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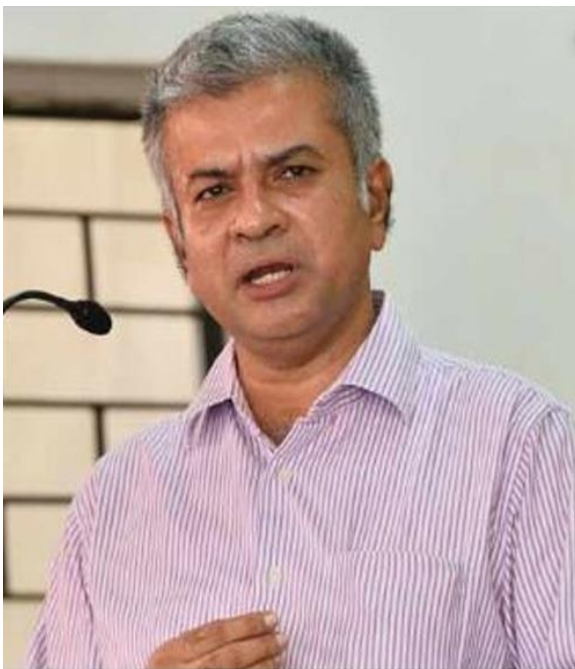
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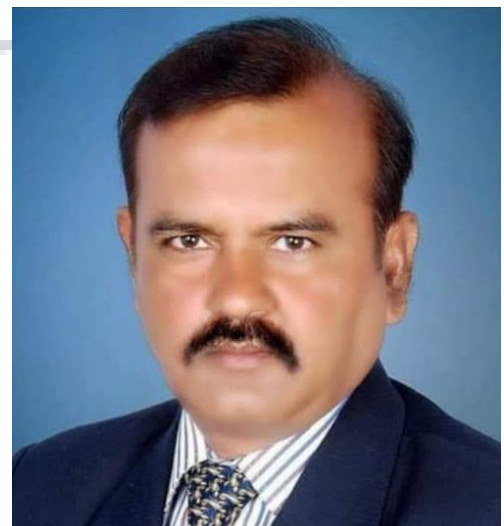
Dr. Raju Narayana Swamy popularly known as Kerala's Anti Corruption Crusader is the All India Topper of the 1991 batch of the IAS and is currently posted as Principal Secretary to the Government of Kerala . He has earned many accolades as he hit against the political-bureaucrat corruption nexus in India. Dr Swamy holds a B.Tech in Computer Science and Engineering from the IIT Madras and a Ph. D. in Cyber Law from Gujarat National Law University . He also has an LLM (Pro) (with specialization in IPR) as well as three PG Diplomas from the National Law University, Delhi- one in Urban Environmental Management and Law, another in Environmental Law and Policy and a third one in Tourism and Environmental Law. He also holds a post-graduate diploma in IPR from the National Law School, Bengaluru

and a professional Procurement from the World Bank.

diploma in Public

Dr. R. K. Upadhyay

Dr. R. K. Upadhyay is Registrar, University of Kota (Raj.), Dr Upadhyay obtained LLB , LLM degrees from Banaras Hindu University & Phd from university of Kota.He has succesfully completed UGC sponsored M.R.P for the work in the ares of the various prisoners reforms in the state of the Rajasthan.



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Dr. Neha Mishra



Dr. Neha Mishra is Associate Professor & Associate Dean (Scholarships) in Jindal Global Law School, OP Jindal Global University. She was awarded both her PhD degree and Associate Professor & Associate Dean M.A.; LL.B. (University of Delhi); LL.M.; Ph.D. (NLSIU, Bangalore) LLM from National Law School of India University, Bengaluru; she did her LL.B. from Faculty of Law, Delhi University as well as M.A. and B.A. from Hindu College and DCAC from DU respectively. Neha has been a Visiting Fellow, School of Social Work, Michigan State University, 2016 and invited speaker Panelist at Global Conference, Whitney R. Harris World Law Institute, Washington University in St.Louis, 2015.

