

## Pezzotto TV Case

Mr. John Doe is accused of the crime of infringement of copyright having distributed and sold devices or elements of special decoding which allows access to an encrypted service without paying the fee to the corresponding companies but by acquiring the payment itself. More precisely, we are referring to Pezzotto TV, with which is pointed to an illegal decoder which has the function of downloading and receiving private IPTV at the cost of a few euros per month. On the basis of all of this we find Mr. John Doe, who obtains the transmission signal from an original subscription for each platform and which, after extrapolating it, transmits it illegally to his subscribers.

The use of a modified decoder for carrying out this operation makes the accused Mr. John Doe punishable under the law of computer fraud, article 640-ter:

**Art. 640 - ter**

Any alteration of an electronic, computer or telematic device by intervening in any way on data, information or programs contained therein, without the right to do so, procuring for oneself or others an unjust profit with damage to others.

with an aggravating circumstance determined for profit, article 61, paragraph 7:

**Art. 61 - paragraph 7**

Having caused the victim of the crime a serious patrimonial damage in crimes against property, or that in any case offend the property, or in crimes motivated by profit.

and for the crime of unauthorized access to a computer system, article 615-ter:

**Art. 615-ter**

Unauthorized introduction to a computer or telematic system protected by security measures, against the expressed or tacit will of those who have the right to exclude it.

Watching films, sporting events or TV series illegally necessarily implies a violation of copyright, for example the law that aims to protect those who create a work, and in particular art. 171 ter lett. f:

**Art. 171 ter lett. f**

Punishes anyone who manufactures, imports, distributes, sells, rents, gives for any reason, advertises for sale or rental, or holds for commercial purposes, equipment, products or components or provides services that have the prevailing purpose or commercial use to avoid effective technological measures pursuant to art. 102 quater, or which are primarily designed, manufactured, adapted or performed for the purpose of enabling or facilitating the circumvention of said measures. These technological measures shall comprise the measures that are applied or that remain after certain measures are removed by rightholders voluntarily or by virtue of agreements with the beneficiaries of exceptions, or in compliance with an injunction by an administrative or judicial authority.

and at the same time the art. 171-octies:

**Art. 171 - octies**

Whoever produces, sales, imports, promotes, installs, modifies, or uses, either for personal or public use, with fraudulent purposes, devices or parts of devices meant to decode conditional-access audiovisual transmissions which have been broadcast by air, satellite or cable, whether in analogue or digital form, shall be punished.

Thanks to the help of the police, who collected evidence through IP tracing, requesting data from local and national Internet Service Providers and reviewing some suspicious electronic payments to Pezzotto TV made by unknown users, it was possible to bring the accusation. Furthermore, the investigations were also useful for bringing light into the operating methods of the criminal association, described as a pyramid-shaped structure,

at the top of which are subjects who, although not knowing each other directly, establish mutual ties to achieve the criminal purpose. According to the reconstruction of the investigators, the main phases of the criminal scheme include:

1. Legitimate purchase of copyrighted content in the form of digital signals by the top of the pyramid (they are referred to as Sources).
2. Transformation of the contents thus acquired into IT data, through a complex technical and organizational infrastructure.
3. Broadcast of computer data in the form of audio/video streams through an articulated network of resellers and end users equipped with an internet connection and special equipment - commonly known as Pezzotto. To sell subscriptions, the criminal network made use of bots, channels, groups, forums and blogs that advertised the offer on the Net; messages were also conveyed via Telegram and social networks.

Mr. John Doe is required to be present in date 03/05/2023 in the courtroom 02 of Università degli Studi di Roma La Sapienza, Castro Laurenziano street, 7.