

Counterfeiting

打击假冒

The Role of the Directorate General Economic Inspection

+ Case Studies

经济监察总司的作用+案例研究

- Police 警方
- Customs 海关
- Directorate general “Economic Inspection”
“经济监察” 总司



Directorate general
« Economic Inspection »

“经济监察” 总司

- The competent authority for enforcing economic legislation
经济执法主管部门

The « Economic Police » in Belgium

比利时的“经济警察”



DGEI Structure 经济监察总司的组织架构

Specialised Services 专项服务

- among these: Direction B: IP Crime and Internet surveillance
- 包括：方向B：打击知识产权犯罪与互联网监督

IP Crime Unit 打击知识产权犯罪小组

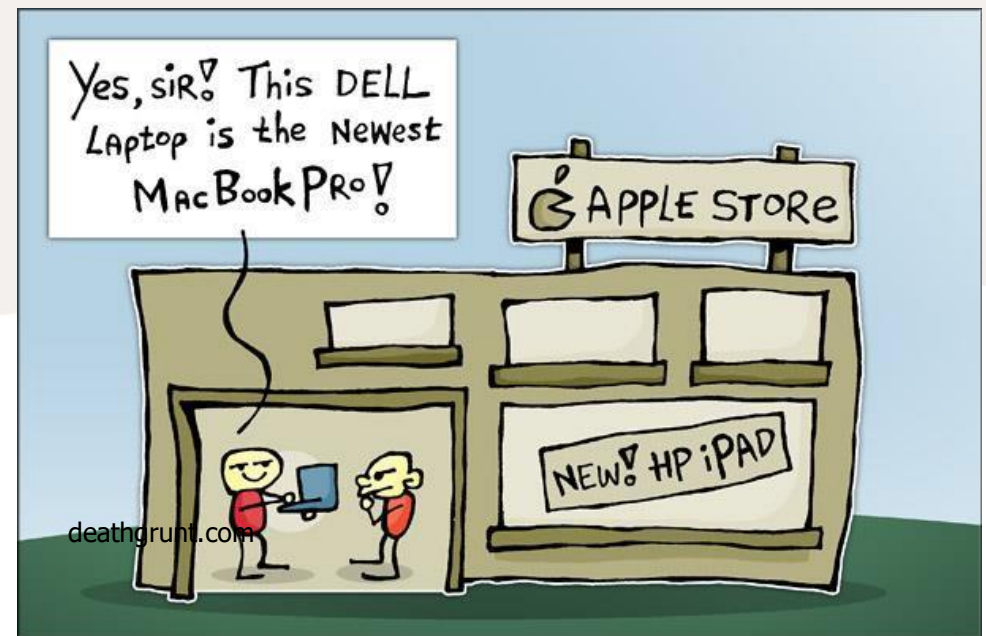
- 7 Regional Directorates 7个地区司

Specialized Agents 负责专员

Why working with the DGEI?

为何与经济监察总司合作

- Advantages 优势
 - Public Service = Free 公共服务 = 免费
 - Investigative powers, domiciliary visits, flexibility, expertise, Information networks... 调查权、住宅搜查、灵活性、专业性、信息网络.....
- Disadvantages 劣势
 - Complainer doesn't has any control over the investigation 投诉人对调查无控制权



Differences with Customs 与海关的差异

- DGEI doesn't do any specific controls at the borders (ports and airports)
- 经济监察总司对边境（港口、机场）无任何具体控制权
- DGEI doesn't do any major controls in transport (except in cooperation)
- 经济监察总司对交通运输无主要控制权（在合作行动中除外）
- DGEI occurs to be more flexible and accessible, more specifically in terms of complaints.
- 经济监察总司更灵活、更亲民，尤其是在投诉处理方面