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Ms. Sumiti Ahuja, Assistant Professor, Faculty of Law, University of Delhi,

Ms. Sumiti Ahuja completed her LL.M. from the Indian Law Institute with specialization in Criminal Law and Corporate Law, and has over nine years of teaching experience. She has done her LL.B. from the Faculty of Law, University of Delhi. She is currently pursuing Ph.D. in the area of Forensics and Law. Prior to joining the teaching profession, she has worked as Research Assistant for projects funded by different agencies of Govt. of India. She has developed various audio-video teaching modules under UGC e-PG Pathshala programme in the area of Criminology, under the aegis of an MHRD Project. Her areas of interest are Criminal Law, Law of Evidence, Interpretation of Statutes, and Clinical Legal Education.



Dr. Navtika Singh Nautiyal

Dr. Navtika Singh Nautiyal presently working as an Assistant Professor in School of law, Forensic Justice and Policy studies at National Forensic Sciences University, Gandhinagar, Gujarat. She has 9 years of Teaching and Research Experience. She has completed her Philosophy of Doctorate in 'Intercountry adoption laws from Uttranchal University, Dehradun' and LLM from Indian Law Institute, New Delhi.



Dr. Rinu Saraswat

Associate Professor at School of Law, Apex University, Jaipur, M.A, LL.M, Ph.D,

Dr. Rinu have 5 yrs of teaching experience in renowned institutions like Jagannath University and Apex University. Participated in more than 20 national and international seminars and conferences and 5 workshops and training programmes.

Dr. Nitesh Saraswat

E.MBA, LL.M, Ph.D, PGDSAPM

Currently working as Assistant Professor at Law Centre II, Faculty of Law, University of Delhi. Dr. Nitesh have 14 years of Teaching, Administrative and research experience in Renowned Institutions like Amity University, Tata Institute of Social Sciences, Jai Narain Vyas University Jodhpur, Jagannath University and Nirma University.

More than 25 Publications in renowned National and International Journals and has authored a Text book on Cr.P.C and Juvenile Delinquency law.

