

# WEB 2.0 $\neq$ SAFER INTERNET?

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# PRESENTATION OUTLINE


- Case Study
  - Defamatory
  - Copyright
  - Race Discrimination
  - Criminal
- What can we do?
- What can sufferer do?






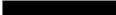

## CASE STUDY: DEFAMATORY



# CASE STUDY: DEFAMATORY





- Letter of complaint

   
**Solicitors & Notaries**  
**Agents for Trade Marks and Patents**  


 *business*  
*social service*

Address:    
地址:  E-Mail/電子郵件:   
Telephone/電話:  Fax/傳真:  Web-Site/網頁: 


Your Ref.  Our Ref.  Date 24<sup>th</sup> April 2009

Alive! Media & Communications Limited  
  
  
  
  
Kowloon  
Hong Kong

**BY CERTIFICATE OF POST**

Dear Sirs,

**Re: Defamatory Articles and Untruthful, Misleading and Damaging Statements  
found at www.forum2.hkgolden.com**

We act for .

Despite our letter to you dated 23<sup>rd</sup> April 2009, our client discovers that **untruthful and misleading statements constituting defamation against our client and its business** still exist in your website. We are instructed to demand your client to remove all those defamatory articles and untruthful, misleading and damaging statements relating to our client and its business, particularly the ones contained in the following links forthwith:

1. **<http://forum2.hkgolden.com/view.aspx?message=1661822>**



We are instructed to inform you that should any statements having the effect of defamation to our client and its business be still found in your client's websites, our client shall proceed to apply for injunctive relief from the Court with costs against your client without further notice. All our client's rights are hereby reserved.

All our client's rights are hereby reserved.

Yours faithfully,








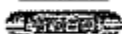

# CASE STUDY: DEFAMATORY

## The Post in our Forum

發起人	中大疑似騙案? Year 1暑期工
 <p>高宮望</p>	<p>註: 拿, 各位巴打睇開我d留言都知我係英國讀緊書架啦 (尤其睇開足球的你🙄) 因此下面所講的'我朋友'絕對唔會係我, 而真係我朋友! 真心向各位求助, 小弟萬分致謝🙏🙏🙏</p> <p>我朋友year 1 讀science, 年中take過問卷填有興趣暑假做intern 上星期二有兩個senior私底下約我朋友見面傾工作 呢兩個senior一個讀physics 一個讀engine 工作內容有兩樣: (1)為中五/中七有興趣赴海外留學學生作升學指導及作IELTS/TOFEL補習 (2)為在職人士提供Management/Finance方面的認識及研究</p> <p><b>Part 1: 上堂</b> 目的: 介紹畀學生上課細節, 首先要自己上左先會清楚 堂數: 一期8堂, 每堂3小時, 即一期24小時 (已包括所有科)</p> <p><b>費用: \$15000一期</b></p> <p><b>Part 2: 打工</b> 薪酬: 未定, 但中大senior透露員工薪酬係 每月6千-8千 日期: 6月中至9月中 (約3個月) 工作性質: 主要為向中五/中七學生sell去澳洲留學讀 foundation/college計劃</p> <p><b>會面細節:</b> 1. 呢兩個senior給我朋友出黎見面, 先用1小時介紹公司架構, 人事, 歷史, 目標方針等等. 2. 我朋友覺得既然都係中大的, 都係可信, 於是上佢地公司填application form. 3. 兩位senior問我朋友幾時可以返工, 因可以而家開始做, 又可以暑假才做. 4. 我朋友話下星期可以開始上堂, 但想放summer先返工. 5. 兩位senior同意, 叫我朋友去碌卡, 碌萬五蚊, 我朋友話無咁多錢, 兩位senior話可以分十二期供, 卒之我朋友就碌左卡, 等於同意畀萬五蚊 6. 聽日我朋友會去中大再見那兩位senior, 再談工作及上堂詳細事宜</p> <p>歡迎巴打討論, 真人真事, 不怕揭出去</p> <p>為左對兩位senior公平, 本文觀點已盡量以客觀角度去寫事發經過, 但稍後回覆亦會有小弟個人的謬法🙄</p> <p style="text-align: right;">          本文發貼於 4/12/2009 12:38 PM       </p>

