

SITUATION ASSESSMENT COUNTERFEITING AND IP CRIMES



Agenda

- 1. State of Play and Scope of IP Crime globally and at EU Level
 - 1.1 Sources of information
 - 1.2 State of play
- 2. Case examples in the EU
 - 2.1 Investigations
 - 2.2 Joint operations



Agenda

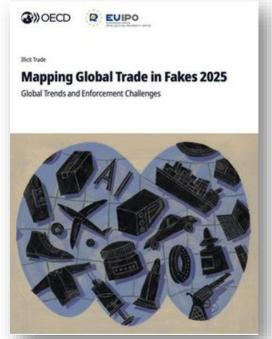
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Two main quantitative studies on IP crimes & global trade

✓ Joint Reports OECD – EUIPO







2021



✓ WCO Annual Reports on illicit trade



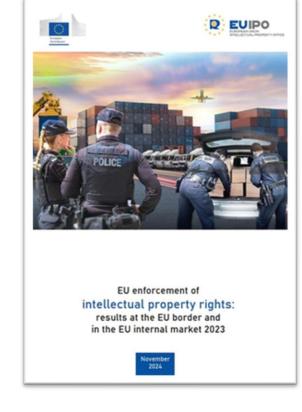




Main quantitative study at European level

✓ EU enforcement of IPR: Results at the EU border &

in the EU internal market







Threat Assessment Reports at EU level

✓ SOCTA

Report assessing the threat posed by organised crime in Europe Supports the establishment of EMPACT priorities
Published every 4 years – mid review every 2 years

✓ IPC TA

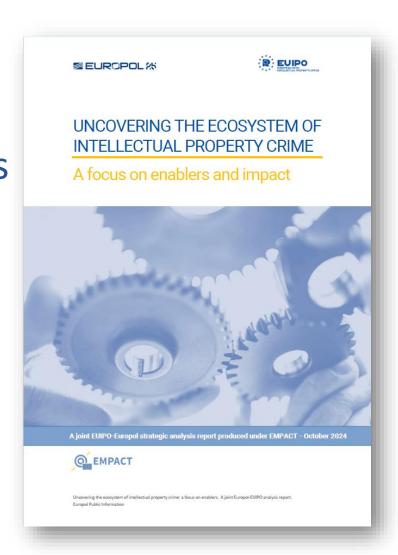
Dedicated to Intellectual Property Crime Last edition 2022





Threat Assessment Reports

✓ Report Uncovering the ecosystem of IP Crimes Report illustrating the connections between IP Crimes and other types of crimes Published in October 2024



Reports on piracy

✓ IPC TA

Covers both physical goods and digital piracy

✓ Online Copyright Infringement in the EU: music, films and TV, Trends and Drivers

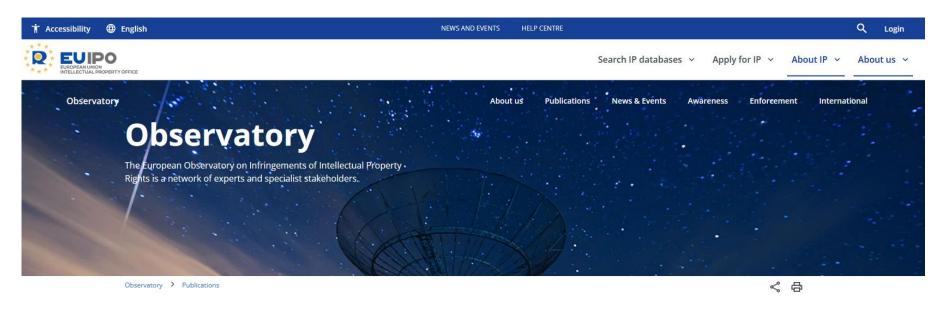
Studies the consumption of copyright-infringing content in the EU and the UK