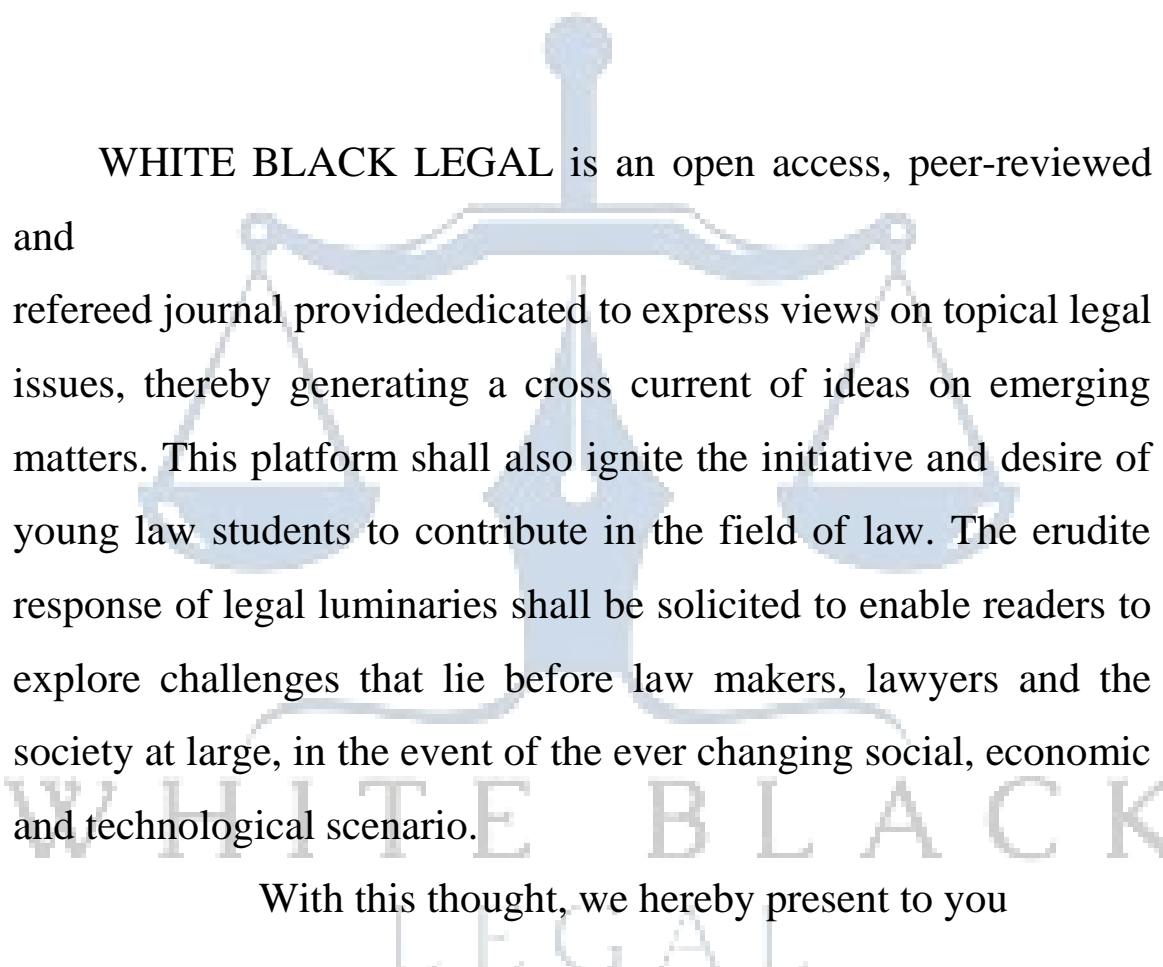


Subhrajit Chanda

BBA. LL.B. (Hons.) (Amity University, Rajasthan); LL. M. (UPES, Dehradun) (Nottingham Trent University, UK); Ph.D. Candidate (G.D. Goenka University)

Subhrajit did his LL.M. in Sports Law, from Nottingham Trent University of United Kingdoms, with international scholarship provided by university; he has also completed another LL.M. in Energy Law from University of Petroleum and Energy Studies, India. He did his B.B.A.LL.B. (Hons.) focussing on International Trade Law.

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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

COMBATING SOFTWARE PIRACY IN THE
EDUCATION SECTOR: A COMPARATIVE ANALYSIS
OF POLICY FRAMEWORKS AND IMPLEMENTATION
STRATEGIES IN CHINA AND INDIA WITH A FOCUS ON
COPYRIGHT ENFORCEMENT AND DIGITAL
LITERACY BY 2027

AUTHORED BY - DR. C. USHA

Abstract:-

Software piracy continues to pose a significant challenge within the education sector, especially in developing countries where financial limitations and infrastructural deficiencies often result in the prevalent use of unlicensed software. This situation carries substantial economic, legal, and educational ramifications, impacting a wide range of stakeholders, including software developers and educational institutions. This paper investigates the policy frameworks and implementation strategies utilized by China and India to address software piracy, with particular emphasis on copyright enforcement mechanisms, public awareness initiatives, and efforts to enhance digital literacy.

China has embraced a comprehensive strategy that encompasses rigorous copyright legislation, heightened penalties for violators, and partnerships with international software firms to mitigate piracy levels. In parallel, the Chinese government has rolled out educational initiatives that highlight the importance of intellectual property rights, with the goal of fostering a culture of compliance among both students and educators. Conversely, India has concentrated on a blend of legal reforms and technology-oriented solutions, such as affordable software licensing options and the encouragement of open-source alternatives within academic environments. The significance of digital literacy initiatives in promoting ethical software usage is also a key component of India's approach, as raising awareness and improving access remain critical challenges in rural and underserved areas.

Through an analysis of the effectiveness of these strategies, this study identifies best practices that have shown tangible success, including public-private partnerships, incentive-based

licensing frameworks, and focused educational campaigns. It also examines potential avenues for future enhancement, stressing the necessity for improved regional collaboration, more robust enforcement mechanisms, and scalable digital literacy initiatives to ensure sustainable advancement. The paper concludes by proposing a roadmap aimed at achieving substantial reductions in software piracy.

