Electronically Filed
Docket: 22-CCB-0058
Filing Date: 02/21/2024 11:30:27 AM EST

EXHIBIT D

China Was Ground Zero For $1 Million of Counterfeit CDs

Music-News.com August 19, 2020 **The BPI can report that a Morecambe-based motor dealer has been exposed as the ringleader of a music piracy operation going back to 2016. John Waldie, 56, is believed to have made £464,000 from illegally dealing in counterfeit CDs.**

Waldie was sentenced to 18 months in prison by Preston Crown Court on 13th August 2020. He admitted to 16 counts of trademark infringements relating to thousands of high quality counterfeit CDs, which had been manufactured in China, including albums by Adele, Justin Bieber, Coldplay, One Direction, Ed Sheeran and Sam Smith. Convicted alongside Waldie, though with lesser penalties, were his partner Sarah Forsyth, 47, and their co-defendant Adam Keates, 32. Keates also pleaded guilty to converting £16,988 of criminal property through his bank account.

The prosecution of the three defendants was based on evidence painstakingly gathered by the BPI's Content Protection Unit following an investigation which began in 2016 and was passed on to Lancashire County Council Trading Standards. See Notes for more details.

Consumers and the online trading platforms involved, including Amazon and eBay, would have had no idea that the discs were fakes. This means each and every purchase of a fake CD was a directly displaced sale that should instead have gone to the artist and label concerned, and which also denied a retail opportunity. The revenue in lost sales, when considering the period the businesses were in operation before intervention, together with revenue saved by virtue of product seized, ran to hundreds of thousands of pounds. For the criminals the prospect of seemingly easy money ended up meaning jail and other penalties.

Nick McNamara, Principal Officer (Legal) at Trading Standards Service, Lancashire County Council, said: "This was a sophisticated counterfeiting operation where high quality Chinese counterfeits were sold as genuine to unsuspecting members of the public. Waldie's lengthy jail term shows how seriously the courts treat this kind of offending. We're grateful to the BPI and all the trademark holders and financial institutions that came together to help us secure these convictions."

Chris Sheehan, BPI Content Protection Investigator, said: "Selling fake CDs is illegal. Whether it's on a street corner or online, it makes no difference. It's a criminal offence.

"The 18 month prison sentence given to the ringleader is a strong message to others that music piracy is not a quick way to make money. On the contrary, it's a quick way to get yourself sent to prison. It rips off consumers, it rips off legitimate retailers and it rips off the artists and record labels who go unrewarded for their time, investment and creativity.

"Lancashire Trading Standards has done a great job in bringing these three criminals to justice, and BPI has gained some further intelligence that will help us investigate other criminals and protect consumers from fake CDs and vinyl.

Paola Monaldi, who heads the BPI's Content Protection Unit, said: "On behalf of the BPI and its members I wish to thank Lancashire Trading Standards and the involved authorities for all their efforts closing down this criminal operation. We continue to work closely with online platforms and law enforcement agencies to uncover illicit operations and protect the interests of artists and labels."

https://www.noise11.com/news/china-was-ground-zero-for-1-million-of-counterfeit-cds-20200819

Proof of Delivery

I hereby certify that on Wednesday, February 21, 2024, I provided a true and correct copy of the Exhibit D China Was Ground Zero For $1 Million of Counterfeit CDs to the following:

James Billington, represented by James Billington, served via ESERVICE at info@retrostarmusic.com

Signed: /s/ Michelle Shocked