Differences with Police 与警方的差异

- DGEI doesn't has always the same priorities as the Police (Safety, connections with other crimes...)
经济监察总司与警方工作的主次顺序（安全、与其他犯罪的关联等）并不尽然相同
- DGEI can't set up any dangerous actions without the protection or first consulting the Police. (Ex. In case there are connections with terrorists...)
如果未安排保护或者未征求警方意见，经济监察总司无法开展危险打击行动（以防打击对象与恐怖分子有关联等情况）
- In some local police-areas, expertise in this matter doesn't exist.
部分地方警区缺乏经济监察人才
- More specialised actions (patents, models, brands...) – Thanks to the support of our Service for intellectual Property.
在知识产权服务方面提供支持，以开展专项行动（针对专利、实用新型、品牌等）

Cooperation is the key to success 合作是成功的钥匙

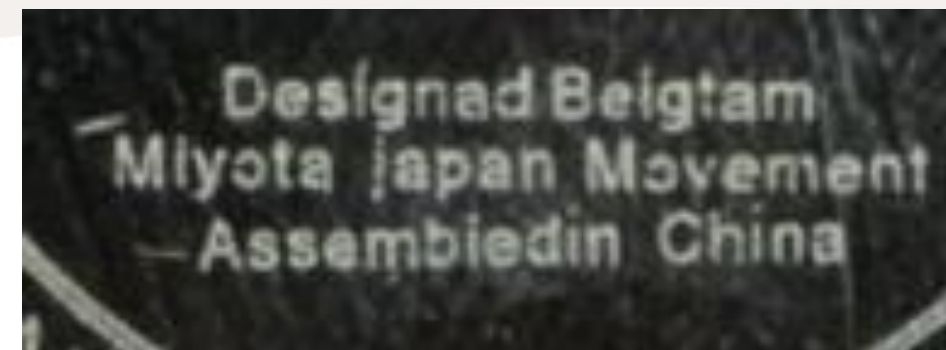
DGEI works together with Customs, Police and other services (Europol, OLAF,...) as much as possible in order to be successful.

经济监察总司与海关、警方和其他机构（欧洲刑警组织、欧洲反欺诈办公室等）通力合作，确保成功



Different types of investigations 调查类型

- Investigations on own initiative
自发调查行动
- General investigations
一般调查
- Complaint investigations
投诉调查



Action fields 行动领域

- Closest to the consumer:
与消费者最密切相关的：
 - Retailers and wholesalers
— 零售商与批发商
 - Markets
— 市场
 - Fairs and trade fairs
— 展销会
 - Flea markets
— 旧货市场



Procedure 程序

A preventive tool

预防工具

Warning Procedure

警告程序

to stop

the infringement

(immediately)

制止侵权（立即生效）

A repressive tool

阻遏工具

Procedure to effect a
settlement (fine)

纠纷解决程序（罚款）

2 previous conditions : 2项前提条件

- No claim of the injured party
受害方未提出索赔
- Willing abandonment of the goods
自愿放弃涉事商品

Coordination Mechanism 协调机制

- Ministry for Economic Affairs 经济事务部
- Ministry for Justice 司法部
- Office of the Public Prosecutors 公诉人办公室
- Federal Agency for Food Safety 联邦食品安全局
- Federal Agency for Medicines 联邦药品局
- Customs 海关
- Federal Police 联邦警察局



Case Study: Washing Liquid 案例研究：洗衣液

2012 – information from competitor 2012年：根据商业竞争对手提供的情报
-> leads to Belgian Logistic Center 追查到比利时物流中心

- Seizure of 4.176 bottles Ariel actilift (4,9 liter/70 washes -29 palets/22.400 kg)
- 没收4,176瓶保洁碧浪洗衣液 (4.9升/70次洗涤装 - 29只托盘/22,400千克)
- Gillette razorblades (Netherlands) & Head & Shoulders shampoo (Romania)
- 吉列剃须刀 (荷兰) 与海飞丝洗发水 (罗马尼亚)
- Goods came from German company that is bankrupt since 2010
- 货物来自一家早在2010年就已经破产的德国公司
- Goods were recycled -> soap used to clean up oil spots at sea
- 废料再生 → 用于清理海上油污的肥皂

