

**The Interaction of Public and Private Actors in the Shaping of  
Italian IP Statute & Policy**  
**意大利知识产权立规立法过程中的政府和社会主体互动**

2024 EU-China Conference on IP Protection Online & Innovation  
2024中欧互联网知识产权保护与创新大会  
Shanghai, 31 May 2024  
上海, 2024年5月31日

Raffaello Giroto, Legal Attaché, Embassy of Italy to the PRC  
姚非, 意大利驻华大使馆法律事务专员

# The “Top-Down” Moment: Public Actors Shaping Public Opinion on IP / “自上而下”：政府就知识产权保护进行舆论引导

The Issue / 问题

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A “brand-sensitive” population / “品牌敏感”人群

+

A brand-intensive economy / 品牌密集型经济



Anti-counterfeiting action can only be effective / 打击假冒伪劣  
with the cooperation of the public! / 需要社会合作才能有效!



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Who Defines Strategy? / 战略由谁定义?

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Ministry of Enterprises and “Made in Italy” (MIMIT) / 意大利企业和“意大利制造”部

is part of / 隶属关系



Italian Patent and Trade Mark Bureau (UIBM) / 意大利专利商标局

chairs / 领导关系

National Council for Fighting Counterfeiting  
and “Italian Sounding” (CNALCIS)  
国家打击假冒伪劣  
和“意大利仿制”理事会

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Strategy Documents / 战略文件

## General: / 综合文件:

### IP Strategic Intervention Lines, 2021–2023 知识产权战略布局路线 (2021–2023)

by UIBM, which consults civil society  
由意大利专利商标局征求社会组织意见后制定

## Sectoral: / 部门文件

### Local Anti-counterfeiting Action Programme 地方打击假冒行动计划

by UIBM and National Association of Italian Townships (ANCI)  
由意大利专利商标局和意大利城镇协会制定

### Industry-Specific Surveys on Counterfeiting 行业假冒调查报告

by UIBM, in cooperation with professionals and associations  
由意大利专利商标局与行业专家、行业协会合作制定

Images from UIBM, Report on Anti-Counterfeiting Policies, 2021-2023  
图片来自意大利专利商标局《反假冒政策报告 (2021–2023) 》





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Communication Target / 沟通目标

In accordo e collaborazione con il Ministero dell’Istruzione, si potranno realizzare campagne di sensibilizzazione degli studenti delle scuole primarie e secondarie e di quelli degli Istituti Tecnici Superiori, nonché degli aderenti alle diverse organizzazioni **giovanili**, che, attraverso il loro coinvolgimento attivo in iniziative ed azioni, li aiutino a maturare un atteggiamento positivo a tutela del prodotto originale anche per testimoniare di essere a favore della legalità e contro la criminalità.

IP Strategic Intervention Lines, 2021-2023  
知识产权战略布局路线 (2021–2023)

**Conoscere l’interazione che esiste tra il territorio e il mercato della contraffazione, rende possibile un modello di intervento concreto ed efficace.** Ma il monitoraggio e la conoscenza approfondita del fenomeno sul proprio territorio non bastano. **L’informazione, la comunicazione e la sensibilizzazione sul tema ai cittadini sono altri elementi indispensabili nella lotta alla contraffazione.** Creare un’alleanza con i cittadini e con le **giovani generazioni** è l’azione di prevenzione più importante che possa esser fatta. Sensibilizzare sui rischi e danni personali e per la collettività che

Local Anti-counterfeiting Action Programme (II) Final Report  
地方打击假冒行动计划 (二) 最终报告

4.5. **La sensibilizzazione dell’opinione pubblica e dei più giovani alla cultura di prodotto**

UIBM-CENSIS, “Counterfeiting in the Cosmetics Sector”, 2022  
意大利专利商标局-社会投资研究中心：《化妆品行业假冒调查报告 (2022) 》

