



 **IPKey**

SOUTHEAST ASIA

Enforcement cooperation on IPR in the EU: data exchange and joint operations

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Bangkok, 21-23 August 2018

www.ipkey.eu



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Directed by the European Commission, IP KEY is implemented by the
European Union Intellectual Property Office (EUIPO)

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1 – THE ACTORS IN THE EU

- CUSTOMS**



**making rules, providing tools,
cooperating with third countries**

European Commission



**European Commission
EUROPEAN ANTI-FRAUD OFFICE**

coordinating mutual assistance and investigations

- **CUSTOMS**



the 28 Customs of the EU



**Council of the
European Union**

**the «Customs Cooperation Working Party»:
operational cooperation among national
customs to increase enforcement capabilities**



the police forces of the 28 EU Member states

- **POLICE**



the EU's law enforcement agency,
fighting serious and organised crimes

- **MARKET SURVEILLANCE AUTHORITIES**

all supported by the EUIPO's
Observatory on infringements of IPRs



2 – DATA EXCHANGE FOR ENFORCEMENT

• COPIS



anti-COunterfeit and anti-Piracy Information System
European Commission, Taxation and Customs Union

- product information authentic/infringing
- supply chain authentic/infringing
- contact details
- seizures

• EDB



- interfaced with COPIS
- IPR official information
- product information authentic/infringing
- supply chain authentic/infringing
- contact details
- **ALERTS** (+web infringements)

for general customs enforcement

• OLAF'S AFIS PORTAL

- secure webmail
- Customs Information System (**CIS**): suspicious cases and seizures
- platform for single operations
- Container Status Messages repository (**CSM**)

• EC'S RISK INFORMATION FORM

- for sharing alerts on risks, threats, new trends and *modus operandi*
- for frontline officers, to be treated immediately and reported (legal obligation in the UCC)

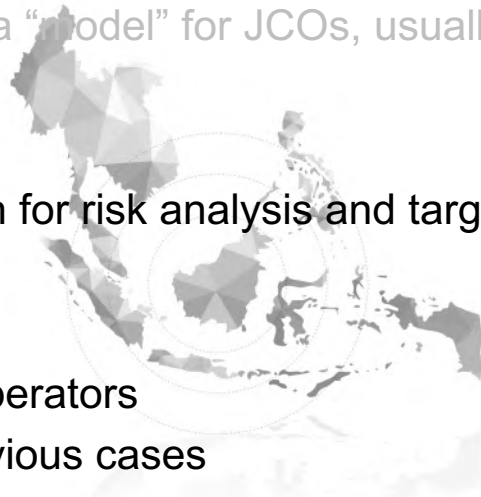


3 – JOINT OPERATIONS AGAINST COUNTERFEITING

- Encouraging cooperation between LEAs and testing effectiveness of analysis and actions
- The Customs have identified a “model” for JCOs, usually supported by OLAF:
- **Preparatory phase:**
 - threat assessment and business case approved
 - Operational Plan:
 - scope of the operation: products, scenarios/customs procedures, objectives, leader MS, participants and NCPs
 - one single communication system for the operation
 - time schedule
 - if necessary, set up of a **Virtual and/or Physical Operation Coordination Unit (V/P-OCU)**



- Encouraging cooperation between LEAs and testing effectiveness of analysis and actions
- The Customs have identified a “model” for JCOs, usually supported by OLAF:
- **Pre-operational phase:**
 - testing communication
 - sharing list of information for risk analysis and targeting
 - risk indicators
 - routes
 - adversely known operators
 - suspicious and previous cases



- Encouraging cooperation between LEAs and testing effectiveness of analysis and actions
- The Customs have identified a “model” for JCOs, usually supported by OLAF:
- **Operational phase:**
 - when with OLAF, a P-OCU could be set up at OLAF’s premises in Brussels
 - in a limited period of time: monitoring, analysis, decision and action through NCPs
 - seizures stored (“reports”) - when with OLAF, in AFIS Portal (operation’s V-OCU)
- **Post-operational phase:**
 - all open cases are closed and all stored data is anonymised
 - results assessed
 - final report, with recommendations if needed
 - *investigations follow up*



