



CYBERCRIME AND THE ROLE OF THE HADOOBI AUTHORITY IN PROTECTING COPYRIGHT IN MOROCCAN LAW

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Abstract: *This study seeks to show that information and communication technology has enabled Internet users to commit other crimes that affected copyright and related rights by very modern technical means, as the moral and material rights of the author and the owners of rights related to the author are the fruits of their creativity in the fields of literature and art, they are the product of the so-called literary and artistic works, these rights have known wide circulation in the digital domain, these rights of a literary and financial nature find their framework in Moroccan law.*

These rights are widely exploited today in the Internet environment, as the latter provided the way to benefit from them by the exploiters of the Internet, and enabled their owners to publish their literary and artistic works and creations, but this environment posed several problems that affected those rights, especially literary and artistic works. Such as downloading them without the permission of their authors and exploiting them for commercial or profit purposes by others without paying their authors a fair reward for that exploitation, and also the difficulty of identifying the exploiters of these literary and artistic works, which misses the opportunity for authors to enjoy and benefit from their moral and material rights resulting from their intellectual creations, if users of Internet networks and platforms sharing digital content have the right to exploit intellectual works and benefit from their advantages, so should a degree of protection be guaranteed to the authors of these intellectual creations. In some cases, we find that these platforms block or pirate some intellectual creations that have achieved high rates of viewing, and then claim that these intellectual contents have been pirated or penetrated by Internet users, which poses with it the difficulty of determining the party responsible for the act of penetration or piracy.

Keywords: *cybercrime, copyright, related rights - Moroccan law.*

Table of Contents

INTRODUCTION

1. Copyright between cybercrime and Hadobi authority
2. Manifestations of the Hadoobi Authority's Online Protection of Copyright and Related Rights

CONCLUSION



INTRODUCTION

The world today is living in the era of the scientific revolution, so that it has become the dominant factor in our lives, whether at the level of the individual or the group (Rushdie, 2014). This era has clearly affected the field of intellectual property, which is a set of rights that arise as a result of an intellectual activity or effort that leads to creativity or innovation in one of the industrial, commercial, literary, artistic and scientific fields (Benhammou, 2007).

In the study of this article, we will limit ourselves to the field of literature and art, or what is called in the scope of intellectual property (literary and artistic works), the latter of which is framed by Law No. 2.00 on Copyright and Related Rights. The first organization of the Copyright and Related Rights Section dates back to the Queen Anne Act, enacted on April 10, 1710, as it is considered the first law aimed at protecting the intellectual creations of creative authors (Rumi, 2009, p. 5).

Al-Siliki (2000) stated that in the face of the increasing level of creativity on the one hand and the call for its protection on the other, it was necessary for the international community to quickly raise awareness of the need to protect intellectual creations through the first Convention on the Protection of Intellectual Property in 1886, known as the Berne Convention, followed by the Rome Convention of 1961 for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations, until the issuance of the Convention on Trade-Related Aspects of Intellectual Commerce.

In view of the exploitation by authors and owners of neighboring rights of a new environment that contributes to the dissemination of their literary and artistic intellectual creations, which is the Internet environment, which has brought about a profound change both in the manufacture and preservation of intellectual works to their production, distribution and advertising on the one hand, on the other hand, and taking into account the difficulties posed by this digital environment to which literary and artistic works are exposed from illegal exploitation and reproduction without a license from their owners, it was incumbent upon the World Intellectual Property Organization to strengthen the protection of copyright and related rights. In the digital domain through the development of two Truman Conventions to provide the necessary protection for literary and artistic works published via the Internet, namely the Internet Treaties, the first on copyright in 1996, and the second on performers and phonograms of 1996 (Al-Seliki, 2000, p. 17).

In the face of this international trend to protect copyright and related rights and to support cultural life, the opportunity has been opened for most countries to engage in the enactment of national laws concerned with the regulation and protection of literary and artistic intellectual property rights, such as French, Tunisian and Moroccan legislation, which hastened to regulate copyright and related rights since 1916 (Seleki, 2000).

Believing that the protection of the creations of its authors is the basic building block and cornerstone of supporting cultural life in Morocco, the Moroccan legislator has issued a series of Dahir, all of which serve to strengthen the protection of the rights of literary and artistic works, especially the Dahir of 1970 on the protection of literary and artistic works, which was superseded by Article 71 of Law No. 2.00 and amended and supplemented by Laws No. 34.05 and 66.19 on copyright and related rights.

