



Membership Benefits

The Federation Against Software Theft (FAST) works on behalf of its members to reduce the level of software piracy. We have a well established reputation over 30 years, and expertise through our network of contacts in protecting commercial software Intellectual Property (IP) brands.

Programme objective

Our Anti-Piracy & Enforcement Programme offers software publishers access to, not only FAST membership and use of the brand, but specific access to our IP protection services. It consists of these four key elements:

1. **License reconciliation and audit service**
2. **Extended damages programme**
3. **Bespoke Digital Enforcement and 'take down' service (incremental costs incurred)**
4. **Affiliation with government agencies and law enforcement**

Benefits:

- FAST brand use and association
- Piracy reports and feedback
- Licensing enforcement
- Litigation pursued
- Software Stay Legal Programme
- Attendance at legal forums

Key deliverables

Members may use all or any of the FAST services below as an outsourced option to complement or enhance their in house capabilities:

1. License reconciliation and audit service

- Free access to anonymously report software piracy via www.fast.org (reports are personally followed up by our in house legal team). Any member that would prefer to receive these leads directly to pursue their own action can do so. Likewise, we can offer the member the initial right to veto any action (for example with politically sensitive customers) ahead of any potential FAST follow up.
- For any members who have preferred partners to conduct on site audits, FAST will liaise directly with them on the member's behalf. FAST can deliver formal audits (at the customer's expense) which will be passed to recognised FAST-accredited SAM partners. Members will receive a regular update of activities and piracy cases.

2. Extended damages programme

- Once suspected piracy leads are acted upon and the license reconciliation process is complete FAST will then agree the final terms with the customer on appropriate settlements.
- This settlement will be based on an overall initial guidance taken from members at the outset and based on an understanding of how they would like enforcement cases dealt with. The damages programme is self-funding and a benefit of membership. Fees would be maintained by FAST to cover the administrative costs of managing the programme, but they are not deemed a revenue stream for FAST.

Damages in addition to the license reconciliation fees are calculated on a formulaic basis based on the level of infringement.

Fast receives hundreds of piracy reports every year regarding corporate mis-licensing or intentionally pirated sales of software products and we pursue this with a legal power of representation on behalf of our members

3. Digital Enforcement Service

In addition to the piracy and enforcement services, FAST works with members to produce a customised Digital Enforcement Programme (DEP). Due to its highly bespoke nature this is an incremental cost to the member which would be mutually agreed based on requirements.

The service includes:

- Building a bespoke list of software titles that members wish to track.
- Scanning and takedown service will scan the internet to identify infringing/counterfeit.
- Advising members of the number and type of illegal online sales reports received and agreeing to obtain test purchases where appropriate.
- Confirmation that the 'available product' actually exists to eliminate possible false positives.
- Issue takedown and compliance requests on behalf of the member and follow these up with a second request where action is not taken by the websites within 72 hours.

4. Affiliation with government agencies

Our Legal Affairs Team support government enforcement agencies such as Trading Standards, The Intellectual Property Office (IPO) including membership of the IP Crime Group, Intellectual Property Awareness Network (IPAN), Department for Business Innovation & Skills and numerous law enforcement and influential bodies.

FAST specifically train and support Trading Standards to assist them in investigating and prosecuting copyright abuses through campaigns such as 'Software Stay Legal'. Participating members can leverage law enforcement community on IP issues relating to their brands

FAST represents its members by providing guidance and expertise to assist these influential bodies in investigating and prosecuting copyright abuses, including exposing unscrupulous traders in the reseller and distributor channels. Currently we are providing expertise and guidance to Trading Standards to enable them to use the powers granted under the implementation of Section 107A of the Copyright Design and Patents Act 1988 to investigate software abuses.

FAST facilitates meetings and takes up agreed actions on behalf of members. This can feed into joint actions including PR, lobbying and policy work which are also benefits of membership.