-> Information shared with Europol & OLAF
与欧洲刑警组织和欧洲反欺诈办公室共享情报

washing liquids

洗衣液



Recycling washing liquids 再生洗衣液



Case Study: Shampoo 案例研究：洗发水

2013 – routine control shop in Brussels

2013年：在布鲁塞尔开展的例行店铺检查

2.995 counterfeited Head & Shoulder shampoos were found

发现2,995瓶假冒海飞丝洗发水

-> leads to distributor in Antwerp

→ 追查到安特卫普的一家分销商

- Seizure of 58.012 Head & Shoulders shampoos

- 没收58,012瓶海飞丝洗发水

- Shampoos were bought according to Belgian distributor in England and Malta

- 根据该分销商提供的情报，洗发水购自英格兰、马耳他

-> Information shared with Europol & OLAF

→ 与欧洲刑警组织和欧洲反欺诈办公室共享情报

Shampoo 洗发水



<http://economie.fgov.be>

.be

Case Study : Sport Shoes 案例研究：运动鞋

2016 – Tip from informant leading to multiple locations More than 62.000 pairs of sport shoes were found.

2016年：根据线人提供的情报，追查到多个地点，发现62,000多双假冒运动鞋。

- Leads to a network of illegal dealers 根据线索追查非法经销网络
- Value of the seizure is over 10 million Euro 没收货物价值逾1000万欧元
- Shoes were meant to be distributed in different European countries 原计划在多个欧洲国家分销运动鞋

Sport shoes 运动鞋



Case Study : Belgian toys supplier

案例研究：

比利时玩具供应商

Counterfeit and Dangerous Goods

假冒与危险商品

Case Study Toys Supplier 案例研究：玩具供应商

Investigations on Belgian Fairgrounds in 2018

2018年对比比利时集市开展调查

Counterfeit goods found 发现假冒商品

> some labeled with the name of a Toys Supplier

> 部分商品标签显示某玩具供应商名称

Toys Supplier's warehouse wasn't registered > unable to find it

该玩具供应商的仓库未经注册 > 无法确查

Deliveries during the night at the fairgrounds

夜间在集市交货

After several interrogations, finally a customer revealed the location of the warehouse