In view of the privacy of the Internet and the problems it poses to literary and artistic works, it was necessary for the Moroccan legislator to intervene to ensure the good exploitation of these literary and artistic works by the exploiters of information networks and digital communications, through the enactment of Law No. 05.20 on cybersecurity. It is a law aimed at addressing crimes involving automated data processing systems in the digital domain.

The High Authority for the Protection of Works and Rights published via the Internet is an independent administrative authority whose goal is to reduce the illegal or illegal downloading of literary and artistic creative works (Gunchard, 2018, p). It also monitors violations of the creative intellectual works of authors and creators, through IP technology, and has the ability to identify aggressors and imitators using computer programs. Literary works are those works or works expressed



in words such as books and written text of a cinematic or theatrical film. Literary works are also those expressed in algorithms such as computer programs, databases and websites.

Artistic works are artistic productions made by performers, producers of phonograms and broadcasting organizations, including works of music accompanied or not accompanied by lyrics, dance and acting works, among other artistic productions.

The Moroccan Constitution protects literary and artistic intellectual productions under article 25, which stipulates that freedom of creativity, publication and presentation in the fields of literature, art and scientific and technical research is guaranteed." (Official Gazette, 2011, p. 3237).

These creative works are also protected by Law 2.00 and provided for under Articles 3 to 7 of the above-mentioned Law, and they are also protected by the provisions of Articles 575 to 579 of the Moroccan Penal Code, despite this legal protection, these rights in the Internet environment are known for illegal exploitation, such as reproduction or downloading without the permission of their authors, as well as their exploitation in commercial and profitable works by third parties without the latter being obliged to grant fair remuneration. For this exploitation for the benefit of the author who owns those literary and artistic works.

Despite the provision of the Internet environment and the accompanying expansion of the knowledge base and the exchange of information in various fields, it is a space in which the authors' creations are violated and their moral and financial rights resulting from these intellectual creations are lost, as we find the spread of illegal content through video platforms for intellectual creations (Oruc, 2022, p. 177).

The World Intellectual Property Organization (2021) stated that the violation is evident through social media in general, the latter has become undeniably a space for committing crimes against authors and creators, including works by Moroccan authors and creators. The number of violations of literary and artistic property around the world has increased via the Internet, through publishing without the consent of the author and the owners of neighboring rights, and thus necessitated the prevention of crimes against copyright through the enactment of modern legal requirements, as well as raising the importance of prevention or prior control to reduce the severity of violations of copyright and related rights in the digital domain, by creating bodies that protect these rights and literary and artistic works protected via the Internet. In the face of these crimes created by the Internet, the Moroccan legislator has been keen to develop its legal arsenal to control this new delegation of crimes through Law No. 05-20 on cybersecurity, in order to address information crime that affects literary and artistic works in the digital domain, as it opens the way for the bodies in charge of the collective management or management of copyright and related rights in the event of any risks or threat, to take the necessary technical and organizational measures for the security of their information systems, according to article IV thereof.

In the framework of a comparative study and after reviewing the French Code of Intellectual Property Rights, we find that it legally enhances the above-mentioned rights, and has strengthened this legal protection by technical means by stipulating the establishment of an institution in the Internet environment concerned with the protection of works and rights published via the Internet, called the High Authority for the Publication of Works and Protection of Rights via the Internet, which is known to many as "LA HADOPI", this institution has greatly reduced the level of assault on literary and artistic works, as it has the ability to identify and report the aggressors through procedures and procedures that enable them to perform their duties as required by the French Royal Law (Articles 331-12 to 331-37) (Oruc, 2022).

1. Copyright between cybercrime and Hadobi authority

The Internet environment today is a fertile field for the circulation of information and intellectual works in a very large way, as it is a space that allows the creation of bodies or authorities concerned with monitoring the circulation of such information or intellectual creations and protecting them from everything that would affect their form or subject, such as the illegal downloading of literary and artistic works, especially their reproduction or representation without the permission of their owners through digital platforms. Therefore, this requirement can be divided into the definition of cybercrime and the authority of Hadobi as a first paragraph, provided that in the second paragraph



we address copyright and related rights that arise from creativity in the fields of literary and artistic intellectual works.

1.1. Cybercrime and the form of Hadoopi authority

Cybercrime is a new crime that targets the intellectual contents that are included in websites, or are acts that violate intellectual works and re-exploit them through the digital environment without the permission of the author or the person to whom these intellectual creations have become, first, and in front of the lack of legislation in protecting intellectual property rights, it has been thought to create institutions concerned with protecting these rights via the Internet second.