# CASE STUDY: DEFAMATORY

## • The Post in our Forum

<p><b>高富望</b> </p>	<p>不過既然你朋友比錢係"報course"用 咁即係話咁錢都應該番番嚟啲啲</p> <p><b>班上有人話依間院校比持續進修基金除左名</b> 如果你朋友比人sell時話有持續進修基金可以退番一皮野既話 都可以叫做欺詐既</p> <p>如果唔係多數都</p> <p> </p> <p>小弟最關心係萬五蚊可以用乜野方法撿番/斷供? 如巴打所謂同銀行要求截數?</p> <p>  </p> <p>有無方法可以回水斷供? 我朋友為左個萬五蚊回本 聽日真係嚟住傾返工的事</p> <p> 本文發佈於 4/12/2009 1:52 PM</p>
<p><b>辣媽神探</b> </p>	<p>唔知幫唔幫到你</p> <ol style="list-style-type: none"> <li>1. 打電話到 <b>card centre</b> 報案, 講比佢個係unauthorised transaction, 記住唔好去上堂咁on9</li> <li>2. <b>報警備案</b> 照樣講番發生既事情, 因為你唔係第一個比人呃, 警察有唔資料, 最緊要唔好怕事, 有d人連去差館都怕, 都唔知驚咩</li> <li>3. <b>打去報館</b>, 同佢講大學生比人昆</li> <li>4. 以後所有同個間公司既來往要 <b>錄音</b></li> </ol> <p> 本文發佈於 4/12/2009 1:55 PM</p>

# CASE STUDY: DEFAMATORY

- We are not author, editor or publisher of the posting.
- We are not those people who involved in the mentioned situation.
- How can we know it is Defamatory or not?

# CASE STUDY: COPYRIGHT



# CASE STUDY: COPYRIGHT

- Letter of complaint from Copyright Owner to ISP

**Re: Unauthorized disclosure of confidential information in "forum5.hkgolden.com"**

We act for [REDACTED] Trading Co., Ltd., the sole and exclusive supplier and agent of the brand "[REDACTED]" products in Hong Kong and Macau.

We are instructed that our client has recently noticed that in the member's forum of your web site, namely "<http://forum6.hkgolden.com/view.aspx?type=DC&message=1817083>" you did enable, assist, or procure members of the public to repeatedly publish confidential information and copyrighted material belonging to our client and/or [REDACTED]

[REDACTED] The confidential information consists of the specification and photos of a [REDACTED] claimed to be the coming model of [REDACTED]. We enclose printed copies of the relevant web pages for your reference.

The aforesaid unauthorized activities were at all material time under your power and control.

In any event, continued disclosure of this confidential information is unauthorized; and even if you are innocent in the unauthorized disclosure of this confidential information, now that you are aware it is confidential information, the continued disclosure of this confidential information will subject to your liability to our client's damage in consequence of the unauthorized use of this confidential information if you do not cease and/or procure to cease the aforesaid unauthorized activities.

We are therefore instructed to give you notice, which we hereby do, that you are required to cease and/or procure to cease all these unauthorized activities by deleting this

# CASE STUDY: COPYRIGHT

- Letter of complaint from ISP

Suspected hosting of illegal content in website at URL

<http://forum6.hkgolden.com/view.aspx?typc=dc&message=1817083>

Your company, [REDACTED], currently subscribes to [REDACTED]  
[REDACTED] IP Service - [REDACTED] (the "Service").

We have reason to suspect that you are using, or allowing the use of, the Service for the illegal purpose of publishing content which infringes the intellectual property rights of a third person.

Specifically, we have received complaint that the captioned website hosted using the Service has been used for publishing confidential information and copyrighted material belongs to [REDACTED]. Attached is a copy of the complaint letter for your information.

As a customer to our service, [REDACTED] is bound by the relevant [REDACTED] Terms and Conditions of Service. In particular, your company undertakes not to use, or allow any other person to use, our service for any illegal or improper purpose. Also you undertake to indemnify [REDACTED] for any liability or loss we may suffer as a result of any illegal or improper use of our service.

As such, you are requested to confirm the removal of the suspected illegal content from the Service immediately.