OPERATION FAKE, May 2005

EU MEMBER STATES and OLAF

Focusing the route of counterfeiters: China to Europe via Africa, via South America and via Malaysia and the Middle East

- **10 days operation**
- **326 containers from China examined**
- **221 “at high risk”, 60 found containing fakes**
- **26 million items seized (all kind)**

https://ec.europa.eu/anti-fraud/policy/joint-customs-operations/fake_en

OPERATION ERMIS, March 2014

EU MEMBER STATES- OLAF-THIRD COUNTRIES (Turkey and Western Balkans)

Focusing small consignments via postal and courier mail traffic

- **634 seizures**
- **70 000 items seized**
(all kind)



https://ec.europa.eu/anti-fraud/policy/joint-customs-operations/ermis_en

OPERATION REPLICA, 2014

EU MEMBER STATES- OLAF-ASEM-WCO-CHINA

Focusing sea transport importation

- **China participating in the VOCU with a liaison officer**
- **1.2 million items seized (all kind)**
- **130 million cigarettes seized**
- **Overall market value € 65 million**

https://ec.europa.eu/anti-fraud/policy/joint-customs-operations/replica_en

OPERATION WAFERS, 2017

EU MEMBER STATES-OLAF-EUROPOL

Focusing semiconductors in express couriers – from China and Hong Kong

- **Private sector cooperation (ESIA and major express couriers)**
- **More than 1 million items seized**

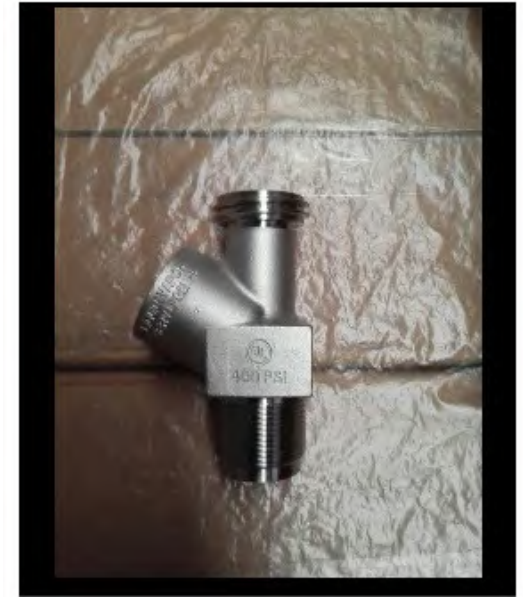


OPERATION RENEGADE, 2017

EU MEMBER STATES-OLAF-ASEM-WCO-THIRD COUNTRIES

Focusing counterfeited auto spare parts
in sea container transport

- **Private sector cooperation**
- **70 000 auto spare parts seized**
- **590 cylinders of CFC refrigerant**
- **400 000 other goods items seized**



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https://ec.europa.eu/anti-fraud/media-corner/news/26-06-2017/operation-renegade-halts-thousands-potentially-dangerous-auto-spare_en



OPERATION POSTBOX, 2017

EU MEMBER STATES

Focusing on-line illegal trade

- **With contribution of the Observatory in the preparatory phase**
- **Overall 3 093 items seized**
- **1 267 counterfeited items seized**



OPERATION SILVER AXE III, 2018

EUROPOL

Focusing on counterfeited pesticides

- **Production and re-packaging facilities in Europe and third countries (Australia, Serbia, Switzerland, Ukraine and Moldova)**
- **Private sectors collaboration**
- **360 tonnes of illegal pesticides seized in Europe**

<https://www.europol.europa.eu/newsroom/news/largest-ever-seizure-of-illegal-or-counterfeit-pesticides-in-europol-silver-axe-operation>



OPERATION IN OUR SITES VIII, 2017

EUROPOL

Focusing online piracy

- **World wide action, with US NATIONAL IPR COORDINATION CENTRE, EU MEMBER STATES, INTERPOL and brand owners**
- **20520 domain names seized**



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THANK YOU

 @IPKey_EU