1.1.1. Cybercrime

Cybercrime is any act that violates the rules of public order, causing a social, psychological, economic and cultural strike. These areas are affected when they are exploited in the Internet environment illegally, such as the exploitation of people's data through the collection and republication without the permission of their owners or the reproduction or reproduction of material rights to intellectual works without the permission of their owners, and this crime takes place on or over the Internet. This type of crime is fueled by the increasing number of illegal digital platforms that broadcast or represent legitimate intellectual content, such as movies and music, or manufacture programs to injure or hack computers, which contain creative intellectual data and content.

Lotfi (2019) defined it as: an act that targets information stored in the automated system, or that crime committed using a computer and is a major means of committing it, or it is that crime committed by a person with technical and technical knowledge that enables him to access literary and artistic works on websites, while the second category is defined by jurisprudence as any deliberate act or omission arising from The illegal use of information technology aims to attack material or moral funds, according to this jurisprudence, we find that the computer may be a victim and a means to commit information crime" (pp. 15, 16, 17).

The Moroccan legislator has adopted both definitions, through Law No. 20.05 on cybersecurity, where cybercrime is defined under the second paragraph of the second article thereof.

Through this definition, it is clear that the Moroccan legislator has adopted the definition of the first category of cybercrime, which targets the subject of the information system, which includes data and intellectual works, and it also adopted the definition of the second category, where the computer is a major means of violating the rights of authors through websites.

Article 10 of the Budapest Convention for Acts Affecting Copyright states, as the cybercrime according to this article is intentional infringement of copyright on a commercial scale and by computer, According to this article, information crime targets intellectual works circulating in commercial contracts, which are promoted or publicized through websites, and the computer or information technology is the means to commit the act of violation, and under Law No. 2.00 on Copyright and Related Rights, information crime can be represented as "that deliberate violation that targets copyright and related rights referred to in Articles 9, 10, 50, 51 and 52 according to Article 64 thereof.

The illegal exploitation of intellectual contents via the Internet constitutes one of the forms of cybercrime, as the authors' creations of musical and audiovisual works are uploaded or downloaded via digital platforms without the permission of their owners, which is a criminal act under the third paragraph of Article 49-1 of Law No. 66.19. These creations are exploited and income or revenues are extracted without paying remuneration to the author or his rights holders. Illegal exploitation, such as a person who imitates a literary author, by displaying, representing or broadcasting it without the authorization of its original owner, violates the copyright protected and regulated by law, as Article 576 of the Moroccan Penal Code states: "He is considered a perpetrator of the crime of imitation... whoever produces, exhibits or broadcasts, by any means whatsoever, a literary work, in violation of the copyright protected and regulated by law."

1.1.2. Formal construction of Hadobi salad

It is an independent public authority with legal personality, established by the law of June 12, 2009, whose main purpose is to prevent the illegal download on the Internet of works and intellectual



creations, and to combat everything that would pirate (Gusti, 2014) audiovisual or musical works to other intellectual works circulating over the Internet, especially through the digital platforms Youtube and Google, and finds its legal framework as well under the French Royal Code from articles 331-12 to 331-37. Delaunay, Clainche, Rouban P :616). A reading of these articles shows that the purpose of this authority is to protect businesses and encourage development with a legitimate offer, and it consists of nine members and a committee for the protection of rights, the latter composed of three judges from the Council of State, the Court of Cassation and the Supreme Council of Accounts. The French monarchy code has been able to effectively protect intellectual creations circulating in the ".fr" domain, and in Morocco we find the "ma" domain. Through the creation of the Hadobi Foundation, which monitors the legitimate content, which is represented in songs, films and digital books owned by French or foreign authors and artists, the control through this institution of intellectual property rights is through information programs that enable it to monitor violations of these rights, such as the illegal downloading of copyright and related rights.

On the other hand, we do not find such a development in Law No. 2.00, since we have been informed of the collective body in charge of managing copyright and related rights under the name of the Moroccan Office of Authors' Rights, provided for under Title III of the above-mentioned law, lacks the technical means and information programs that would enable it to monitor violations of literary and artistic creations circulating in the digital domain. That is, it does not enable it legislatively from information programs that make it ensure the protection of intellectual property rights popular over the Internet before the infringement occurs, and its tasks under this chapter remain to defend the legitimate interests of authors, but without specifying aspects of defending copyright in the Internet environment.

