
(C) INTELLECTUAL PROPERTY REPORT

TITLE 18, UNITED STATES CODE, SECTION 2318*
**TRAFFICKING IN COUNTERFEIT LABELS FOR PHONO RECORDS AND COPIES OF MOTION PICTURES OR
OTHER AUDIOVISUAL WORKS.**

Offense: knowingly trafficking in a counterfeit label affixed or designated to be affixed to a phono record or a copy of a motion picture or other audiovisual work.

FY 2003—TOTALS (All Districts)

Referrals and Cases:

Number of Investigative Matters Received by U.S. Attorneys:	27
Number of Defendants:	36
Number of Cases Filed:	8
Number of Defendants:	9
Number of Cases Resolved/Terminated:	9
Number of Defendants:	17

Disposition of Defendants in Concluded Cases:

Number of Defendants Who Pleaded Guilty:	12
Number of Defendants Who Were Tried and Found Guilty:	2
Number of Defendants Against Whom Charges Were Dismissed:	2
Number of Defendants Acquitted:	0
Other Terminated Defendants:	1

Prison Sentencing for Convicted Defendants (# represents defendants):

No Imprisonment:	6
1 to 12 Months Imprisonment:	2
13 to 24 Months:	3
25 to 36 Months:	0
37 to 60 Months:	3
61 + Months:	0

Total Dollar Value of All Criminal Fines Imposed: Not Available
(fines can be assessed in lieu of or in addition to prison sentences)

*This chart includes data on any and all criminal cases/defendants where 18 U.S.C. 2318 was brought as any charge against a defendant.

TITLE 18, UNITED STATES CODE, SECTION 2319*
CRIMINAL INFRINGEMENT OF A COPYRIGHT

Offense: willful infringement of a copyright for purposes of commercial advantage or private financial gain, or through large-scale, unlawful reproduction or distribution of a protected, regardless of whether there was a profit motive.

FY 2003—TOTALS (All Districts)

Referrals and Cases:

Number of Investigative Matters Received by U.S. Attorneys:	88
Number of Defendants:	120
Number of Cases Filed:	33
Number of Defendants:	50
Number of Cases Resolved/Terminated:	26
Number of Defendants:	47

Disposition of Defendants in Concluded Cases:

Number of Defendants Who Pleaded Guilty:	43
Number of Defendants Who Were Tried and Found Guilty:	0
Number of Defendants Against Whom Charges Were Dismissed:	2
Number of Defendants Acquitted:	0
Other Terminated Defendants:	2

Prison Sentencing for Convicted Defendants (# represents defendants):

No Imprisonment:	26
1 to 12 Months Imprisonment:	9
13 to 24 Months:	4
25 to 36 Months:	1
37 to 60 Months:	3
61 + Months:	0

Total Dollar Value of All Criminal Fines Imposed: Not Available
(fines can be assessed in lieu of or in addition to prison sentences)

*This chart includes data on any and all criminal cases/defendants where 18 U.S.C. 2319 was brought as any charge against a defendant.

TITLE 18, UNITED STATES CODE, SECTION 2319A*
**UNAUTHORIZED FIXATION OF AND TRAFFICKING IN SOUND RECORDINGS AND MUSIC VIDEOS OF
 LIVE MUSICAL PERFORMANCES.**

Offense: without the consent of the performer, knowingly and for the purposes of commercial advantage or private financial gain, fixing the sounds or sound and images of a live musical performance, reproducing copies of such a performance from an authorized fixation; transmitting the sounds or sounds and images to the public, or distributing, renting, selling, or trafficking (or attempting the preceding) in any copy of an authorized fixation.

FY 2003—TOTALS (All Districts)

Referrals and Cases:

Number of Investigative Matters Received by U.S. Attorneys:	5
Number of Defendants:	10
Number of Cases Filed:	6
Number of Defendants:	6
Number of Cases Resolved/Terminated:	5
Number of Defendants:	7

Disposition of Defendants in Concluded Cases:

Number of Defendants Who Pleaded Guilty:	3
Number of Defendants Who Were Tried and Found Guilty:	0
Number of Defendants Against Whom Charges Were Dismissed:	4
Number of Defendants Acquitted:	0
Other Terminated Defendants:	0

Prison Sentencing for Convicted Defendants (# represents defendants):

No Imprisonment:	1
1 to 12 Months Imprisonment:	2
13 to 24 Months:	0
25 to 36 Months:	0
37 to 60 Months:	0
61 + Months:	0

Total Dollar Value of All Criminal Fines Imposed: Not Available
 (fines can be assessed in lieu of or in addition to prison sentences)

*This chart includes data on any and all criminal cases/defendants where 18 U.S.C. 2319A was brought as any charge against a defendant.

TITLE 18, UNITED STATES CODE, SECTION 2320*
TRAFFICKING IN COUNTERFEIT GOODS OR SERVICES

Offense: intentionally trafficking or attempting to traffic in goods or services and knowingly using a counterfeit mark on or in connection with such goods or services.

FY 2003—TOTALS (All Districts)

Referrals and Cases:

Number of Investigative Matters Received by U.S. Attorneys:	120
Number of Defendants:	186
Number of Cases Filed:	70
Number of Defendants:	125
Number of Cases Resolved/Terminated:	35
Number of Defendants:	65

Disposition of Defendants in Concluded Cases:

Number of Defendants Who Pleaded Guilty:	35
Number of Defendants Who Were Tried and Found Guilty:	4
Number of Defendants Against Whom Charges Were Dismissed:	23
Number of Defendants Acquitted:	3
Other Terminated Defendants:	0

Prison Sentencing for Convicted Defendants (# represents defendants):

No Imprisonment:	17
1 to 12 Months Imprisonment:	7
13 to 24 Months:	6
25 to 36 Months:	1
37 to 60 Months:	7
61 + Months:	1

Total Dollar Value of All Criminal Fines Imposed: Not Available
(fines can be assessed in lieu of or in addition to prison sentences)

*This chart includes data on any and all criminal cases/defendants where 18 U.S.C. 2320 was brought as any charge against a defendant.

TITLE 18, UNITED STATES CODE, SECTIONS 2318, 2319, 2319A, OR 2320*

All Districts—All Statutes

Referrals and Cases:

	FY 00	FY 01	FY 02	FY 03
Number of Investigative Matters Received by U.S. Attorneys:	197	191	169	229
Number of Defendants:	314	283	289	333
Number of Cases Filed:	106	84	78	100
Number of Defendants:	162	121	149	165
Number of Cases Resolved/Terminated:	79	81	82	65
Number of Defendants:	99	106	135	119

Disposition of Defendants in Concluded Cases:

Number of Defendants Who Pleaded Guilty:	71	83	103	87
Number of Defendants Who Were Tried and Found Guilty:	5	3	3	5
Number of Defendants Against Whom Charges Were Dismissed:	19	17	26	22
Number of Defendants Acquitted:	1	0	0	3
Other Terminated Defendants:	3	3	3	2

Prison Sentencing for Convicted Defendants (# represents defendants):

No Imprisonment:	51	46	58	50
1 to 12 Months Imprisonment:	10	23	25	18
13 to 24 Months:	9	8	14	13
25 to 36 Months:	6	3	5	1
37 to 60 Months:	0	2	4	9
61 + Months:	0	4	0	1

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