1.1 Sources of information: Publications of the EUIPO

All publications available at





Publications

Publications





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2021

Globally



(\$ 467 billion) equal to 2,3% of global trade

In the UE



(\$ 117 billion)
equal to 4,7% of all
importations in the EU





WCO 2023





Seizures reported to the WCO (62 countries)



At the EU borders & Within the EU 2023

152+
million

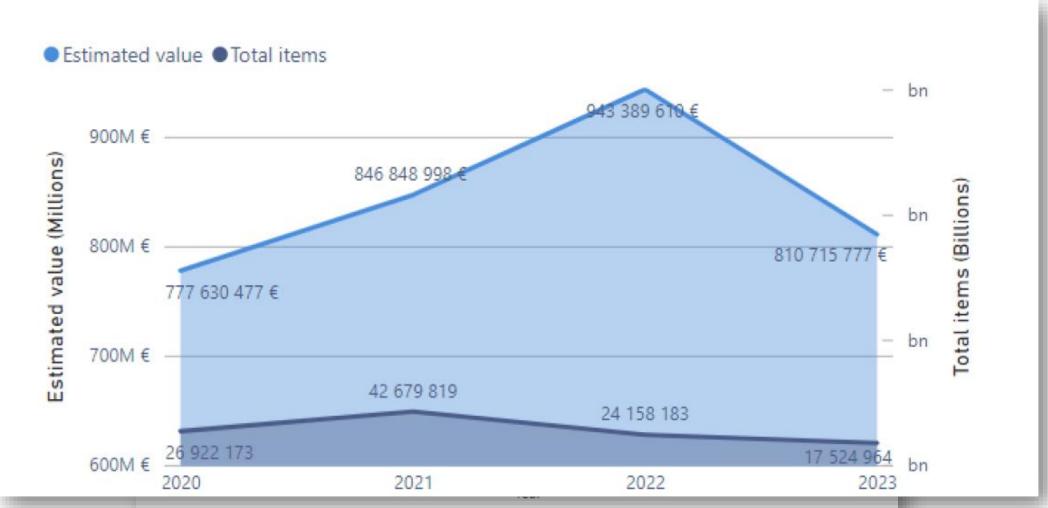
Articles seized at the borders and in the internal market