4.4. **La sensibilizzazione dell’opinione pubblica e dei più giovani**

UIBM-CENSIS, “Counterfeiting in the Textile-Fashion Sector”, 2022  
意大利专利商标局-社会投资研究中心：《纺织-时装行业假冒调查报告 (2022) 》

YOUNG PEOPLE  
年轻人

- “millennials” / 千禧一代
- “Generation Z” / Z世代

- highly “brand-sensitive”  
“品牌敏感度”高
- highly sensitive to group pressure and trends  
对同伴压力和趋势敏感度高
- highly exposed to e-commerce  
电商接触度高
- limited spending capability  
消费能力有限

\*Excerpts from UIBM, Report on Anti-Counterfeiting Policies, 2021-2023

\*摘录自意大利专利商标局《打击假冒政策报告 (2021–2023) 》

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Communication: the “Speaking Points” / 舆论引导：传达重点

A “Crime Without Victims”? / “没有受害者的犯罪”？

Buying a counterfeit may mean... / 购买假货意味着.....

- damaging enterprises and jobs / 对企业利益和工作岗位造成损失
- appropriating a national productive asset / 盗用国家生产资料
- supporting illegal work and criminal organizations / 支持非法行为和有组织犯罪
- harming the environment / 破坏环境
- harming one’s own health / 损害个人健康

“IN-formazione” (information + training) / 信息+培训

VENUES: Streets, Media, Schools / 宣传场所：街道、媒体、学校

Source: UIBM-ANCI, Local Anti-counterfeiting Action Programme (II) Final Report  
来源：地方打击假冒行动计划（二）最终报告



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Communication: Context and Initiatives / 舆论引导：背景信息及举措

Anti-counterfeiting Week: “Fighting Fakes Also Needs You”  
打击假冒周：“打击假冒人人有责”



Students’ Anti-Counterfeiting Day:  
#FAKEProductsREALDamages  
学生反对假冒日：#假冒产品真的有害

Competitions: “LC Educational”  
竞赛评比：“LC Educational”

Video “Fakes Sink”, winner of “LC Educational”, School Year 2022/2023  
《假货沉没》，获奖者“LC Educational”，2022/2023学年



Images from UIBM, Report on Anti-Counterfeiting Policies, 2021-2023  
图片来源：意大利专利商标局《打击假冒政策报告（2021-2023）》

