

**For Immediate Release**

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## **SIIA Announces Major Anti-Piracy Win in Kaplan vs. Chou**

### ***\$400,000 Judgment Handed Down Against Medical Student Who Became Leading Online Seller of Counterfeit Test Prep Materials***

**WASHINGTON, DC (January 27, 2010)** – The Software & Information Industry Association (SIIA) today announced that a New York federal district court has issued a judgment against a former medical student for illegally mass producing and selling Kaplan test prep materials. SIIA, which runs the industry's most aggressive anti-piracy program, said the judgment represents a significant victory in its continuing battle to pursue piracy of content, such as books, newspaper and magazine articles and, as was the case here, test-prep materials.

After discovering websites and an eBay operation selling counterfeit test prep materials, SIIA and member company Kaplan initiated an investigation and spent six months tracking the perpetrator and gathering evidence. On behalf of SIIA-member Kaplan, SIIA then brought a lawsuit against Kenneth Chou, a medical student at the State University of New York (SUNY) Upstate Medical University. This month, federal district court judge Harold Baer, Jr. ruled in favor of Kaplan, shut down Chou's websites and ordered Chou to pay \$400,000, including \$250,000 in damages and \$150,000 in legal fees.

Due to his illegal activities, Chou was also expelled from school during the course of the case, which was filed by SIIA and Kaplan in late 2007.

Reporters interested in receiving court documents from the case should contact Beth Dozier at 202-429-1833 or [bethdozier@rational360.com](mailto:bethdozier@rational360.com)

"This is a major victory that demonstrates how seriously the judicial system takes piracy cases," said Keith Kupferschmid, SIIA's Senior Vice President for Intellectual Property Policy and Enforcement, "Chou was not an ordinary computer hack, but rather an ambitious medical student. He mistakenly thought he could pursue his dream of being a doctor while running a sophisticated counterfeiting operation. After being kicked out of medical school and then found liable in this case, Chou finds that his dream is gone, his reputation ruined, and he owes hundreds of thousands of dollars – far more than he ever profited."

Chou took advantage of his access as a Kaplan student to the medical school's library to obtain and illegally mass produce Kaplan course DVDs and books for the United States Medical Licensing Exam (USMLE). Using eBay and websites that he created – including "USMLEPro.net" and "USMLEDVDCenter.com" – he became a leading online seller of counterfeit Kaplan test prep materials.

"Kaplan puts significant investment into developing the best test prep materials available to students, and counterfeit operations can damage our brand," said Preeti Torres, Deputy General Counsel for Kaplan's test prep division. Most importantly, they can drive up the cost of materials and make it more difficult for us to invest in program improvement and new materials development that will benefit all law-abiding students. Further, students

who knowingly purchase counterfeit materials contribute to the problem. Working with SIIA, we are committed to aggressively pursuing individuals like Chou who wrongly believe they can use the Internet to anonymously sell illegal materials."

#### **About SIIA**

The Software & Information Industry Association (SIIA) is the principal trade association for the software and digital content industry. SIIA provides global services in government relations, business development, corporate education and intellectual property protection to more than 500 leading software and information companies. For further information, visit:

[www.sii.net](http://www.sii.net).

#### **About SIIA Anti-Piracy**

The Software & Information Industry Association's Anti-Piracy Division conducts a comprehensive, industry-wide campaign to fight software and content piracy. The pro-active campaign is premised on the notion that one must balance enforcement with education in order to be effective.

#### **About Kaplan Test Prep and Admissions**

Kaplan Test Prep and Admissions ([www.kaptest.com](http://www.kaptest.com)), a division of Kaplan, Inc., is a premier provider of educational and career services for individuals, schools and businesses. Established in 1938, Kaplan is the world leader in the test prep industry. With a comprehensive menu of online offerings and a complete array of books, Kaplan offers preparation for more than 90 standardized tests, including entrance exams for secondary school, college and graduate school, as well as English language and professional licensing exams. Kaplan also provides private tutoring and graduate admissions consulting services.

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