€3,4 billion

Retailed value



EU - At the external borders



Source: Report EU enforcement of IPR 2023





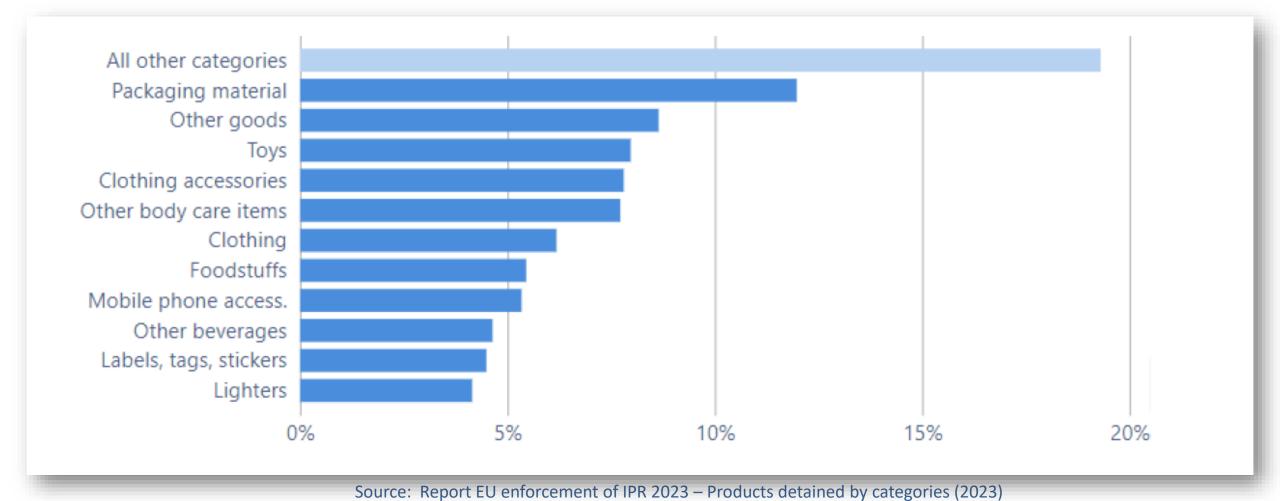
EU



Source: Report EU enforcement of IPR 2023



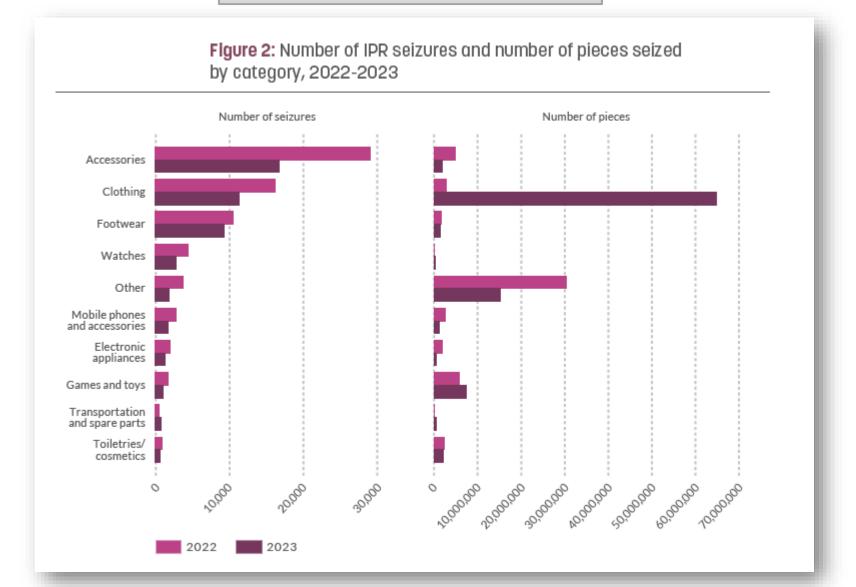
EU - At the external borders







World

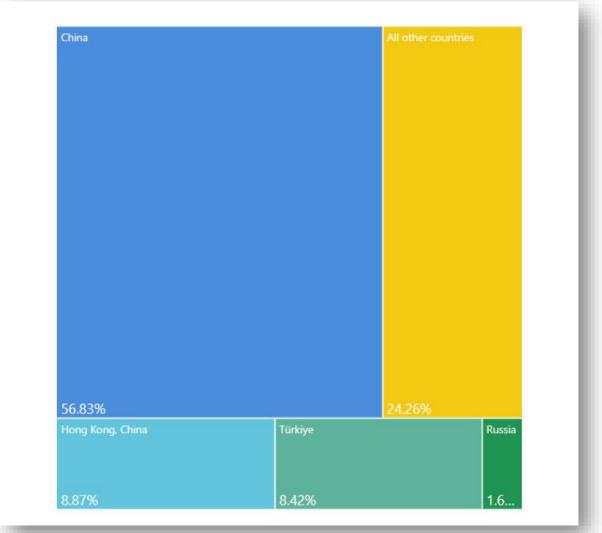


Source: Illicit Trade Report 2023 - WCO





EU - Origins and routes

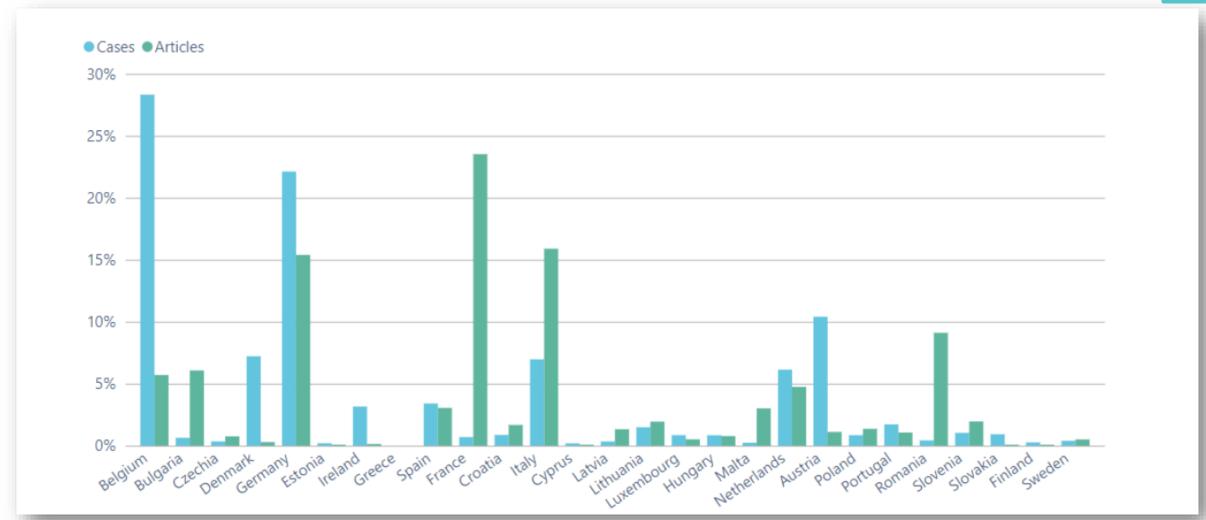


Source: Report EU enforcement of IPR 2023 – Products by country of provenance (2023)



EU - Origins and routes





Source: Report EU enforcement of IPR 2023 – Cases and articles detained by Member States (2023)



World



Figure 7 highlights IPR products trafficking flows by region in 2023. The largest trafficking flows of IPR products were from Asia/Pacific to Western Europe (9,550 instances, 45.6%), from "Unknown" to North America (7,066 instances, 33.8%), and from Asia/Pacific to South America (1,001 instances, 4.8%). No other flow exceeded 1,000 instances.

