

## FAQ on Streaming Devices

### 1. What is streaming?

Streaming is a method of transmitting or receiving data (especially video and audio material) over a computer network as a steady, continuous flow; allowing playback to start while the rest of the data is still being received. It is an alternative to file downloading which is a process in which the end-user obtains the entire file for the content before watching or listening to it. Either way, whether streamed or downloaded, any content received by a person without the permission of the owner of such content, is considered as an infringement of copyright.

### 2. What is a streaming device?

A streaming device allows persons to stream Internet content for viewing on a television. Popular examples of a streaming device include the Amazon Fire TV stick, Roku Streaming Stick/ Box, Kodi Box and an Android box.

Typically, these devices contain software that allow access to sites or online subscription services such as Netflix, Hulu or online TV and movie channels. These devices are often advertised and sold as a replacement for cable television.

### 3. Are streaming devices illegal?

Streaming devices are not illegal. However, when these devices are ‘jailbroken’ or modified with software to allow for access to content without the permission of the copyright owner that is a breach of the copyright owner’s rights. For example, installation of software such as Modbro will allow for the unauthorised access to sports channels and movies and other copyrighted content.

The Copyright Act of Trinidad and Tobago refers to these ‘jailbroken’ or modified streaming devices as “*technological protection measures (TPM) circumvention devices*” and the act of modifying the device to allow for unauthorised access as ‘*circumventing technological protection measures*’. This results in the breach of the Copyright Act.

**4. I can access online content on my mobile phone, laptop, tablet and smart TV; how are these devices different from the Android box or any other streaming device?**

Persons can access online content on many sites with or without installing any software or making any modification to their mobile phone, laptop, tablet and smart TV. However, the primary purpose of streaming devices that are modified or jailbroken is to facilitate copyright infringement which is contrary to the law.

**5. Who is being impacted by internet piracy?**

Internet piracy is theft! When the works of content creators are stolen or creators are not compensated for their work because of its unauthorised distribution, this reduces the incentive to create and could eventually lead to a reduction in the amount and variety of content produced and enjoyed. This can also lead to unemployment in the movie, music and television industries which we rely on for entertainment.

**6. If content is readily available on the Internet, how can I determine if the content is unauthorised?**

If you are accessing content via the Internet for free or at a considerably lower price than you would ordinarily pay for through a subscription from your cable TV provider or at a local cinema, this is a good indication that the content accessed is unauthorised by the content owner.

**7. Are services such as Netflix and Disney Plus illegal?**

Netflix, Disney Plus and other similar services are online subscription services that are paid for and are legal as permission would have been obtained by these companies from the various copyright owners for the distribution of their content to paying subscribers.

**8. Is it illegal to import, sell or advertise illegal streaming devices?**

It is an illegal act for persons **who in the course of business or as a form of commercial activity** import, sell, or advertise for sale an illegal streaming device or TPM circumvention device. These are criminal offences under section 41 (2) of the Copyright Act. This does not refer to persons who use these streaming devices for private use.

As a result, importers and retailers of these illegal streaming devices or TPM circumvention devices can be subject to legal action by the copyright owners and enforcement action by Trinidad and Tobago Police Service or the Customs and Excise Division.

**9. Is it illegal to import streaming devices such as an Amazon Fire TV Stick to view Amazon TV, Netflix, Disney Plus etc?**

It is not illegal to import a streaming device such as an Amazon Fire TV Stick or Roku Streaming Stick/ Box. These devices can be imported and utilised for services that provide authorised access to content.

**10. What are the risks and consequences associated with accessing unauthorised content on streaming devices?**

Accessing unauthorised content via modified or an illegal streaming device exposes you to many risks including:

- Malware (e.g. spyware, viruses, Trojan horses);
- Theft of your identity and confidential or financial information;
- Hijacking of your device; and
- Tracking and monitoring of your online activity