

Camcorder copies: Taping movies as they play on the silver screen

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Illustration: Photo: Perry Beaton, Special to The Record, Special to The Record / Our charming would-be film thief is actually Sherbrooke's Pascal Baldini, who good-humouredly posed with this ancient camera.

SHERBROOKE - Eastern Townships cinema operators say the American film industry's threat to delay releasing movies in Canada in order to combat illegal recordings will kill their businesses.

"We're a small cinema and when a popular movie comes out our business depends on getting a copy," said Francois Pradella, Cinema Magog Inc.'s assistant manager.

Reports say about 50 per cent of the world's pirated movies come from Canada and a recent investigation by the US-based film company Twentieth Century Fox revealed that most of the illegal recording takes place about two hours from Sherbrooke -- in Montreal's movie houses.

Although the problem is widespread just hours away, Pradella said he's never caught anyone recording a movie, otherwise known as camcording, in Magog.

"It hasn't been a problem yet," Pradella said. "But it could happen."

However, Pradella said he has witnessed people recording films in Montreal cinemas.

Nuria Bronfman, spokeswoman for the Motion Picture Theatre Associations of Canada, said picture pillaging may be more popular in Quebec because pirates have access to films in both English and French.

Bronfman said modern camcorders are very small and can be hidden behind lapel pins, and some cell phones can also record films.

"These people are savvy and know what they're doing," she said.

Bronfman also said Canada's copyright laws don't help.

"There's no legislation that deals with camcording in movie theatres," she said. "It's a very difficult crime to deal with without legislation."

And an officer with the Royal Canadian Mounted Police (RCMP), responsible for enforcing Canada's copyright laws, confirms that filming movies as they

show in theatres isn't criminal.

"The actual camcording isn't illegal," said RCMP Sgt. Jean-Yves Ducharme. "It's a civil offence and not a criminal offence."

Ducharme, a member of the Montreal section responsible for enforcing federal statutes regarding copyright, trademarks and radio communication, said that under civil law a suspect could be sued by the copyright owner. But not arrested.

However, Ducharme noted distributing and profiting from such recorded material is illegal.

The RCMP website states offences under the Copyright Act are punishable by fines of up to \$1 million or imprisonment of up to five years.

The last time The Record reported an RCMP arrest in the Eastern Townships for copyright infringement was in November 2005 when a 25-year-old man was brought into custody for having more than 300 CDs, 150 X-Box games and 140 DVDs.

"As soon as the distribution hits the streets and there's a profit made it becomes a criminal type of offence," Ducharme said, noting officers recently unraveled an international camcording and distribution ring connected to Montreal.

"We had an investigation and recently arrested somebody," he said, noting the 30-something-year-old male suspect had been filming movies that ended up in an Internet distribution ring.

"On the whole, we don't see a big problem of films being sold on the streets," he said.

Ducharme said the investigation, which started about 10 months ago, tracked the man and the some 100 American movies he had allegedly recorded.

"It's not a criminal offence to film movies in theatres and the guy was profiting from that," the officer said. "He wasn't arrested until it was proved he was a part of the ring."

Ducharme said the films recorded in Montreal cinemas were traced to some 20 countries.

The police officer said penetrating illegal Internet film distribution rings isn't easy, but once they're in movies can be traced.

Motion picture spokeswoman Bronfman acknowledged the RCMP's work, but said the law must adjust to camcording. "We think it's theft," she said. "Theft from the distributors."

Some cinemas are fighting back.

Bronfman said some movie houses have equipped staff with sophisticated camera surveillance equipment, such as infrared goggles to detect a camera's heat signature, but she noted staff can only go so far once a camcorder has been discovered.

Staff can ask the suspects to leave, hand over their cameras or wait for police to take them away.

She said this raises safety concerns for employees and customers.

"These people are criminals and most aren't nicely going to be led out the door," Bronfman said. "Law enforcement should have to deal with these people and not cinema managers."

Sherbrooke's Maison du Cinema doesn't take any chances.

"If we find someone we call the authorities," said Danielle Ouellette, director of communications for the 16-room theatre.

The Maison, which specializes in French-language and international films, has been operating on King Street in the city's downtown core for years.

Ouellette acknowledged the problem with camcording, but she noted many films are online before they even make it to the big screen.

She said movie copies from the more recent Star Wars and Harry Potter series were being downloaded and distributed before customers were lining up to buy tickets.

"Some people in the movie studios are making copies," she said.

Bronfman has other security concerns, as well. She said the nature of movie theatres makes it difficult for owners to search customers.

"Distributors haven't been doing that because because they want people to go to the theatres to relax," Bronfman said. "They don't want to make it a war zone."

Even if they could, Magog Cinema's assistant manager Pradella said staff can't check everyone.

"I think it's a matter of common sense," he said, noting that avoiding paying to see movies means there's no support for movie companies or the actors.

Some cinema operators are teaching the public about the risks of camcording.

Armand Zwibel, director of operations for the Cine Entreprise chain (which owns a cinema in Granby) said the company has been participating in public service announcements against video pirating for years.

"People should know that anyone caught doing it will be prosecuted," he said.

Although many of the copied movies are big budget Hollywood flicks, Zwibel noted Canadian films such as Bon Cop, Bad Cop are attracting more fans.

The director of operations also noted that producing good recordings isn't as easy as hiding a camera under a jacket. He said pirates would need a tripod to keep their cameras steady.

Zwibel said no one has ever been caught recording films in the chain's six movie houses, but noted if someone is caught they would be asked to leave.

Although theatres have been taking proactive approaches to curbing camcording for years, police officer Ducharme said the justice system will catch up.

"We haven't changed it yet but it's just a matter of time," Ducharme said, noting technology and the World Wide Web are difficult to control.

"You know the Internet," he said. "You look at one little film and it could have been viewed by a million people."

Although websites like youtube.com have been praised for promoting free speech and creating Internet stars, not all movie makers think it's a good thing.

Yannick Cote, a Sherbrooke independent film maker, has yet to make a single cent from his group sans_sens_sur's eclectic films.

He said broadcasting films over the Internet may help some movie producers get their big break.

Cote, who is also president and spokesman for the Sherbrooke independent film club Kino Sherbrooke, said the club will soon post films on its website.

But the vastness of cyberspace may play against them if savvy pirates hijack their work.

"I wouldn't want to see my work on a website I didn't

like," Cote said. "The only bad thing about youtube is that just about anything can be viewed on the site."

Cote said many film makers create movies because they love what they do, rather than for the money.

Kino Sherbrooke club hosts a monthly movie night in the city's historic Granada Theatre where fans (known as kinoites) continue to fill up seats for 90 minutes of film. Movies range from animation shorts to action flicks.

Cote said movie pirates not only take away potential profits for film makers, but also hijack the art.

"It's important for artists to maintain control over their own work," he said.

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