What also proves that this body lacks the technical means to mitigate violations of intellectual rights, is the resort of this body to Internet service providers to reveal the identity of the violator, which indicates that this body was not authorized to intervene automatically without the help of the expertise of other parties, and this is what we find in Article 15.65, where it states: "The Moroccan Office of Authors' Rights demands, at the written request of the owner of copyright or related rights or his agent, the service provider who received the warning, to specify identify each perpetrator of an alleged infringement of copyright or related rights, and provide him as soon as possible and to the extent possible with sufficient information about the perpetrator of the infringement in order to forward it to the rights holder." If the Moroccan legislature has empowered it to collectively manage authors' rights, why not provide it with the means to ensure or open the way for the search for these means to protect the rights of creators circulating through the Internet?

In the face of this severe lack of legal protection of intellectual works, the level of information crime will increase in the face of a decline in literary and artistic production in the field of intellectual property in Morocco.

Scope of Copyright and Related Rights

Copyright and related rights, as mentioned by Kuschel, Dolling (2022), are a set of rights that are the result of those works and works in which the author creates and directs and allows their circulation via the Internet - literary and artistic works - in the form of a tangible expression that may be a book, music, film, or play, they are those moral and economic rights that the author always enjoys and cannot be waived (p. 256). These rights can be divided into two types:

The first type: They are moral rights that grant the author the authority determined by law, according to which he can protect his literary personality from an attack that may occur on him, which may be illegal reproduction or piracy.

Among these moral rights, we find the right to attribute the work to the author, the right to respect the work, the right to prevent the modification of the work that would cause confusion or distortion of it, these rights are also called moral rights and provided for under Article IX of Law No. 2.00, and the first paragraph of Article 121-1 of the French Intellectual Property Code stipulates that "the author has the right to respect his name, capacity and work." The use of moral rights through the Internet environment, imposes on the third party who wants to exploit them to adhere to respect them by being exploited according to normal use and that does not harm the legitimate interests of



the author, i.e. mentioning the source and name of the author of those rights at each use by users of Internet networks, and this respect for moral rights stems from the fact that moral rights are linked to the intellectual personality of the author

As for the second type: it relates to material rights over his digital work, the author may receive the monetary or in-kind consideration that he deems fair in exchange for transferring one or more rights of financial exploitation of his work to others. The rights of financial exploitation of the work consist in the licensing of the copying, broadcasting or rebroadcasting of the work, or the licensing of practical performance or translation over the Internet.

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It should be noted here two basic things, first, that these rights are stipulated in Article 10 of Law No. 2.00 and from which the author benefits, while the owners of neighboring rights, represented by performers, producers of sound recordings and then broadcasting organizations, where we find performers benefit from moral and material rights according to Article 50 of the above-mentioned Law, while producers of phonograms according to Article 51 (producers of phonograms) and broadcasting organizations according to Article 52, have only financial rights according to The law referred to above. Second, these rights, which result from the creations of authors through literary and artistic works or works, are the ones that are the subject of attacks and violations in the Internet environment, where these rights are exploited by commercial companies without providing or granting the latter a fair reward for this exploitation for the benefit of the author or the owner of the right adjacent to the author, and we also find websites carrying literary and artistic works without taking permission from their owners,

In addition to the excessive exploitation of the moral and financial rights of authors by social media, especially (innovative companies "Facebook" as a model) that obtain huge incomes as a result of the exploitation of literary and artistic works, without committing themselves to paying a fair reward to the creators who own these literary and artistic works.

In the face of these dangers and other risks to which literary and artistic works of authors and creators in the fields of literature and art are exposed, it was necessary for countries to think carefully in order to monitor the spaces and areas in which these intellectual works are exploited, and as we mentioned earlier, the French Royal Code has been keen in order to protect intellectual creations and reduce the severity of information crime that affects copyright and related rights, to create the supreme authority for publishing works and protecting rights published via the Internet.

2. Manifestations of the Hadoobi Authority's Online Protection of Copyright and Related Rights

Technology is a more effective way to manage copyright and related rights, as it is a very important means of monitoring literary and artistic works that are exploited by others, and it also allows reducing the severity of copyright violations in the digital domain, as it has the ability to predict these attacks, as these are the overall responsibilities entrusted to the supreme authority for publishing works and protecting rights published via the Internet, and therefore we can address in this requirement the procedure followed to identify violators of rights Author and related rights by the higher authority as a first paragraph, while



addressing as a second paragraph the legal mechanisms of the Hadobi authority in the protection of copyright and related rights in the digital domain.