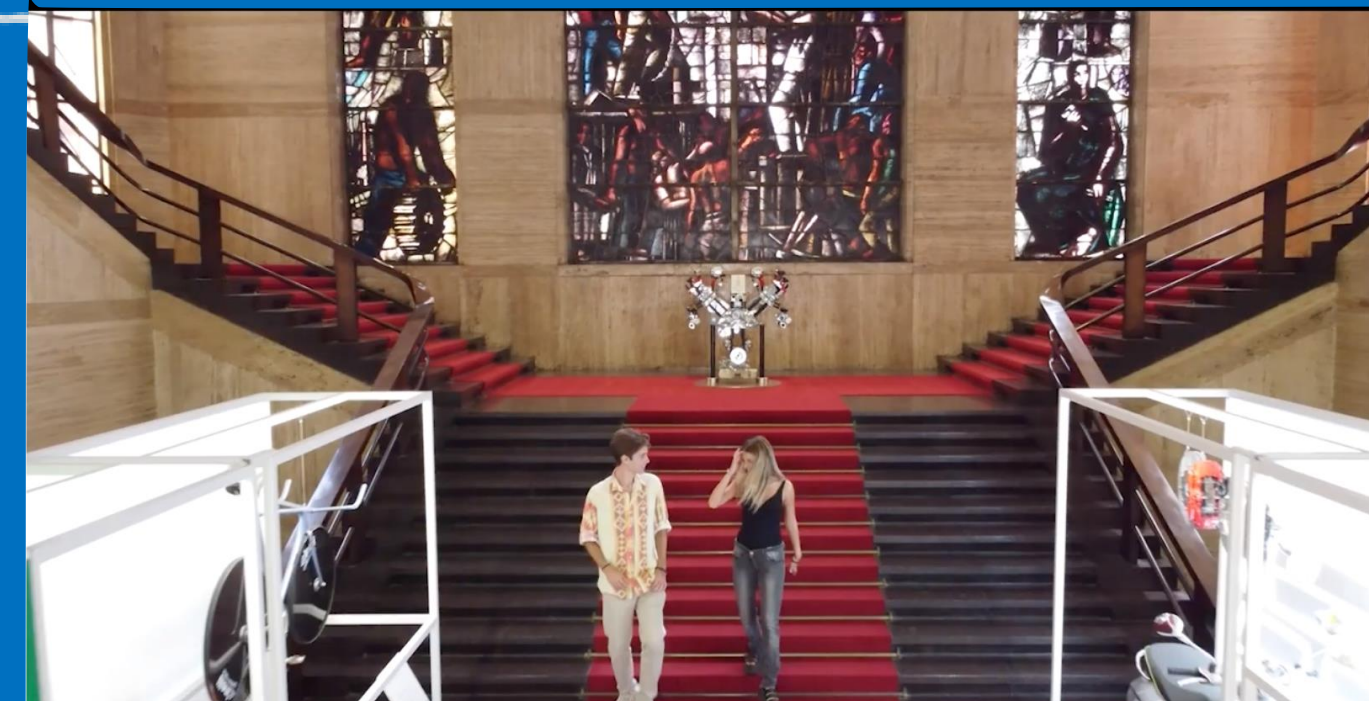


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Communication: Context and Initiatives / 舆论引导：背景信息及举措

Social Media Channels  
社媒渠道 @UIBMchannel

Communication Spots and Videos  
沟通重点和视频



UIBM - Cinema&TV Institute “R. Rossellini”, Brilliant Italy, 2022  
意大利专利商标局-罗西里尼电影电视学院, 《璀璨意大利》, 2022

UIBM - CNALCIS, “Buying Fakes is Never a Good Deal” TV spot series, 2022  
“买假货必吃亏”系列电视广告, 2022



Images from: UIBM, Report on Anti-Counterfeiting Policies, 2021-2023; YouTube  
图片来源：意大利专利商标局《打击假冒政策报告（2021-2023）》；YouTube



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Communication: the Local Anti-counterfeiting Action Programme (2PNATA)

沟通：地方打击假冒行动计划 (2PNATA)

6 leading cities, 15 participating cities, approx. population of 9 million people  
6个主要城市、15个参与城市，总计约900万人口

Diversified action for different types of threat to IP  
针对各类知识产权侵权采取多种行动

6 Programmes, 3 Measures > Measure C:  
“Promotion of the culture of legality”  
6大项目、3大措施 > 措施C：“促进守法文化”

“Anti-counterfeiting Gazeboes”  
打击假冒宣传廊  
Travelling Exhibits, Children Games  
巡回展览、亲子游戏



# The “Bottom-Up” Moment: Civil Society Shaping IP Policy & Regulations / “自下而上”：社会组织推动知识产权保护立规立法

A Case Study: the 2023 Reform of Italy’s “IP Code” / 案例：2023年意大利《知识产权法》改革

Next Generation EU / 下一代欧盟

in Italy / 在意大利

National Recovery and Resilience Plan, 2021 / 国家复苏与韧性计划 (2021)

includes / 包括

Mission 1: > Reforming the IP Regime / 任务1：知识产权制度改革

implementation / 实施

Strategic Intervention Lines on IP, 2021-2023, MIMIT / 意大利企业和“意大利制造”部《知识产权战略布局路线 (2021–2023) 》  
(Draft) / (草案)