Keywords:-

Software Piracy, Copyright Enforcement, Digital Literacy, Education Sector, Policy Frameworks, Public-Private Partnerships

Introduction:-

Software piracy, characterized by the unauthorized duplication, distribution, or utilization of software, presents a considerable economic and ethical dilemma on a global scale. This issue is particularly pronounced in the education sector, where the expenses associated with proprietary software frequently surpass institutional budgets. This paper offers a comparative examination of the policy frameworks and strategies employed by China and India to combat software piracy in educational institutions. Emphasizing copyright enforcement and digital literacy, the study investigates the approaches these countries are taking to mitigate piracy by the year 2027.

China and India serve as significant case studies due to their rapidly expanding educational landscapes, advancements in technology, and developing legal systems. Both nations have enacted anti-piracy measures; however, the effectiveness of enforcement and the level of public awareness differ markedly. China has embraced a rigorous strategy, instituting comprehensive copyright legislation, imposing severe penalties, and forming strategic alliances with international software firms. These initiatives are further enhanced by campaigns aimed at fostering a culture of respect for intellectual property (IP) among students and educators.

Conversely, India has sought to strike a balance between enforcement and accessibility by advocating for open-source software and establishing cost-effective licensing options for educational institutions. The Indian government has initiated digital literacy programs designed to raise awareness regarding the ethical and economic ramifications of software piracy, particularly in rural and marginalized communities. Nevertheless, challenges remain, as

enforcement is often inconsistent, and technological disparities in certain areas continue to pose obstacles.

This paper delves into these differing strategies, assessing their effectiveness in curbing software piracy and promoting ethical software practices within educational environments. By pinpointing best practices and identifying areas needing enhancement, the study offers recommendations for policymakers, educators, and technology providers.

2. Theoretical Framework

The study is based on the theory of planned behavior (TPB), which asserts that an individual's behavior is shaped by their attitudes, subjective norms, and perceived control over their actions. In relation to software piracy, this theory indicates that understanding the legal and ethical ramifications, availability of legitimate options, and perceived repercussions are critical elements influencing behavioral outcomes. For instance, individuals in educational environments with limited resources may resort to software piracy due to prohibitive costs and a scarcity of affordable or accessible alternatives. By tackling these fundamental issues, policymakers can affect behavioral change and diminish piracy rates.

Financial limitations frequently drive software piracy within the educational sector, particularly in developing nations. Institutions operating on tight budgets tend to prioritize essential expenses, leaving minimal resources for the acquisition of proprietary software. This financial obstacle is further exacerbated by technological illiteracy, especially in rural and underserved regions, where a lack of awareness regarding ethical software practices and their long-term advantages continues to fuel piracy.

Legal deterrents, including copyright enforcement, are also vital in influencing behavior. When legal structures are weak or enforcement is erratic, individuals perceive a diminished risk of repercussions, thereby increasing the propensity for piracy. In contrast, strong enforcement strategies, such as harsher penalties and effective monitoring systems, can significantly discourage illegal activities. Nevertheless, these strategies must be complemented by public education initiatives to promote compliance rather than instill fear.

The research incorporates a comparative public policy analysis to assess the effectiveness of

anti-piracy measures enacted in China and India. This analytical framework scrutinizes regulatory enforcement, public awareness initiatives, and educational reforms as vital elements of policy efficacy. Regulatory enforcement includes the establishment of laws, penalties, and monitoring mechanisms designed to deter piracy. Public awareness initiatives aim to inform stakeholders about the ethical, legal, and economic ramifications of piracy, thereby laying the groundwork for behavioral transformation. Educational reforms, particularly those that enhance digital literacy, are crucial for fostering long-term adherence to anti-piracy measures.

In China, strategies involve collaborations with international software firms, rigorous copyright legislation, and educational initiatives that highlight the importance of intellectual property rights. These measures seek to cultivate a culture that respects intellectual property while tackling inherent challenges. Conversely, India emphasizes the provision of accessible alternatives, such as open-source software and cost-effective licensing options. Digital literacy campaigns in India are specifically designed to engage various demographic groups, focusing on the ethical use of software and its significance for societal advancement.