The warehouse was hidden in a riding school behind the barns

几经询问，最后一名顾客透露仓库位置：隐藏在某马术学校马厩后面

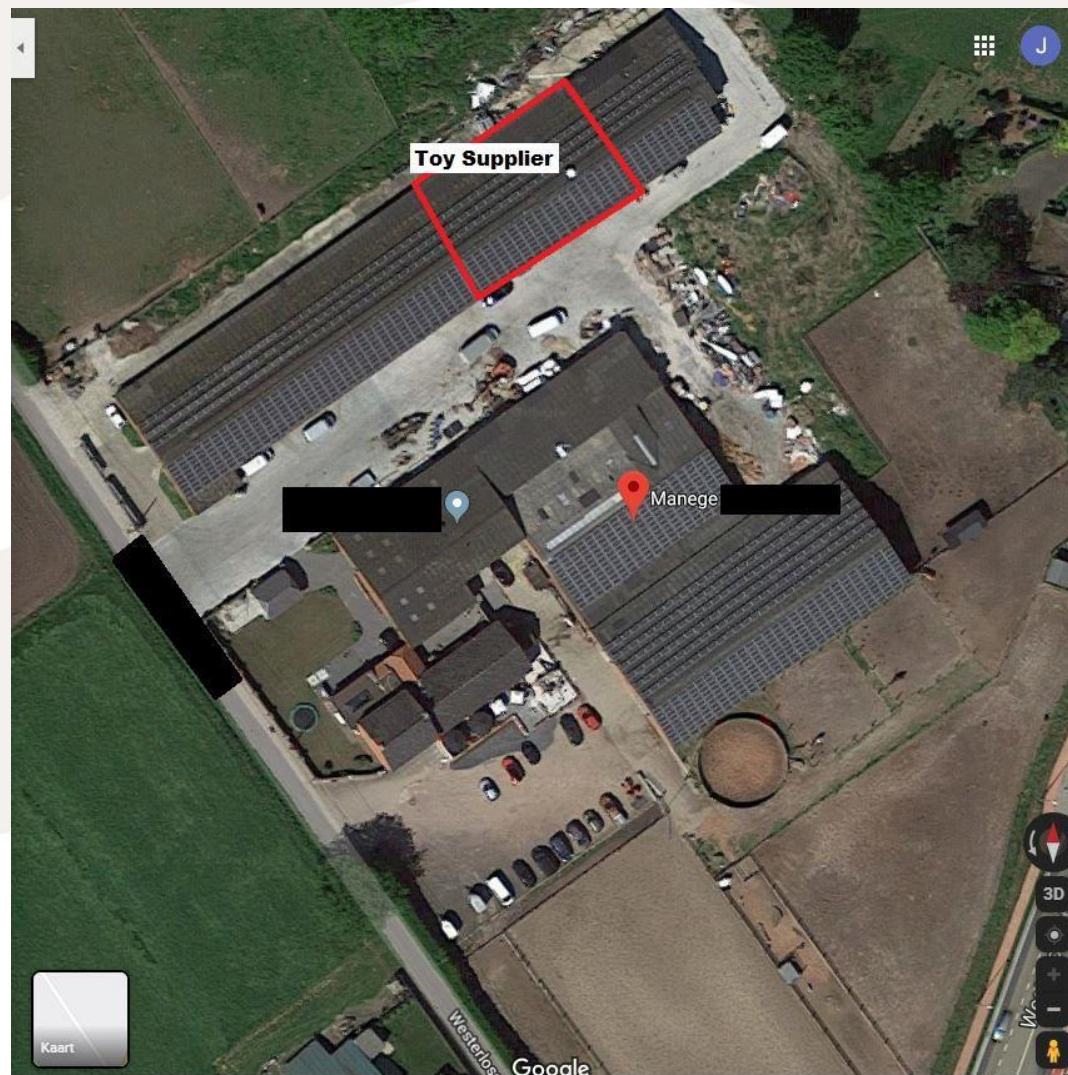
Counterfeit and Dangerous Goods 假冒与危险商品

Case Study Toys Supplier 案例研究：玩具供应商



Counterfeit and Dangerous Goods 假冒与危险商品

Case Study Toys Supplier 案例研究：玩具供应商



Counterfeit and Dangerous Goods 假冒与危险商品

Case Study Toys Supplier 案例研究：玩具供应商

Warehouse loaded with toys 仓库堆满玩具

> Around 500.000 products 大约有50万件

Seizure of 120.000 counterfeit products 没收12万件假冒产品

All the trademarks that are popular with kids were represented : Cars, Paw Patrol, LOL Surprise, Hatchimals, Fortnite, Transformers, Pokemon, ...

涵盖各类广受儿童欢迎的品牌：汽车总动员、汪汪队立大功、惊喜娃娃、哈驰魔法蛋、堡垒之夜、变形金刚、口袋妖怪.....

All the products were imported directly from China

所有产品来源都为直接从中国进口

Counterfeit and Dangerous Goods

假冒与危险商品

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Directorate general Economic Inspection

经济监察总司

NG III

16, bvd King AlbertII 1000 Brussels

Tel 电话: 32 (0)2 277 51 11

Fax 传真: 32 (0)2 277 54 53

Eco.inspec.fo@economie.fgov.be

Jannik Grooten

Inspector – Coordinator 监察 - 协调员

IP Crime Unit 打击知识产权犯罪小组

jannik.grooten@economie.fgov.be

tel 电话: 0032 (0)2 277 93 14

Directorate general
Economic Inspection
NG III

16, bvd King AlbertII
1000 Brussels

Tel: 32 (0)2 277 51 11

Fax: 32 (0)2 277 54 53

Eco.inspec.fo@economie.fgov.be