



Date: 3rd September 2018

REPORT

Standing Committee on

Piracy and Counterfeiting

Chair: Manon RIEGER-JANSEN
Responsible Reporter: Yusuke Inui

1)
Report on the activities of your Standing Committee during the reporting period
Please provide a general overview of the activities of your Standing Committee over the last 12 months, including at least:

a)
internal meetings of the Standing Committee during the reporting period (whether by telephone, video conference or in person);

Meeting during the AIPPI World Congress in Sydney, 14 October 2017

Meeting during INTA Annual Meeting in Seattle, 20 May 2018

Although previously discussed to hold video or telephone conferences it was discussed in Seattle that this might be difficult in view of the different time zones. We discussed that we could have ad hoc calls depending on the projects we are working on.

b)
were proposals for panel sessions and study questions submitted and/or did your Standing Committee further contribute in this respect (e.g. by providing input to the draft Study Guidelines)?

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c)
any external representation and participation in working groups on behalf of AIPPI by any member of your Standing Committee (e.g. at WIPO, EUIPO);

Representation by Ann-Charlotte Söderlund and Marcin Fijalkowski in EUIPO Observatory at numerous meetings throughout 2017 and 2018

d)

any contribution by your Standing Committee to any external consultations; and

OECD - public consultation on the OECD guidance on countering illicit trade: transparency in free trade zones - no formal contribution but members of our SC have been asked to participate in the consultation;

SC has been involved in a contribution of AIPPI to a public consultation on measures to further improve the effectiveness of the fight against illegal content online together with the SC on Enforcement, the SC on Trademarks and the SC on Copyright. On behalf of our SC Anne- Charlotte Söderlund contributed.

Nov 2017: input to Observatory re sectors with heightened risks of counterfeit posing risks to health / safety of consumers

September 2018- SC will have the lead in the public consultation launched by the European Commission on the evaluation of the EU Observatory. The consultation aims to collect the views of citizens and stakeholders on whether Regulation 386/2012 has made the objective of facilitating and supporting the activities of national authorities, the private sector and EU institutions in the fight against infringement of IP rights, in particular counterfeiting and piracy. SC will coordinate with

- Trademarks Committee
- Designs Committee
- Copyright Committee
- Enforcement Committee
- Piracy and Counterfeiting Committee
- IP Office Practice and Procedures Committee

e)

any studies or analyses undertaken or position papers prepared by your Standing Committee, with a brief summary of the outcome(s).

In the previous reporting year we did a study on Criminal prosecution of IP. We discussed new analyses / studies with the team and it was agreed that we would start a study on goods in transit. We will develop a questionnaire on this topic.

2)

Key issues/developments during the reporting period

Please include any significant case law, legislative or regulatory developments, or policy initiatives, including their relevance and/or any implications for the work of your Standing

Committee or for AIPPI more generally.

Legal developments regarding counterfeit goods in Europe and how Customs in EU member states will adopt to new legislation (new TM legislation in various member states as a consequence of the new EU TM package)

New legislation in Turkey

3)

Any recommendations for AIPPI involvement/action for the next 12 months
This need not be limited to recommendations for your Standing Committee but can be recommendations for AIPPI more broadly. For example, please include:

In each case, please explain why such involvement/action is recommended, by whom it should be undertaken and any relevant time frames.

a)

any recommendations for involvement/action in relation to any upcoming or foreshadowed case law, legislative or regulatory developments, or policy initiatives;

In general: be involved and monitoring of legal developments regarding customs and regulations useful for combating piracy/ counterfeiting

Closely monitor legal developments regarding counterfeit in international treaties, EUIPO Observatory, goods in transit, donations / recycling of seized (harmless) counterfeit goods

b)

any other recommendations for AIPPI involvement/action;

Last term we have drafted the criminal sanctions report: it can still be discussed how this report can be used externally by AIPPI

Continued contribution to public consultations on ad hoc basis

c)

any recommendations for the work programme of your Standing Committee.

- goods in transit is a continuing hot topic and two important countries in this respect would be very welcome as members of our committee: India and Brazil. The Bureau could ask local AIPPI in those countries for interested members

4)

Outline of the work programme of your Standing Committee for the next 12 months
Please set out specific activities and priorities having regard to the matters in 1) - 3) above, including any relevant time frames.

- Continued active involvement in EU Observatory on behalf of AIPPI
- Start questionnaire and study on goods in transit (work together with Trademarks Committee and if possible with organisations such as INTA)
- Take lead on public consultation launched by the European Commission on the evaluation of the EU Observatory. The consultation aims to collect the views of citizens and stakeholders on whether Regulation 386/2012 has made the objective of facilitating and supporting the activities of national authorities, the private sector and EU institutions in the fight against infringement of IP rights, in particular counterfeiting and piracy.

Cooperation with: Designs Committee, Trademarks Committee, Copyright Committee, Enforcement Committee, Piracy and Counterfeiting Committee, IP Office Practice and Procedures Committee. Internal deadline 26/9

AIPPI

Names and Functions of Committee Members

Chair	Manon RIEGER-JANSEN	Netherlands
Vice Chair(s)	Ann-Charlotte SÖDERLUND	Sweden
	Damian G. WASSERBAUER	United States of America
Members	Zeynep Seda ALHAS	Turkey
	Géraldine ARBANT	France
	Adriana BARRERA	Peru
	Hanna-Maija ELO	Finland
	Marcin FIJALKOWSKI	Poland
	Raimondo GALLI	Italy
	Jordi GUELL	Spain
	Bernardo HERRERIAS FRANCO	Mexico
	Naresh KILARU	United States of America
	Alessandro MASETTI ZANNINI DE CONCINA	Italy
	Koji MURAI	Japan
	Alexander PAKHARENKO	Ukraine
	Vassil PAVLOV	Bulgaria
	Christian ROHNER	Switzerland
	Ashley W ROUGHTON	United Kingdom
	Luigi SANSONE	Malta - IM
	Salman Ahmad SHEIKH	Pakistan
	Bienvenido I. SOMERA JR.	Philippines
	Kurt STÖPETIE	Netherlands
	Kyung-Min(Matthew) SUH	Republic of Korea
Janina VOOGD	Germany	
Shuhua ZHANG	China	