By merging the theory of planned behavior with comparative public policy analysis, this research offers a thorough framework for comprehending and tackling software piracy. This dual approach facilitates a detailed exploration of individual behaviors alongside systemic policy effects, providing practical recommendations to reduce piracy within the educational sector.

3. Software Piracy in the Education Sector

3.1 The Nature and Scope of Software Piracy

In the education sector, software piracy is primarily driven by limited budgets and the high cost of licensed software such as operating systems, productivity tools, and design programs. Students and institutions often resort to unauthorized downloads, cracks, or shared licenses to access necessary tools.

3.1.1 The impact of piracy is multifaceted:

Economic loss to software developers and governments: Software piracy undermines the revenue of developers, reducing their ability to innovate and invest in improved products. Governments also lose potential tax revenue from legitimate sales.

3.1.2 Security vulnerabilities caused by pirated software:

Unauthorized software often lacks updates and patches, exposing systems to malware and cyberattacks. Educational institutions that rely on pirated software risk data breaches, compromising sensitive information.

3.1.3 Ethical concerns surrounding the violation of intellectual property rights:

Piracy disregards the labor and creativity of developers, raising ethical questions about fairness and respect for intellectual property.

3.2 Challenges in Developing Economies

China and India face unique challenges in combating software piracy in the education sector. Financial constraints are a major barrier, particularly in public education systems that operate on limited budgets. These constraints force institutions to prioritize essential infrastructure over licensed software, creating a reliance on pirated alternatives.

A significant challenge is the lack of awareness about intellectual property rights (IPR). Many educators and students are unaware of the legal and ethical implications of using pirated software. This gap in knowledge perpetuates piracy, as individuals fail to recognize the broader consequences of their actions. Targeted educational campaigns are necessary to bridge this awareness gap.

Technological barriers also hinder access to legal software platforms. In rural and underserved areas, limited internet connectivity and outdated hardware make it difficult for institutions to adopt and utilize licensed software effectively. Open-source alternatives and affordable licensing models have the potential to address this challenge but require widespread implementation and support.

Moreover, enforcement of anti-piracy laws remains inconsistent. In China, while there are strict copyright laws in place, implementation varies across regions, allowing piracy to persist in less regulated areas. India faces similar issues, with weak enforcement mechanisms and judicial delays reducing the deterrence effect of existing laws. Strengthening enforcement and ensuring equitable access to affordable software are critical steps toward reducing piracy.

By addressing these challenges through a combination of legal reforms, public awareness, and technological solutions, China and India can make significant progress in combating software

piracy in the education sector. The integration of digital literacy programs and partnerships with technology providers will be key to fostering a sustainable culture of compliance and respect for intellectual property rights.

4. Policy Frameworks and Strategies in China

4.1 Legal Framework for Copyright Enforcement

Over the last twenty years, China has significantly enhanced its intellectual property legislation to combat software piracy. The principal legislative measures include: The Copyright Law of the People's Republic of China (revised in 2021), which criminalizes software piracy and imposes more severe penalties. Software Registration Regulations, which require the licensing and registration of proprietary software. Engagement with international entities such as the World Intellectual Property Organization (WIPO) to align its copyright practices with global standards.

The Copyright Law serves as a legal basis for tackling piracy, detailing specific penalties for unauthorized copying, distribution, and utilization of software. Recent amendments to the law have introduced more stringent measures aimed at deterring infringements, including increased fines and longer prison sentences. Additionally, the Software Registration Regulations ensure that proprietary software is adequately documented, thereby enhancing enforcement capabilities.

China's partnership with WIPO highlights its dedication to conforming to international intellectual property standards. These collaborations have improved the nation's capacity to address cross-border piracy and foster international cooperation in the fight against intellectual property infringements.

4.2 Enforcement Mechanisms

The Chinese government has implemented a dual strategy for enforcement:

4.2.1 Legal Enforcement:

The establishment of specialized intellectual property rights (IPR) courts has been pivotal in addressing software piracy. These courts facilitate efficient legal processes, leading to prompt resolution of conflicts and the imposition of substantial penalties on offenders. Notable cases have underscored the government's dedication to fighting piracy, acting as a deterrent for

would-be violators.