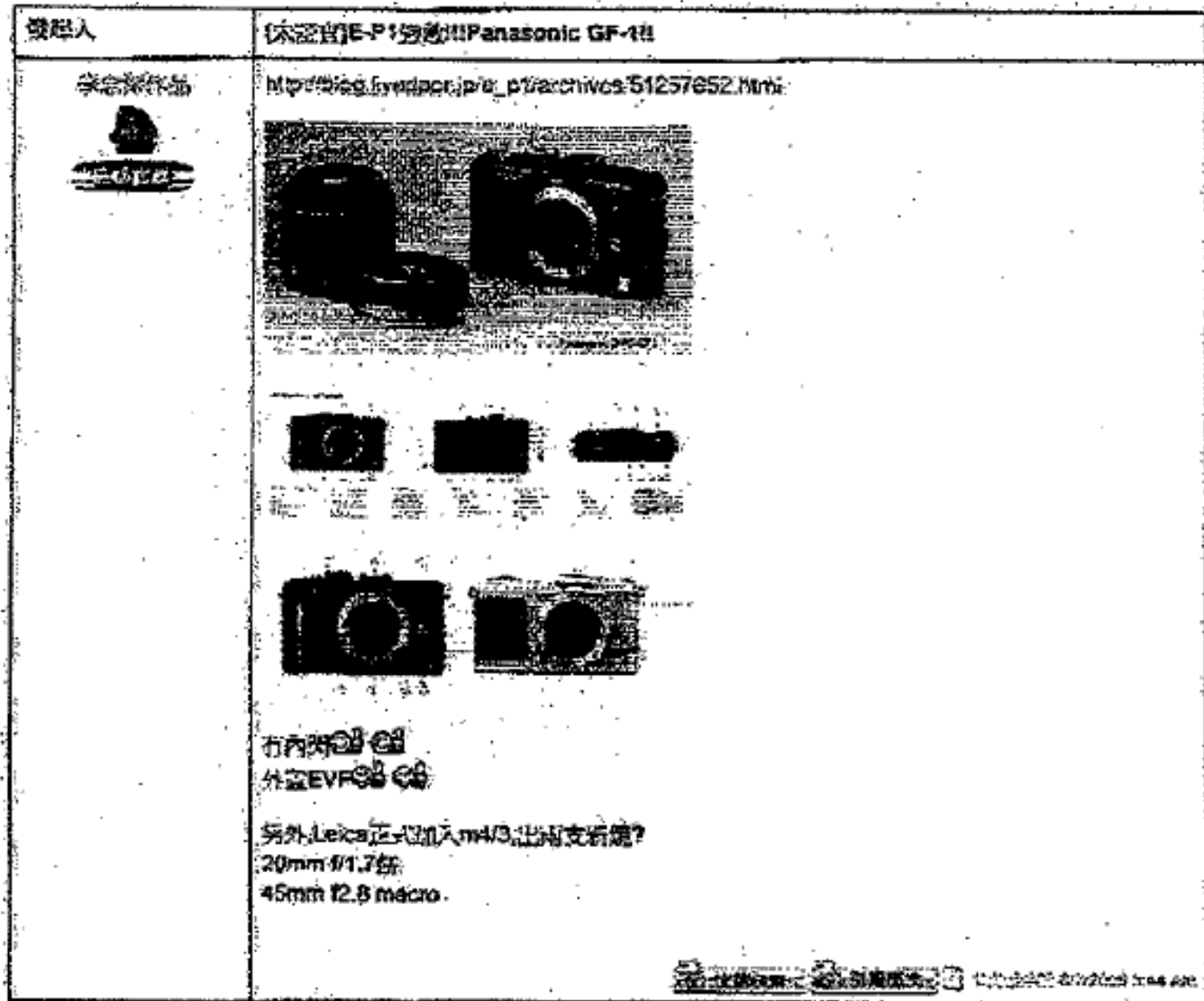
[REDACTED] is committed to provide quality service to its customers and would not want to disrupt any legitimate internet traffic. We would therefore request you to respond to this letter as a matter of urgency. If we do not hear from you or receive a satisfactory explanation as to the use of the service, we will suspend the Service and all other services being provided by us without further notice.

[REDACTED] is authorized under the law to disclose the your company's name to third parties, for the purpose of prevention or detection of crime or the apprehension or prosecution of offenders.

We hereby reserve all our rights in this matter.

# CASE STUDY: COPYRIGHT

- The Post in our forum



# CASE STUDY: COPYRIGHT

## **If you find a rat in your house**

- Will you use a Bomb to destroy everything in your house?
- It definitely can kill the rat.
- But all of your furniture will destroy too.

# CASE STUDY: COPYRIGHT

- We have 1,559,295 topics in our forum.
- Cut the whole Internet service definitely can stop one copyright violated topic
- But the 1,559,294 topics will unable to view too.

