either:

i. the person removes, from a copy of the work or subject matter, any electronic rights management information that relates to the work or subject matter; or

ii. the person alters any electronic rights management information that relates to the work or subject matter; and

c) the person does so without the permission of the owner or exclusive licensee of the copyright; and

d) the person is reckless as to whether the removal or alteration will induce, enable, facilitate or conceal an infringement of the copyright.

U.K. Laws for Trademarks and Copyright

The Copyright, etc. and Trade Marks (Offences and Enforcement) Act 2002

This act was signed into law and passed on July 24, 2002, by the Department of Trade and Industry. This Act amends the criminal provisions in intellectual property law, more specifically the law relating to copyright, rights in performances, fraudulent reception of conditional access transmissions by use of unauthorized decoders, and trademarks.

The Copyright, etc. and Trade Marks (Offences and Enforcement) Act has three main powers. It:

- Increases the penalties for the offense of copyright theft to 10 years to match trademark law so it is no longer a low risk option for organized crime
- Strengthens search warrant provisions to make it easier to expose counterfeiting and piracy
- Gives greater powers to allow rights to owners to obtain forfeiture of infringing material to reduce the current potential return for criminals

Counterfeiting and piracy is now regularly included in the NCIS National Threat Assessment Report. It was clear that a stronger deterrent was needed, particularly as counterfeiting and piracy are increasingly linked with organized crime. Greater penalties provide that deterrent.

Trademarks Act 1994 (TMA)

This act was signed into law and passed on July 1, 1995. This law amends the registration of trademarks and protection of registered trademarks.

This law states that:

(1) A person commits an offense who, with a view to gain for himself or another, or with intent to cause loss to another, and without the consent of the proprietor-

a) applies to goods or their packaging a sign identical to, or likely to be mistaken for, a registered trademark, or

b) sells or lets for hire, offers or exposes for sale or hire, or distributes goods which bear, or the packaging of which bears, such a sign, or

(2) A person commits an offense who, with a view to gain for himself or another, or with intent to cause loss to another, and without the consent of the proprietor-

a) applies a sign identical to, or likely to be mistaken for, a registered trademark to material intended to be used-

i. for labeling or packaging goods,

ii. as a business paper in relation to goods, or

iii. for advertising goods, or

b) uses in the course of a business material bearing such a sign for labeling or packaging goods, as a business paper in relation to goods, or for advertising goods

(3) A person commits an offense who, with a view to gain for himself or another, or with intent to cause loss to another, and without the consent of the proprietor-

a) makes an article specifically designed or adapted for making copies of a sign identical to, or likely to be mistaken for, a registered trademark, or