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THE ROLE OF THE FRENCH CUSTOMS IN THE FIGHT AGAINST COUNTERFEITING 法国海关如何打击假冒商品

2023 EU-China Forum on Criminal IP Enforcement – 19 October 2023
2023 中欧知识产权刑事保护论坛 – 2023 年 10 月 19 日

Summary 提要

Panel 4: Opportunities and Challenges in Criminal IP Enforcement 专题四：知识产权刑事保护中的机遇和挑战

1. The French Customs' role and results in the fight against counterfeiting

一，法国海关在打击假货的作用和成果

2. The French Customs Regional Office for East Asia and Criminal IP Enforcement

二，法国海关总署亚洲地区办事处与知识产权刑事保护



1. The French Customs' role and results in the fight against counterfeiting

一， 法国海关在打击假货的作用和成果

The fight against infringements of intellectual property rights (IPR) constitutes a priority for action by Customs, along with the fight against trafficking and organized crime. 保护知识产权以及打击非法贩运和集团犯罪是法国海关行动的优先事项。



Customs action procedure: 海关行动程序:

- the right-holders fills a request for intervention (REMINDER: no infringement without registered IPR)
一， 权利人填写介入申请（提醒：未注册知识产权不得介入）
- the Customs detains suspicious goods
二， 海关扣留可疑货物
- assessment of the detained goods
三， 对扣留货物的评估
- result of the assessment (release of the goods/destruction/criminal procedure/Customs seizure)
四， 评估结果（货物放行 / 销毁 / 刑事诉讼 / 海关扣押）

1. The French Customs' role and results in the fight against counterfeiting

一， 法国海关在打击假货的作用和成果

Customs controls goods throughout the whole French territory regardless of the status of the goods (import/export/transit/detention/circulation).

海关对整个法国境内的货物进行监管，无论货物的状态如何（进口 / 出口 / 过境 / 扣留 / 流通）

Specialized customs services make it possible to control each type of potential flow:

专业的海关单位可以检查每种类型的货物流动：

- targeting centers in ports and airports to control commercial cargo (traditional freight);
- 针对港口与机场的商业货运（传统货运）检查站；
- brigades to carry out checks on people and means of transport (bus, train, domestic flight, toll);
- 对人员、交通工具（大巴、火车、国内航班、收费站）进行检查的大队；
- specialized services for postal and express freight control (e-commerce).
- 邮政和快递货运检查站（电子商务）。

1.The French Customs' role and results in the fight against counterfeiting 一，法国海关在打击假货的作用和成果

Cooperating with public actors

- European Commission (EUIPO)
 - OLAF, EUROPOL



- INPI, CNAC



1. The French Customs' partners in the fight against counterfeiting

一，法国海关在打击假货的作用和成果

Cooperating with private actors
与私营部门合作

Customs supports continuously the rights holders.

法国海关持续为权利人提供支持。

⇒ The request for intervention constitutes a first step in cooperation with Customs with the aim of combating fraud.

⇒ 介入申请是与海关合作打击非法贸易的必要步骤。

Rights holders are particularly invited to provide operational and precise information on authentic goods and on counterfeit goods that they may discover so that Customs can be more efficient.

海关特别邀请权利人提供关于正品及假冒商品的具体、准确信息，以便海关提高工作效率。

Partnership with UNIFAB (French private trade association gathering approx. 200 brands) and regular training of Customs officers by the rights holders. 法国海关与UNIFAB（聚集约200个品牌的法国企业界组织）合作，并由权利人定期对海关官员进行培训。

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RENAULT

1. The French Customs' role and results in the fight against counterfeiting

一， 法国海关在打击假货方面的作用和成果

More than 11.53 million counterfeit items removed from the market in 2022

2022 年市场上将有超过 1153 万件假冒商品下架

+ 27% compared to 2021 (9.1 million) 与 2021 年相比增长 27% (910万)

+120% compared to 2020 (5.64 million) 与2020 年相比增长 120% (564万)

In 2022, French Customs carried out 90% of interceptions of counterfeit goods in France.

2022年， 法国海关占输法假冒商品拦截量的90%。

⇒ These are dangerous goods for the health and safety of consumers, including young consumers.

这些对于消费者（包括年轻消费者）的健康和安全来说存在危险。

⇒ Counterfeiting spares no sector of the economy.

⇒ 假冒行为影响到各个经济领域。

□ Product categories (2022): 产品类别 (2022年)



Games, toys and sporting goods: 5.8 million items

玩具和体育用品: 580万件

Body care products: 778,000

个人护理: 77.8万件

Clothing and accessories: 479,000

服装及配饰: 47.9万件

Food and beverages: 374,000

食品饮料: 37.4万件



2. The French Customs Regional Office for East Asia and Criminal IP Enforcement 二， 法国海关总署亚洲地区事务处与知识产权刑事保护

.The French Customs Regional Office protects the interests of the French brands and right-holders in China, Japan and South Korea
法国海关总署亚洲地区事务处保护法国品牌和权利人在中国、日本和韩国的利益

.The Regional Office is in constant communication with its national counterparts: GACC, Japan Customs, Korea Customs Service
亚洲地区事务处与相关国家部门保持持续沟通：中国海关总署、日本海关、韩国海关

.The Regional Office is also in communication with other national agencies (such as the Ministry of Public Security) and supra national agencies (such as Delegations of the European Union)
亚洲地区事务处还与相关国家其他机构（如中国公安部）和超国家机构（如欧洲联盟驻华代表团）保持联系

.Intelligence sharing with the brands
与品牌和权利人分享情报

Joint activity with the brands (exhibitions, fairs, e-commerce platforms)
与品牌和权利人举办联合活动（展览、交易会、电商平台）

.The French Embassy in China can provide assistance in case of difficulties during criminal procedures
对于在刑事诉讼过程中遇到困难的当事人，法国驻华使馆可提供协助

Conclusion 结论

Challenges: 挑战

□ **the growth of e-commerce.** Multiplication of small packages, lack of data and information. **随着电商发展，小包裹数量倍增，数据和信息较为缺乏。**

□ **poly-criminality 多重犯罪**

Opportunities: technology (IOSS, Artificial Intelligence)

机遇： 技术革新（进口一站式服务、人工智能）

Last words: need to keep enhancing the cooperation between the Customs, the right-holders and the partner agencies to protect the consumer and the economy.

最后： 需要不断加强海关、权利人和其他机构的合作，保护消费者，保护市场经济。

THANK YOU FOR YOUR ATTENTION



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