

Manga Piracy on the Internet

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In recent years, there has been an increasing number of pirated manga websites on the Internet, causing great financial damage to copyright owners. This article focuses on pirated manga websites and introduces some of the countermeasures against such sites in private actions and the governmental response to the issue.

1. Significant damage caused by manga piracy

The amount of damage caused by piracy to Japanese online distributed content including Japanese movies, anime, manga, music, games, etc. was roughly estimated to be between 330 billion JPY (2.3 billion USD) and 430 billion JPY (3 billion USD) in 2019, according to research by the Content Overseas Distribution Association (CODA). In particular, manga (Japanese comics) piracy sites such as "Manga-mura" (which means Village of Manga) have attracted public attention because of the scale of damage caused and the blocking of such sites became a matter of social debate. Even though "Manga-mura" was shut down in April 2018 and the administrator of this site was arrested, new manga piracy sites such as "Manga Bank" have been created one after another. According to the Authorized Books of Japan (ABJ), a Tokyo-based general incorporated association, whose members include publishers and telecommunications carriers, the amount of damage caused by the availability of popular Japanese comics for free on piracy sites in 2020 was estimated to be approximately 210 billion JPY (1.47 billion USD), and approximately 1.19 trillion JPY (8.3 billion USD) in 2021, which is significantly larger than the market size of legitimate versions of Japanese comics (approximately 675.9 billion JPY in 2021, including paper books and e-books, according to the statistics by the All Japan Magazine and Book Publisher's and Editor's Association).

2. Legal action with regard to "Manga-mura"

- (1) In order to identify the administrator of "Manga-mura", two Japanese lawyers, each on behalf of a different manga author, used a legal procedure including litigation in order to disclose the sender's information in Japan and a subpoena in the U.S. However, it has become increasingly difficult to identify administrators using such legal procedures because of "registrar hopping" and "domain hopping" as described below.
- (2) Since the main source of income of "Manga-mura" was advertising revenue, one famous manga author successfully filed a lawsuit against advertising agencies which had paid advertising fees to "Manga-mura," and the courts accepted the entire claim of 11 million JPY (76,000 USD) by the manga author (Tokyo District Court, December 21, 2021; Intellectual Property High Court, June 29, 2022).
- (3) The aforementioned former administrator of "Manga-mura" was sentenced to three years in prison, a fine of 10 million JPY (69,000 USD), and an additional collection of fines of approximately 62 million JPY (432,000 USD). In addition, on July 28, 2022, the publishers filed a lawsuit against him, demanding approximately 1.929 billion JPY (13.5 million USD) as compensation for damages.

3. Cross-border manga piracy sites vs. governmental policy

Despite the aforementioned legal actions, the number of manga piracy sites is still increasing in overseas locations, translating Japanese comics for foreign readers. There are approximately 900 such sites, as far as ABJ is aware. These sites use "geo-blocking" to block access from certain regions, mainly Japan, making it difficult to apply the laws of Japan. It has

also been pointed out that it is difficult to identify the administrators of piracy sites due to "registrar hopping," in which domain name registrations are changed to another registrar when a report of fraudulent use of a domain name is filed with the registrar, and "domain hopping," in which domain names are changed to a different one.

The Intellectual Property Strategy Headquarters released the "Intellectual Property Strategic Program 2022" on June 3, 2022, which indicates the importance of strengthening international cooperation and enforcement to counter the ever-growing number of overseas piracy sites. Due to the large number of piracy sites based in Vietnam, mutual cooperation to counter against illegal copyright infringements in cyberspace was confirmed when the Japan-Vietnam summit meeting was held in November 2021. Furthermore, the Agency for Cultural Affairs announced the release of the "Anti-Piracy Information Portal Site" in June 2020 and started a consultation service in relation to copyright infringement due to piracy on the Internet on August 3, 2020, which enables copyright owners to obtain legal advice from lawyers.

Steady efforts continue to be made to eliminate illegal piracy sites on the internet.

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