

May 30 2023

Five operators of illegal streaming network jailed for more than 30 years

The individuals behind three pirate streaming organisations, which offered illegal access to watch Premier League matches, have today been jailed for a total of 30 years 7 months.

In what is understood to be the world's largest-ever prosecution of an illegal streaming network, five people were sentenced at Chesterfield Justice Centre after being found guilty of conspiracy to defraud, money laundering and contempt of court.

Trading under the names Flawless, Shared VPS and Optimal (also known as Cosmic), the fraudulent operations generated in excess of £7 million in just five years. The illegal streaming businesses involved more than 50,000 customers and resellers, and 30 employees, one of which was positioned undercover at a specialist anti-piracy company. The organisations offered illegal access to watch Premier League matches, hundreds of channels from around the world and tens of thousands of on-demand films and TV shows.

All but one of the defendants, including Mark Gould (age 36 from London) who masterminded the operation and was one of the original co-founders, eventually pleaded guilty to all charges against them. Gould, who was described by the Judge as the driving force of the conspiracy, was sentenced to 11 years in prison.

William Brown (age 33 from Stoke-on-Trent), who pleaded not guilty, falsely claimed to have been an undercover informant acting in the interests of law enforcement authorities and broadcasters. However, he was instead using his expert technical skills to hack legitimate customers' accounts to access and copy streams and intended for them to take the blame if identified by the authorities. In February this year, following a seven-week trial, Brown was unanimously found guilty by the jury.

The investigation and prosecution by the Premier League also found significant evidence of other serious criminality. Christopher Felvus (age 36 from Pontypool) has subsequently been convicted of multiple unrelated offences, including being in possession of indecent child imagery. In addition, materials seized from Gould resulted in his further arrest by the Metropolitan Police as he attempted to leave the country. He is now the subject of another ongoing separate criminal investigation, which the Premier League is assisting.

In handing down the sentences, the Judge described a sophisticated offence involving significant planning and expertise, which involved the hacking of legitimate customers in the UK and abroad.

The investigation and prosecution undertaken by the Premier League was supported by a number of organisations including Hammersmith & Fulham Council's Trading Standards team and the intellectual property protection organisation, FACT.

Kevin Plumb, Premier League General Counsel said: "Today's sentencing is the result of a long and complex prosecution of a highly sophisticated operation. The sentences handed down, which are the longest sentences ever issued for piracy-related crimes, vindicate the efforts made to bring these individuals to justice and reflect the severity and extent of the crimes.



"This prosecution is another concrete example of the clear links between piracy and wider criminality, a warning we repeatedly make. While most Premier League fans enjoy watching our games in a safe way, those who were customers of these services were effectively supporting individuals involved in other sinister and dangerous organised crime.

"This was a hugely challenging case, and we are extremely grateful for the hard work and expertise of the authorities who supported us, in particular the London Borough of Hammersmith and Fulham Trading Standards who coordinated the investigation and worked with law enforcement agencies across the country.

"The Premier League's substantial financial contribution to the entire football pyramid is made possible through the ability to sell our broadcast rights. We are pleased that through rulings such as this, the courts continue to show that they recognise the importance of safeguarding the Premier League's rights. We will continue to protect our rights and our fans by investigating and prosecuting illegal operators at all levels."

FACT CEO, Kieron Sharp, added: "FACT were delighted to support the Premier League on this landmark case, which is a powerful reminder that piracy is a serious crime with severe consequences. The successful result was made possible thanks to the invaluable support of numerous law enforcement agencies, including the Trading Standards teams from the London Borough of Hammersmith & Fulham and Birmingham City Council, and the Metropolitan, Lancashire, Gwent, and West Midlands police services. We were additionally assisted by the North West Regional Organised Crime Unit (NWROCU) and the Government Agency Intelligence Network (GAIN).

"I would like to express our sincere thanks to all those agencies for their invaluable support, which has resulted in the dismantling of a major organised crime operation and reiterates the importance of protecting the rights of creators and content owners."

The Premier League has one of the most comprehensive anti-piracy programmes in the world, working with broadcast partners and authorities to bring down illegal streams and investigate and prosecute suppliers of illegal streaming services.

-Ends-

Notes to Editors:

The prosecution

- This was a private criminal prosecution brought by the Premier League and represents
 what is believed to be the largest ever prosecution of an illegal streaming network
 anywhere in the world. It follows the Premier League's successful prosecution of Steven
 King, Paul Rolston and Daniel Malone, who were sentenced in March 2019 to a total of 17
 years for defrauding the Premier League with their streaming organisations, Dreambox,
 Dreambox TV Limited and Digital Switchover Limited. Link
- This case was prosecuted at Birmingham Crown Court on the Premier League's behalf by David Groome and Ari Alibhai, both of QEB Hollis Whiteman Chambers. Sentencing took place at Chesterfield Justice Centre.