2.1. Procedure for identifying violators of literary and artistic works in the digital domain

This procedure stems from the La HADOPI laws established by the application of the law of October 28, 2009, and the identity of violators of works and rights, including copyright and related rights, is identified via the Internet by IP address (Crynbaum, Goffic, Hadera, 2021, p. 399).

Article 12.331 of the French Intellectual Property Code stipulates that the proof of the materiality of every crime can arise from the inspection of agents hired by collective management companies, such agents can connect to the network and establish a file related to the IP addresses of the aggressors, in order to prosecute them criminally, and have the capacity to transmit and communicate these IP addresses to the Committee for the Protection of the Rights of each [violation] user.

Due to the personal and sensitive nature according to Crynbaum, Goffic and Hadera (2021) of the data of Internet users [violators], the Constitutional Council, in a decision of June 10, 2009, specified that these data can only be nominalized within the framework of a judicial procedure. This indicates that the possibility of revealing the true identity of the violators is permissible, but to the extent that copyright and related rights are preserved. The decree of 16 July 2010 identified five companies with the authority to collect data on online rights violators and refer it directly to the Hadobi Authority Rights Protection Committee for broadcasting. Following this procedure would identify the subscriber who used or exploited the authors' material rights without permission, whether it was reproduction or re-enactment over the Internet. Any digital representation or reproduction of intellectual works without the permission of the author, his successor or collective management bodies is a copyright infringement punishable (Prokhorov, 2010, p. 9).

In the light of the development in French legislation, Moroccan legislation on copyright and related rights is devoid of this development, as it only defines the tasks of the Moroccan Office of Authors' Rights represented in protecting copyright and related rights entrusted to it, representing the rights of authors and creators and defending their material and moral interests before the judiciary, in addition to assigning agents and jurors to inspect violations of literary and artistic works through the seizure and seizure of means of registration and equipment used in violation of copyright and rights. adjacent.

The nature of these functions typical of the Moroccan Office of Authors' Rights is not of a technical nature, but can be adapted as tasks of an ordinary nature related to ordinary crimes (traditional crime), which means that there is difficulty in controlling cybercrime that affects intellectual property rights in the digital domain.

However, until 2020, The Moroccan legislator was able to enact Law No. 20.05 on cybersecurity, with the aim of addressing any cyber threat or cybercrime aimed at compromising or causing damage to information systems, according to Article II of the above law.

One of the provisions of Law 20.05 referred to above, which stipulates in the second paragraph of Article IV thereof, "Each authority shall identify the risks that threaten the security of its information systems and take the necessary technical and organizational measures to manage these risks." According to the first paragraph of article VII of the same law, "every authority must provide appropriate means to monitor and monitor events that



may affect the security of its information systems and have a significant impact on the continuity of the services it provides."

In this context, we recall an excerpt from the message of His Majesty King Mohammed VI, may God assist him, addressed to the participants in the second session of the International Conference on Justice in Marrakech on Monday, October 21, 2019 under the slogan "Justice and investment. Challenges and stakes", which is as follows: "We cannot fail to emphasize the importance of the principled decisions issued by the Moroccan judiciary in this field, especially the Court of Cassation, ... , and enshrined the legal protection of patents and copyrights, ""implicitly understood from this excerpt, the need to adopt legal and technical mechanisms as well to protect copyright and related rights within the scope of electronic commerce, because the latter is also a fertile field for the violation of literary and artistic works, which requires taking measures to address cybercrimes that affect intellectual property rights, and in this regard we find the Egyptian legislation to protect intellectual property rights granted to the author or his successor after him the right to prevent the rebroadcast Or represent his intellectual work via the Internet. It is this development that the Moroccan legislator neglected under Law 2.00, However, the Moroccan legislator will remedy this deficiency under article 49-1 of Law 66.19, which obliges every Internet service provider to obtain a license from the author or his rights holders, and a license to exploit musical works, audiovisual works and visual works.

However, it is noticeable under the above article that it excluded the rest of the users of the Internet networks from obtaining a license when exploiting the material rights of authors, and limited the matter only to Internet service providers, which obliges the Moroccan legislator to intervene to extend the exploitation of copyright over the Internet to the rest of the users of Internet networks, while obliging them to obtain a license before each exploitation of intellectual works in the digital domain.

In contrast to the above, it is worth noting a very important observation, which is to ensure the preservation of the private life of the violator (Caron, 2020, p. 607). That is, the agents assigned by the Moroccan Office of Authors' Rights are required to process the data of the violator within the limits of proof that he committed the crime that affected the copyright. The Moroccan Constitution of 2011 stipulates in the first paragraph of article 24 that "everyone has the right to protect his private life."