Figure 7: IPR Products trafficking flows by region, 2023



Source: Illicit Trade Report 2023 -WCO



World



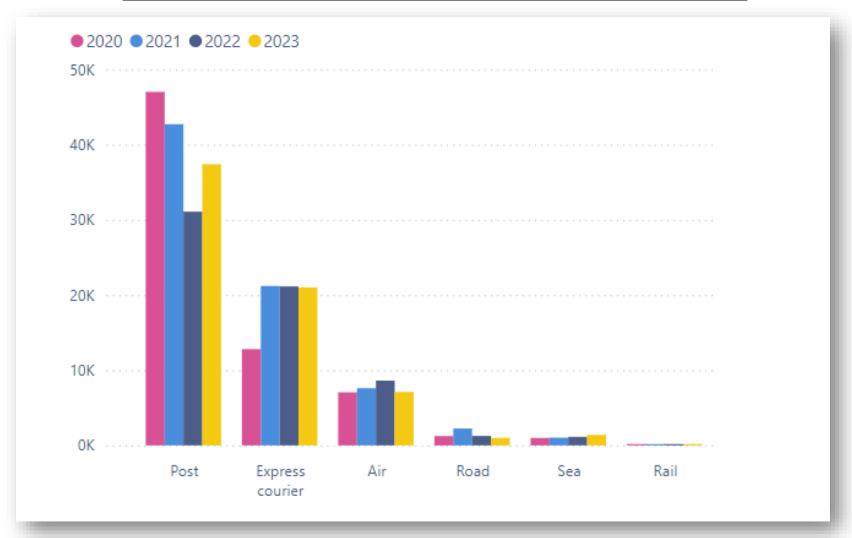


Source: Illicit Trade Report 2023 -WCO





EU – Means of transport

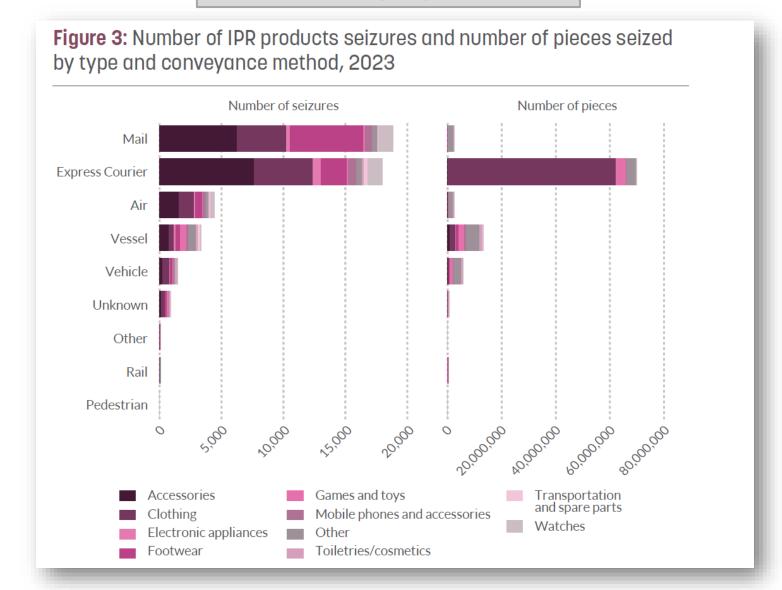


Source: Report EU enforcement of IPR 2023 – Evolution by means of transport by cases (2023)



World



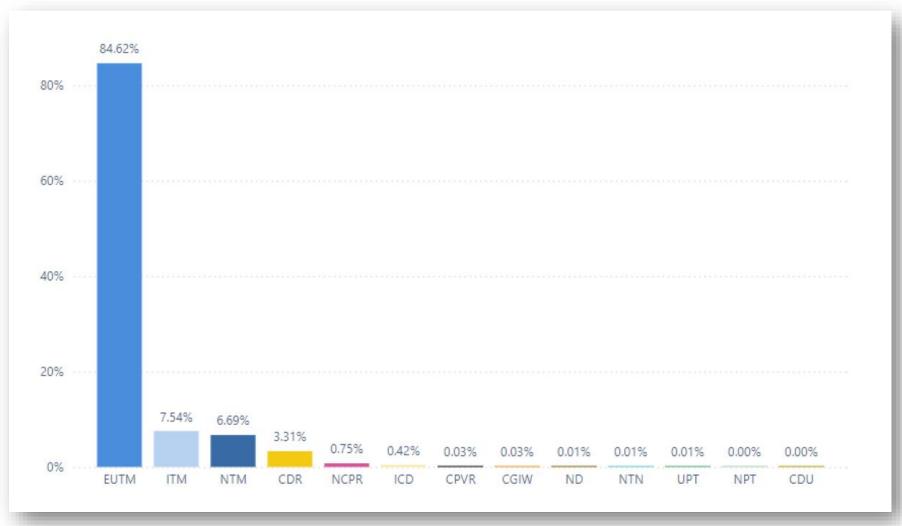


Source: Illicit Trade Report 2023 - WCO





EU – Types of IPR infringed



Source: Report EU enforcement of IPR 2023 – Number of articles detained by IPR (2023)



Main trends in the EU

- ✓ More localisation

 Illicit production sites closer to the selling points to avoid customs seizures
- ✓ Use of social media and messaging app
 e.g. use of hidden links

