

# SIDLEY

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6 December 2017

## **Via Email and Mail**

Arabsat  
Diplomatic Quarter  
Alfazari Square  
Abdulla Bin Huthafa Al Sahmy Street  
Public Pension Agency Complex  
C-6 Riyadh 11431  
Saudi Arabia

Attention: CEO – Mr. Khalid Balkheyour

## **Request for Immediate Action to Stop the Unauthorized Transmission of beIN Media Group’s Proprietary Media Content by Pirate Entity “beoutQ”**

Dear Sirs:

We write on behalf of our client beIN Media Group LLC and its affiliates (collectively, “beIN”). We request that you take immediate action to stop the unauthorized and illegal transmission of beIN’s proprietary media content via Arabsat’s satellites by a pirate entity operating under the name “beoutQ”.

As you are aware, beIN broadcasts a wide range of sports and entertainment content through several television channels (the “Content”). beIN holds exclusive rights to broadcast the Content, and to authorize others to broadcast the Content, throughout the MENA region. beIN’s rights result both from having acquired exclusive media rights from third parties, such as major sporting leagues, and from beIN’s position as the creator of media content. beIN also owns the associated intellectual property rights, or otherwise has standing to assert the intellectual property rights, related to the Content.

beIN has learned that an entity operating under the name “beoutQ” is pirating the Content and broadcasting it in the MENA region. The “beoutQ” broadcasts consist of the unauthorized and illegal re-broadcasts of the Content, with beIN’s logo replaced by the logo of “beoutQ”. In “tweets” published on Twitter, supporters of “beoutQ” have explicitly admitted that “beoutQ” is pirating proprietary media content over which beIN holds exclusive broadcasting rights (Appendix A). In addition, “beoutQ” itself has recently released an on-line announcement confirming that its pirate activities are directed against beIN (Appendix B).

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Furthermore, we are advised there is evidence that “beoutQ” is now using a frequency from satellites operated by Arabsat (12207 MHz) to illegally broadcast beIN’s Content. This frequency, and the “beoutQ” pirate broadcasts, are now available via set top boxes for sale in the MENA region, where beIN holds exclusive rights to broadcast the Content.

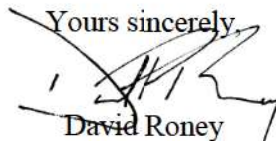
This unauthorized and illegal transmission of beIN’s Content via Arabsat’s satellites constitutes a clear and serious infringement of beIN’s broadcasting and intellectual property rights in the MENA region, and is causing irreparable harm and significant damages to beIN.

In its letter to Arabsat dated 16 August 2017 (Appendix C), beIN called upon Arabsat to immediately take all necessary measures to remove, or disable access to, illicit content broadcast on its infrastructure, upon receipt of a request from beIN. In a responding letter dated 29 August 2017, Arabsat assured beIN that it “respects and will comply with the applicable laws relating to intellectual property and copy rights”. We therefore now urge Arabsat to take immediate action to comply with this undertaking to beIN.

We expect your full cooperation in protecting beIN’s legally enforceable intellectual property and broadcast rights, and in combating this serious broadcast piracy by “beoutQ”. Specifically, we request that Arabsat: (i) identify your client or clients using frequency 12207 MHz to broadcast beIN’s Content under the name “beoutQ”, (ii) provide details of the uplink used by your client or clients using the name “beoutQ” for the transmission of signals to Arabsat’s satellites, and (iii) confirm that Arabsat will prevent access to frequency 12207 MHz and any other Arabsat frequencies used by “beoutQ”, by no later than 11 December 2017.

beIN reserves all rights to take any legal action necessary to defend its intellectual property and broadcast rights in the Content, and to recover full compensation from any party associated with or facilitating the illegal broadcast piracy of “beoutQ”.

Yours sincerely,



David Roney

cc: Fédération Internationale de Football Association (FIFA)  
Union of European Football Associations (UEFA)  
Asian Football Confederation (AFC)  
Confederation of African Football (CAF)  
Bundesliga  
English Premier League (EPL)  
The Football Association (FA)  
La Liga  
Ligue de Football Professionnel (LFP)  
Serie A

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Enclosures:

Appendix A: "tweets" by supporters of "beoutQ"

Appendix B: "beoutQ" on-line announcement

Appendix C: Letter from beIN to Arabsat dated 16 August 2017