4.2.2 Technological Solutions:

The advancement of digital rights management (DRM) systems has emerged as a fundamental tactic to mitigate unauthorized usage. DRM technologies effectively prevent the illegal duplication and distribution of software, ensuring that access to proprietary tools is restricted to licensed users. Furthermore, monitoring systems have been introduced to detect and tackle instances of piracy, particularly within the digital landscape.

4.3 The Role of Digital Literacy in Addressing Piracy

Acknowledging the significance of education, China has incorporated digital literacy into its national educational framework. Notable initiatives include:

Policy Frameworks and Strategies in India

4.4 Achievements and Challenges

China's anti-piracy measures have achieved considerable success. Legal reforms and collaborations with the private sector have led to a reduction in piracy rates, especially in urban regions. Prominent enforcement actions have heightened awareness regarding the repercussions of piracy, fostering a culture of adherence to legal standards.

Nevertheless, significant obstacles persist. The prevalence of pirated software continues in rural and economically disadvantaged educational settings, where financial limitations and restricted access to licensed options exacerbate the issue. Furthermore, enforcement efforts are inconsistent, with decentralized areas facing weaker oversight and regulatory enforcement.

Aspect	China	India
Legal Framework	Robust and frequently updated copyright laws.	Outdated legal frameworks with recent amendments.
Enforcement	Specialized IPR courts and DRM systems.	Limited enforcement due to systemic issues.
Digital Literacy	Integrated into education curricula.	Targeted programs like NDLM.
Public-Private Partnerships	Extensive collaboration with software companies.	Emerging partnerships with global companies.

5.1 Legal Framework for Copyright Enforcement

India's legal system is governed by the Copyright Act of 1957 (amended in 2012), which provides protection to software as literary works. The Act criminalizes the unauthorized use, reproduction, and distribution of software, with provisions for both civil and criminal penalties. Additionally, the IT Act 2000 addresses cybercrimes, including offenses related to software piracy, further strengthening India's legal framework.

India has also sought to align with international intellectual property rights (IPR) standards, particularly under the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement. These efforts include participation in global IPR forums and the adoption of best practices for software copyright protection. Despite these robust legal provisions, enforcement challenges persist due to systemic inefficiencies, limited resources, and judicial delays.

5.2 Enforcement Mechanisms

India employs a combination of legal and collaborative strategies to combat software piracy:

Legal Action: The government collaborates with anti-piracy agencies and law enforcement to conduct raids on institutions using pirated software. These operations aim to deter piracy by imposing penalties and creating awareness about legal consequences.

Awareness Campaigns: Industry-led initiatives, such as those by the National Association of Software and Service Companies (NASSCOM), work in tandem with government efforts to educate stakeholders on the economic and ethical implications of piracy. Campaigns target students, educators, and administrators, emphasizing the importance of compliance and the benefits of legitimate software.

5.3 Role of Digital Literacy in Combating Piracy

Digital literacy is a cornerstone of India's strategy to address software piracy. Key initiatives include:

National Digital Literacy Mission (NDLM): Launched by the government, this program aims to enhance digital skills across all demographics, with a focus on underserved and rural populations. By equipping individuals with the knowledge and tools to access legal software, the NDLM helps reduce reliance on pirated alternatives.

Industry Collaboration: Partnerships with global software companies have facilitated the

availability of affordable licensing options for educational institutions. These collaborations include student discounts, bundled software packages, and free trials to encourage the use of legitimate tools.

IPR Education: Efforts to integrate intellectual property rights education into school and university curricula aim to foster respect for copyright laws and raise awareness about the consequences of piracy.

5.4 Successes and Limitations

India has made notable progress in addressing software piracy through awareness campaigns and public-private partnerships. Programs like the NDLM have improved digital literacy rates, particularly among younger populations. Legal raids and enforcement actions have also helped reduce piracy in urban and institutional settings.