2.2. Typical roles of the Hadoobi Authority in the protection of copyright and related rights

Its main mission is to protect literary and artistic creations, published online, and their roles can be defined as follows:

- The task of promoting the development of legitimate display and control of the legitimate or illicit use of works and other objects protected by copyright and related rights in the electronic communication network;
- The task of protecting works related to copyright and related rights;
- The task of organizing monitoring in the field of technical actions for the protection and identification of works and other objects protected by copyright and related rights (Fabrice, 2019, pp. 121-122).

In addition to these tasks, the High Authority can recommend any legislative or regulatory amendment concerning the protection of literary and artistic property via the Internet, and it can also be used as an advisory body in relation to draft laws and draft decrees related to copyright and related rights. Through these roles, it is clear that the supreme authority is able to respond or predict in advance any violation that may affect the moral and financial rights of authors and creators in the digital domain, by employing a set of information programs that enable it to respond early to any infringement of copyright via the Internet. It should be noted that if it obtains an "IP" address, it



coordinates with access service providers in order to declassify the subscriber to identify him as an infringer of copyright and related rights. (Caron, 2020, p. 607).

One of the obligations imposed on this body is that it submits an annual report to the Government and Parliament on its activities and the outcome of its human resources to record cases of copyright and related rights infringements, as well as to make this report public. Such measures to protect intellectual works from illicit uses, and in addition to raising awareness of the risks of illicit exploitation of copyright and related rights, will open the way for the authorities charged with protecting these rights to develop a legal offer that amounts to countering and combating such illicit exploitation and any tradition involving illicit reproduction or representation (Cornu, 2009, p. 165).

These tasks performed by Hadobi can be called "informational, deterrent and motivating" and serve to curb illegal downloading, and even suspend subscription or access to the exploitation of copyright and related rights, if it is proven that they are subject to illegal download (Darmon, Dejean, Pénard, 2009, p. 53).

Hadoobi's tasks depend on gradual deterrence, which is based on 3 levels, the latter of which aim to prevent or mitigate the illegal loading of intellectual works such as films, series and musical works in the digital domain, as these levels are manifested in:

- Media impact: i.e. Hadobi informing Internet users of patterns of illegal consumption of intellectual works, which will ensure raising awareness among users in order to stop their illegal practices in exploiting or downloading literary and artistic works in a manner that harms the legitimate interests of authors and artists (Darmon, Dejean, Pénard, 2016).
- Deterrent effect: It is represented in the disclosure of sanctions that the user may be exposed to, as it will ensure that the user is discouraged and excluded from illegal practices, while downloading illegally protected intellectual content (Darmon, Dejean, Pénard, 2016, p. 183).
- Incentive effect: The fear that the user will be exposed illegally downloading intellectual works by Hadobi for films, series and musical works, which will encourage him to search for legal offers, and upload them in the best interest of authors in the digital domain (Darmon, Dejean, Pénard, 2016).

Freling stated (undated) that France is not the only country that has established such an institution to protect intellectual property rights via the Internet against piracy, as well as Spain, which strengthened the protection of intellectual property on October 30, 2014, established the Intellectual Property Commission, where it was entrusted with addressing acts of piracy that affect copyright from the source, that is, its intervention mechanisms are to monitor websites or suppliers of intellectual works illegally, stopping their operation and disrupting the circulation of intellectual works from circulation, The creator of a UK website that makes music available without the consent of artists has been sentenced to 31 months in prison.

CONCLUSION

In short, the legal protection of copyright and related rights in the digital domain is insufficient on its own, because the nature of this domain imposes technical means that devote effective protection to literary and artistic works circulating through it.

Thus, thinking about creating institutions concerned with the protection of these rights through the Internet environment was a right thinking to reduce the level of infringements and violations of copyright in the digital domain.

Hence, we draw the attention of the Moroccan legislator to the need to focus on the creation of this type of institution, with our aim or goal behind it, firstly to ensure the expansion of the base of literary and artistic creations, and secondly, to protect the rights resulting from these creations for the benefit of copyright owners.

Thus, the deficiency at the level of Law 2.00 can be remedied, so that the latter is more responsive to the aspirations of authors and creators.

In the face of the current technological development, it is imperative to strengthen the legal and institutional framework in a modern and effective manner, to achieve digital security for the benefit of authors' creations.



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