# CASE STUDY: COPYRIGHT

- Movie or music has clear definition on the copyright owner.
- But the text or picture has not.
- How can we know it has violated copyright law or not?

## CASE STUDY: RACE DISCRIMINATION



# CASE STUDY: RACE DISCRIMINATION

## 高登公告

類別: 高登公告

根據《種族歧視條例》第45條，任何人如藉公開活動煽動基於另一人的種族或屬某類別人士的成員的種族，對他們作仇恨、嚴重的鄙視或強烈的嘲諷，即屬違法。最近平等機會委員會接獲對本討論區會員發表有關種族中傷的投訴。

基於以上法例及事件，如各會員在任何公開的網上討論區，發表有中傷其他種族含意字眼的言論（例如以「豬」、「狗」、「生番」等字眼來形容某種族人士），可構成中傷。我們希望各會員在發表自己意見前，應先考慮會否抵觸任何法例，以免為自己帶來不必要的麻煩。事實上，香港是世界上少有可以不同種族、不同宗教都和諧共容的社會，希望大家不要再發表任何違法歧視的言論。

如有會員發表任何違法歧視的言論，一經發現會被即時刪除，並停用其帳戶。

香港高登討論區管理團隊

標籤: 高登公告

本文張貼於 1/11/2010 4:42 PM



## CASE STUDY: RACE DISCRIMINATION

- It has clear law about race discrimination.
- The problem is we need more education to the public.

# CASE STUDY: CRIMINAL

# CASE STUDY: CRIMINAL

發起人	灣仔考評局大火，多個公開試考期或押 (已被刪除)
<a href="#">HKH 星雲</a> 62331  BAM	<p>考灣仔考評局大火，多個公開試考期或押後</p> <p>2009-04-01 HKT 02:45</p> <p>香灣仔區的灣仔考評局於晚上凌晨約二時發生火災，目前火勢開始受到控制。</p> <p>記者在現場看到，灣仔考評局曾被大火所包圍，火柱衝天，但現時火勢減弱。</p> <p>起火現場已經圍集了兩輛消防車，但滅火水柱高度有限，難以一時控制住火勢。警方已對灣仔周邊道路實施交通管制，疏散車輛與行人。</p> <p>起火原因和傷亡情況尚在查明中。但灣仔考評局存有大量即將開考的公開試試卷，這次火災可能影響到香港中學會考及香港高級程度會考的考試試期。</p> <div data-bbox="1562 691 1895 739">本文張貼於 4/1/2009 3:46 AM</div>

# CASE STUDY: CRIMINAL

[HKH 星雲](#)  
62331

BAM

愚人節ma 😊

本文張貼於 4/1/2009 3:56 AM

[出力插同學](#)  
164504

BAM

愚人節ma 😊

it's funny 😊

本文張貼於 4/1/2009 3:57 AM

[-衛斯理-](#)  
193165

BAM

死,我仲同人係msn,facebook到周圍 sd比人tim

原來係假,樓主大獲

做假唔係問題,問題係你用左rthk個名  
人地一定告你

本文張貼於 4/1/2009 3:57 AM

[有色之仕](#)  
108502

BAM

樓主最好6a.m 前離開香港 😊





本文張貼於 4/1/2009 3:58 AM

# CASE STUDY: CRIMINAL

[向前走的人](#)




215063





BAM

 樓主，查清楚先好出 post la..    

考評局所有答卷一條就放響政府印務局個貨倉，一條就放響新蒲崗個辦事處度，無放o係灣仔lor..

考卷會o係考o個日早上由政府印務局經速遞公司送到試場，又或者試場派人去新蒲崗辦事處提取考卷。

放料之前都唔check o下.. so sad..   

不過le，各位巴打/絲士打，都有可能發生lee 件事嫁，或者樓主今晚去印務局 or 新蒲崗放火呢.....  小心小心...   

