film and television piracy.”