However, challenges remain. Digital literacy programs have limited penetration in rural areas, where infrastructural deficits and lack of internet access hinder their effectiveness. Additionally, judicial delays and resource constraints weaken enforcement efforts, reducing the deterrence effect of anti-piracy laws.

To overcome these limitations, India must enhance the reach of its digital literacy initiatives, invest in infrastructure development, and streamline judicial processes for handling piracy cases. Strengthening collaborations with international stakeholders and software providers will also be essential for sustaining progress in combating software piracy in the education sector.

Responsible Technology Utilization: Educational programs focus on the necessity of honoring intellectual property rights and comprehending the ethical ramifications of piracy. These initiatives aim to cultivate a sense of accountability among both students and educators.

Collaborative Efforts with the Private Sector: Partnerships with software companies have enabled the distribution of discounted or complimentary licensed software to educational institutions. Such initiatives help to alleviate financial obstacles, thereby enhancing the accessibility of legitimate software for schools and universities.

6.1 Strengthening Copyright Enforcement

Effective enforcement of intellectual property rights (IPR) is a cornerstone of anti-piracy measures. To expedite the resolution of piracy-related cases, **India should establish specialized IPR courts** that focus exclusively on intellectual property disputes. These courts would enable swift action against offenders, creating a deterrent effect.

Moreover, both India and other countries must **enhance monitoring systems to track unauthorized software usage**, particularly in educational institutions, where pirated software is often prevalent due to budget constraints. Collaborative efforts between governments and software developers can help create a robust framework for detecting and addressing piracy in real-time. For instance, deploying AI-powered tools to monitor software compliance could streamline enforcement efforts.

6.2 Promoting Digital Literacy

Raising awareness about the importance of intellectual property and ethical technology use is critical to reducing piracy. **Comprehensive digital literacy programs should be integrated into school curricula**, emphasizing the significance of IPR and the consequences of software piracy. Educating students early on about the ethical and legal dimensions of software usage can foster a culture of respect for intellectual property.

Additionally, governments should **expand rural outreach programs** to address digital skill gaps in underserved regions. These programs should provide training in legitimate software acquisition and usage, equipping individuals with the knowledge to make informed decisions. This approach would not only combat piracy but also empower communities to participate in the digital economy.

6.3 Enhancing Public-Private Partnerships

Collaboration between governments, software companies, and educational institutions is essential to addressing the economic factors that drive piracy. **Public-private partnerships can facilitate the provision of free or low-cost software licenses**, making legal alternatives more accessible to schools, small businesses, and individuals.

Furthermore, **regional hubs for training and software access** should be established. These

hubs can serve as centers for disseminating information, conducting workshops, and offering technical support. By building such infrastructure, governments and private organizations can bridge the gap between demand and access to legitimate software.

6.4 Leveraging Technology

Technological advancements offer innovative solutions for combating piracy. **Blockchain-based systems can be implemented to verify software authenticity**, ensuring that only legitimate copies are distributed and used. Blockchain's transparency and immutability make it a powerful tool for tracking software licenses and combating counterfeit products.

In addition, **promoting cloud-based software solutions** can significantly reduce reliance on pirated desktop applications. Cloud platforms inherently offer better control over software distribution, allowing developers to enforce license compliance more effectively. Subscription-based models also make software more affordable, reducing the incentive to resort to piracy.

7. Conclusion

Software piracy in the education sector continues to challenge global efforts to foster intellectual property compliance, particularly in developing economies like China and India. Despite progress made through legal reforms, public awareness campaigns, and partnerships with technology providers, significant barriers remain. Financial constraints, technological gaps, and inconsistent enforcement hinder the full realization of anti-piracy objectives.

This paper has examined the policy frameworks and strategies employed by China and India, highlighting successes and areas for improvement. By integrating robust legal enforcement, comprehensive digital literacy programs, and innovative technological solutions, both nations can achieve measurable reductions in software piracy by 2027. Collaboration between governments, educational institutions, and software companies will be pivotal in fostering a culture of respect for intellectual property rights and ensuring equitable access to legitimate software tools. The recommendations outlined in this study aim to provide a sustainable roadmap for combating software piracy, promoting ethical technology use, and supporting the long-term development of the education sector.

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