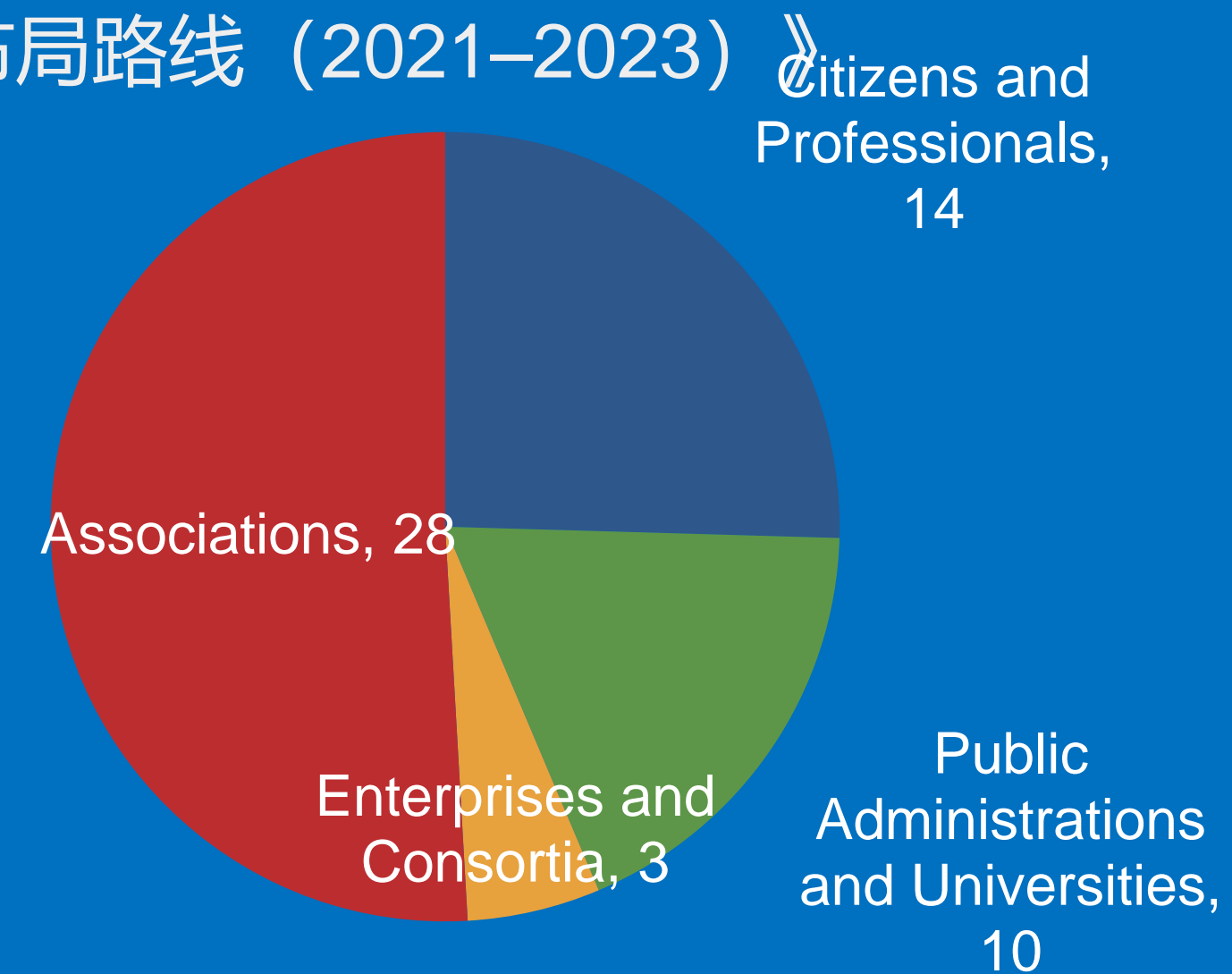


# The “Bottom-Up” Moment: Civil Society Shaping IP Policy & Regulations / “自下而上”：社会组织推动知识产权保护立规立法

Public Consultation: Strategic Intervention Lines on IP, 2021-2023  
征求公众意见：知识产权战略布局路线（2021–2023）