不喜勿插

本文張貼於 4/1/2009 6:19 PM

# CASE STUDY: CRIMINAL

Smart\_Kid

85717

BAM

[http://www.hkeaa.edu.hk/DocLibrary/MainNews/press\\_20090401\\_statement\\_chi.pdf](http://www.hkeaa.edu.hk/DocLibrary/MainNews/press_20090401_statement_chi.pdf)

考評局就網上流傳虛假消息之嚴正聲明 🤔🤔🤔

就今日有人於網上討論區張貼及流傳有關本局的虛假消息及不實資料，本局謹此作出以下澄清：

1. 考評局灣仔辦事處並沒有發生火警。

2. 本局並沒有就高級程度會考英語運用卷B舉行任何閱卷員緊急會議。

根據《香港考試及評核局條例》第16條，任何人假裝是考評局的僱員、傭工、代理人或委員，或協助、教唆、慫恿或促使他人假裝是上述人士，即屬犯罪，一經定罪，可處罰款\$10,000及監禁6個月。

本局已把有關事件交由警方處理。

考評局再次提醒考生參考考評局網頁 [www.hkeaa.edu.hk](http://www.hkeaa.edu.hk) 上發布的公開考試資訊及最新消息。

本文張貼於 4/1/2009 6:53 PM



## 考評局就網上流傳虛假消息之嚴正聲明

就今日有人於網上討論區張貼及流傳有關本局的虛假消息及不實資料，本局謹此作出以下澄清：

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# CASE STUDY: CRIMINAL

鄧明步  
214293

BAM



本文張貼於 4/1/2009 7:11 PM



# CASE STUDY: CRIMINAL

- It has clear law about rumor.
- The problem is we need more education to the public.

# CASE STUDY: CRIMINAL

- We need more education to the public.

## ● 謝謝大家

類別: 高登公告

請勿上載令人嘔心或不安的圖片，一經發現將立即刪除。

請尊重每一位留言者，要因應個別會員/人士/機構的容忍程度，以免惹來不必要的麻煩。

上載或轉載任何檔案、連結、圖片或文章時請先三思，以免誤侵別人版權或轉載錯誤的內容而被追究法律責任。

為保障自己的利益和安全，請勿上載或張貼任何個人的資料，或發放直接讓人不安的言論。

請勿在討論區上進行未經授權的商業活動。

我們一直以來都致力改善香港高登討論區的討論環境，除了加快伺服器及網絡的速度，我們更在盡量保持高登討論區原有風格的原則下，加入不同的功能，讓大家玩得更開心。事實上，這段時間高登的流量亦有所增長，在此我們代表公司向大家說聲感謝。然而較高的流量亦帶來了更多人的重視，不同的人士、團體和機構都開始留意高登討論區中的內容，甚至有其他媒體會報導討論區的內容，造成了部份讀者對我們討論區內容有更多的意見。雖然我們都非常明白大部份提出意見都出於善意，希望改善討論區的內容，但此舉有時可能會變成對其他敢言會員的滋擾。最近我們收到很多來自不同渠道、關於討論區內容的投訴，當中部份更涉及法律的層面。故此為了保障各會員的自身利益和安全，我們建議大家在發表任何言論前先再三想清楚，不要因一時貪玩而冒上誹謗或發放恐嚇言論等的風險，而版規方面我們亦作出了適當的修改，以提醒大家不要玩得太過火。

希望大家明白，我們會盡力維持香港高登討論區繼續多姿多采及擁有高度言論自由的特色，而維護言論自由的一個重要條件，就是大家都需要自律，謝謝各位。

標籤:

本文張貼於 10/19/2009 3:45 PM 更新於 10/19/2009 4:36 PM

WHAT CAN WE DO?

# WHAT CAN WE DO?

## Daily Posts & Replies

- Around 60,000 New Posts & Replies
- Peak Hour has 5,000 New Posts & Replies

# WHAT CAN WE DO?

## How to monitor?

- Assume each topic or reply takes 2 min to check
- Assume \$30 per man hours
- 166 manpower (HK\$4,980) required in peak hour
- \$60,000 manpower per day (without computer equipment, rent & rate)
- 99.99% content is fine and did not violate any law

# WHAT CAN WE DO?

## How to monitor?

- The Big Problem is .....
- We are no knowledge about the content
- No matter it is defamatory or copyright violated

WHAT CAN SUFFERER DO?

# WHAT CAN SUFFERER DO?

## **If you receive Bomb from Post Office:**

- You will not sue the Post Office
- Because they just delivery the post



# WHAT CAN SUFFERER DO?

## **If you receive Bomb from Post Office: (Con't)**

- They just providing service to post delivery
- They have no knowledge about the content

# WHAT CAN SUFFERER DO?

**If you receive Bomb from Post Office : (Con't)**

- We act like Post Office

# WHAT CAN SUFFERER DO?

**Notice us, give evidence to prove it, we will investigate it:**

- Defamatory content
- Copyright violated content

THANK YOU