The defendants

- Mark Gould was a co-founder and the mastermind of Flawless and Shared VPS. He initially pleaded not guilty to all charges before changing his plea after new evidence emerged on the second day of the trial. This was due to the Metropolitan Police being able to crack Gould's encrypted computers as part of a separate criminal investigation, exposing vital new evidence relevant to the case. In addition to pleading guilty to two conspiracies to defraud, Gould also admitted being in contempt of court, following the discovery that he had breached a court-imposed restraint order preventing him from dissipating his assets, by transferring almost £200,000 abroad after his arrest. He was sentenced to 11 years.
- Steven Gordon (age 46 from Morecambe) was another Flawless co-founder and in April 2018, with the assistance of Peter Jolley, he began and operated Optimal following a money dispute with Gould. He was jailed for 5 years 9 months after pleading guilty to two counts of conspiracy to defraud.
- Peter Jolley (age 41 from Skelmersdale) was a further co-founder and assisted Gordon with running Optimal. In addition to two counts of conspiracy to defraud, Jolley also pleaded guilty to one count of money laundering, after concealing almost £500,000 in his father and stepmother's bank accounts. He was sentenced to 5 years 2 months.
- William Brown was a highly skilled technical expert employed by Flawless and Shared VPS
 to perform various roles, including helping Flawless to avoid detection by the authorities,
 hacking broadcasters and their legitimate subscribers to source content, as well as
 sabotaging and stealing content from rival illegal services. He took the case to trial and
 in February 2023, was found guilty of two counts of conspiracy to defraud and sentenced
 to 4 years 9 months.
- Christopher Felvus was another co-founder of Flawless, before his role was reduced to employee. Evidence seized from Felvus' computers established that he was in possession of indecent child imagery. This was handed straight to the police for a separate criminal investigation and prosecution. In January 2021, he pleaded guilty to three charges of possession of an indecent photograph of a child and to committing 13 acts of voyeurism for which he received a custodial sentence and was placed on the sex offenders' register for 10 years. After pleading guilty to two counts of conspiracy to defraud, he was sentenced to 3 years 11 months.
- A sixth defendant Zak Smith (age 30 from Bridgnorth), failed to appear at today's sentencing and a warrant is currently out for his re-arrest. Smith worked with Flawless in early 2018, selling information obtained from his employment at an online monitoring and enforcement agency. His involvement was identified following the raid of Mark Gould and a subsequent investigation. He was immediately dismissed from his position, arrested and in February 2020 pleaded guilty to one count of conspiracy to defraud. He has been recorded as wanted on the Police National Computer database and is yet to be sentenced.
- Additionally, the Judge noted that all six defendants failed to pay tax on any of their illegal earnings.



Piracy platforms involved

- Flawless (the original service that involved Gould, Gordon, Jolley, Brown, Felvus and Smith) operated between August 2016 and May 2018
- Optimal (launched by Gordon with assistance from Jolley) was a breakaway service that operated between April 2018 and June 2018, after a pay dispute between Gould and Gordon. It ultimately failed however due to Gould and Brown sabotaging the splinter service by repeatedly infecting its servers with malware
- Shared VPS (run by Gould, together with Felvus and Brown) was an underground service that operated between May 2018 and July 2021, seeking to continue Flawless after the initial arrest of Gould

Premier League's anti-piracy programme

- Since March 2017 the Premier League has also been operating highly sophisticated blocking Orders obtained from the UK High Court, requiring Internet Service Providers to block access to illegal live streams in real-time, during matches. These have been regularly enhanced to address evasion methods deployed by pirate operators.
- It is not just the supply of such content that may lead to prosecution. Simply watching Premier League content from an unauthorised source is illegal and a matter treated very seriously by the courts, as highlighted by a recent case in Liverpool, in which Paul Faulkner was jailed for 16 months and received a separate sentence of four months' imprisonment for using the service. Link.
- In January 2023, police visited homes across the UK, serving notices to individuals to cease illegal streaming activities with immediate effect. Over 1,000 individuals were identified following raids by West Mercia Police against a UK-based illegal streaming service that was supplying entertainment and sports content, including Premier League matches, via modified boxes, firesticks, and subscriptions. Link.
- Advice for fans on how to report illegal broadcasting of Premier League matches can be found here.

About FACT

• <u>FACT</u> (The Federation Against Copyright Theft) are the UK's leading intellectual property protection organisation, protecting brands and businesses against fraud and IP crime and helping consumers to stay safe online.