Strategic Intervention Lines on IP, 2021-2023, MIMIT  
意大利企业和“意大利制造”部《知识产权战略布局路线（2021–2023）》  
(Draft) / (草案)

Public Consultation (29 April - 31 May, 2021)  
征求公众意见（2021年4月29日–5月31日）



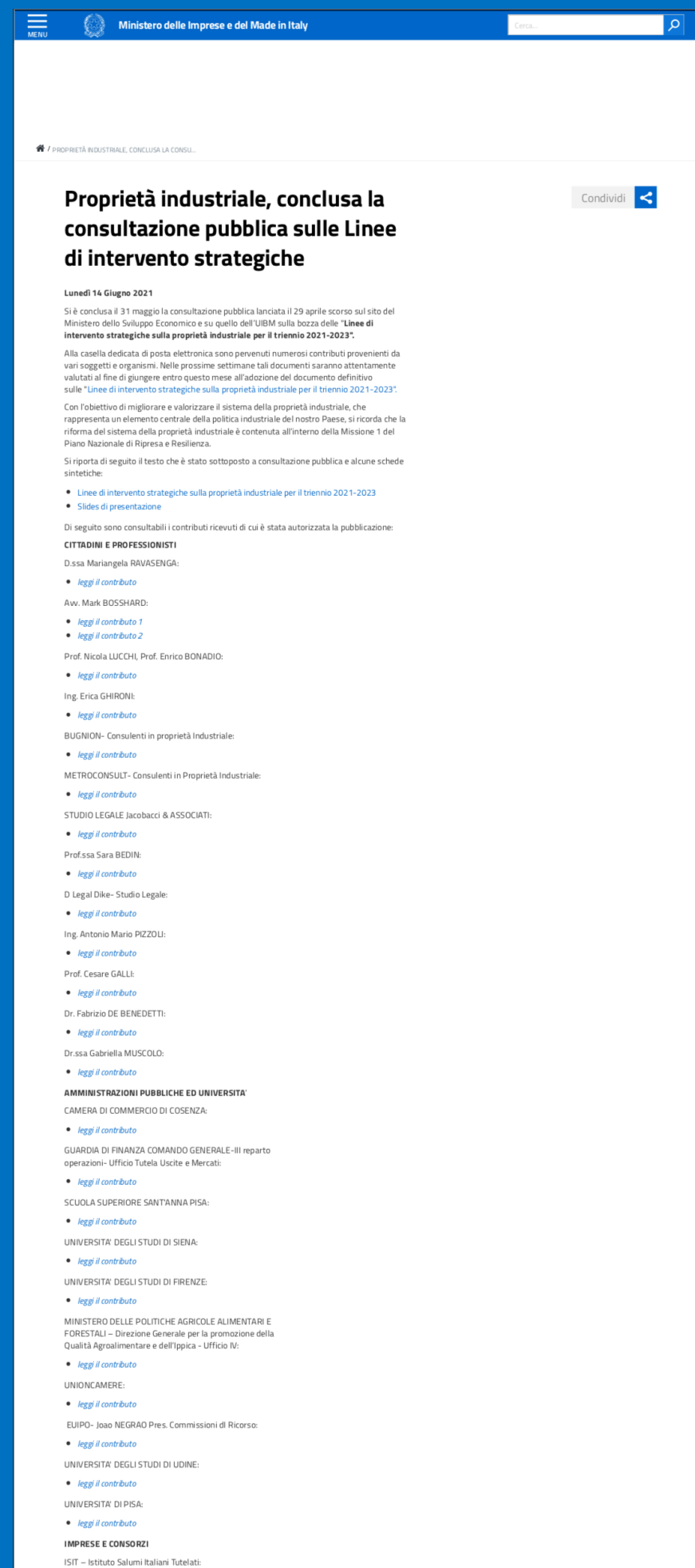
Strategic Intervention Lines on IP, 2021-2023 / 知识产权战略布局路线（2021–2023）  
Minister Decree of 23 June, 2021 / 2021年6月23日部长令

