

The Perils Of Data, Copyright And Intellectual Property Theft.

By & copyright of Steve Robinson

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Data, copyright & intellectual property theft is not uncommon around the world & I have on several occasions been victim of such crimes but before anyone considers such an act they need to be aware of the penalties that such theft can incur & also that the victim has every right to bring separate prosecutions in any & all countries around the world in which the information they stole can be viewed or accessed & although penalties vary between counties it is not at all uncommon for them to be at the level of at least 150000 GBP, USD or Euros **PER ITEM STOLEN** so if 10 items are stolen then it adds up to 10 x 150000 GBP, USD or Euros to each person involved in such thefts.

In addition to that is possible jail time of 5 or more years in some cases & countries..... & those penalties include such thefts from social media platforms.

In the case of Portugal then page 182 & 183 of the first link below explain the penalties applicable to Portugal & the second link gives further explanation.

https://www.vda.pt/xms/files/05_Publicacoes/2021/CriminalLiabilityForTrademarkInfringement.pdf

<https://innovaccess.eu/portugal/copyright-in-portugal/>

It should also be noted that a very significant number of law firms around the world are more than willing to take on such prosecutions on a no win no fee basis which means the victim can prosecute such criminals for compensation & costs at no cost to the victim & the relevant police authorities can also bring the criminal charges against those responsible for such crimes.

I therefore suggest that people consider the consequences of such thefts before they commit the crime & also bear in mind that further penalties can be incurred should they commit false information to an official document as part of defending any prosecution as As an example, Article 348a of the Portuguese penal code states that:

1. Any person who falsely declares or attests to public authority or an official in the exercise of his or her identity, state or other capacity to which the law attributes legal effects, whether own or others, shall be punished with imprisonment for up to one year or with a fine if a more serious penalty does not fall under another legal provision.

2 - If the statements are intended to be recorded in an authentic document, the agent is punished with imprisonment for up to two years or with a fine.

Article 27

1 - It is punishable as an accomplice who intentionally and in any way give material or moral aid to the practice by another of a wilful act.

2 - It is applicable to the accomplice the penalty set for the author, especially attenuated.

Also note that other legislation relating to committing false information to an official document can bring additional prosecution with even more severe penalties of up to 5 years imprisonment (more in some cases) and also loss of residency & right to residency.

<https://www.safecommunitiesportugal.com/report-a-crime-online/aiding-illegal-immigration/>

<https://sites.google.com/site/leximigratoria/artigo-85-o-cancelamento-da-autorizacao-de-residencia>

It should also be noted that I am extremely protective of my work & will not hesitate to bring such prosecutions anyone who does steal my data, copyright and/or intellectual property.