Graph data from consultation page of MIMIT - Strategic Intervention Lines on IP, 2021-2023

图表数据来源：意大利企业和“意大利制造”部征求公众意见页面：《知识产权战略布局路线（2021–2023）》

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Strategic Intervention Lines on IP, 2021-2023: the Final Document /// 知识产权战略布局路线（2021–2023）：最终文件



## Written into Final Document: / 写入最终文件：

- Associations’ Participation in IP Culture & Education Activities  
行业协会参与知识产权文化建设与教育活动  
(Lines, Item 1.7) (16 submissions) / (第1.7点) (16份意见)
- Abolition of “Professor Privilege” / 废除 “教授特权”  
(Lines, Item 2.4) (not present in Lines Draft) (14 submissions)  
(第2.4点) (草案中未出现) (14份意见)
- Seizure of Infringing Goods During Trade Fairs  
展会期间扣押侵权商品  
(Lines, Item 2.4) / (第2.4点)
- Enhanced Protection of GIs / 加强地理标志保护  
(Lines, Item 1.1) / (第1.1点)

Screenshot of consultation page from MIMIT - Strategic Intervention Lines on IP, 2021-2023  
截图来源：意大利企业和“意大利制造”部征求公众意见页面：《知识产权战略布局路线（2021–2023）》



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From Strategic Intervention Lines, 2021-2023 to “IP Code” Reform / 从知识产权战略布局路线（2021–2023）到《知识产权法》改革

Bill No. 411 of December 16, 2022 / 2022年12月16日第411号法案

Law No. 102 of 24 July, 2023 / 2023年7月24日第102号法案

- Associations’ Participation in IP Culture & Education Activities  
行业协会参与知识产权文化建设与教育活动
  - Abolition of “Professor Privilege”  
废除“教授特权”
  - Seizure of Infringing Goods During Trade Fairs  
展会期间扣押侵权商品
  - Enhanced Protection of GIs  
加强地理标志保护
- 
- “IP Code”, Article 65  
《知识产权法》第65条
  - “IP Code”, Article 129  
《知识产权法》第129条
  - “IP Code”, Articles 14, 170, 177  
《知识产权法》第14、170、177条

# Thanks for Listening! / 感谢聆听!

## Credits & Reference Materials / 鸣谢及资料

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UIBM, Report on Anti-Counterfeiting Policies, 2021-2023: [https://uibm.mise.gov.it/images/Report/Rapporto2022\\_2023.pdf](https://uibm.mise.gov.it/images/Report/Rapporto2022_2023.pdf)  
意大利专利商标局, 《打击假冒政策报告 (2021–2023)》

Italian Patent and Trade Mark Bureau (UIBM): <https://uibm.mise.gov.it/index.php/it/>  
意大利专利商标局 (UIBM)

Ministry of Enterprises and “Made in Italy” (MIMIT): <https://www.mimit.gov.it>  
意大利企业和“意大利制造”部 (MIMIT)

National Council for Fighting Counterfeiting and “Italian Sounding” (CNALCIS): <https://cnalcis.mise.gov.it>  
/ 打击假冒和 “意大利仿制” 国家理事会 (CNALCIS) : <https://cnalcis.mise.gov.it>

UIBM-ANCI, Local Anti-counterfeiting Action Programme: <https://uibm.mise.gov.it/index.php/it/lotta-alla-contraffazione/osservatorio-sulla-contraffazione/analisi-territoriali-e-settoriali/programma-nazionale-di-azioni-territoriali-anticontraffazione>

意大利专利商标局–意大利城镇协会, 《地方打击假冒行动计划》

Strategic Intervention Lines on IP, 2021-2023 - Minister Decree of 23 June, 2021:

<https://uibm.mise.gov.it/index.php/it/proprietà-industriale-adottate-con-decreto-del-ministro-le-linee-di-intervento-strategiche-per-il-triennio-2021-2023>

知识产权战略布局路线 (2021–2023) 【2021年6月23日部长令】