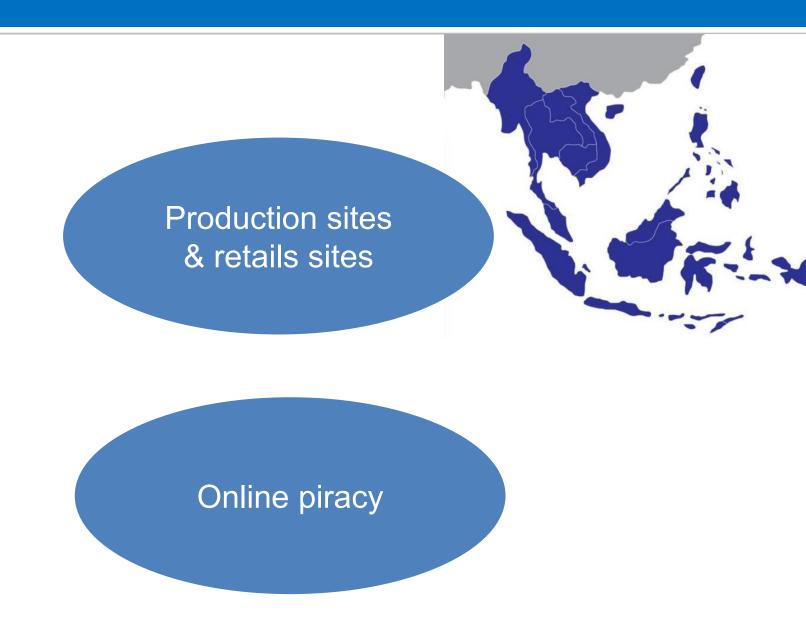
- ✓ Offer of low priced goods
 Counterfeit pesticides and automotive parts
- ✓ Use of the latest technology
 Such as 3D printing
- ✓ Counterfeit medicines

 Counterfeit and diverted pharmaceutical products



South East Asia

- ✓ Thailand
- ✓ Indonesia
- ✓ Malaysia
- √ Vietnam
- ✓ Singapore
- ✓ The Philippines





South East Asia Enforcement efforts

✓ Thailand:

2020-2024

65,7 million seized items, 9 607 raids

✓ Singapore:

73 raids by the IPRB in 2024

✓ The Philippines:

P40.99 billion seized in 2024 (+52%)



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2.1 Investigations

Wines

- ✓ France, Italy, Switzerland
- Bottles prepared in Italy
- Fake labels printed by professionals
- Sold around the world
- Offences investigated:
- infringement of Geographical Indications
- swindling
- money laundering.







Results

- 6 arrests
- 14 house searches
- seizures of large quantities of wine (Grand Cru domains)





2.1 Investigations

Perfumes



- Bottles prepared in Italy
- Perfumes coming from the Balkan countries

Results

- 15 individuals reported to the judicial authority
- Dismantling of a production site
- 2 000 counterfeit items
 (perfumes, clothing, watches and IT accessories)
- Brand labels
- Around 2 000 perfumes bottles still to be assembled
- Cash





2.1 Investigations

Perfumes



✓ Italy







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2.2 Joint operations

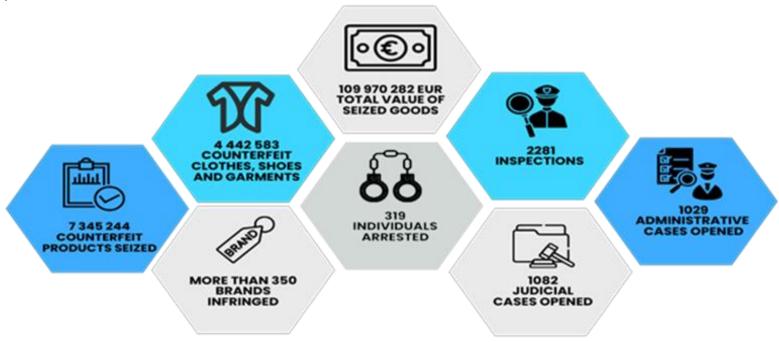
Operation FAKE STAR

✓ In 2022, 17 countries – almost 2 million articles seized, worth more than EUR 87 million



✓ In 2023, 18 countries – 13,8 million articles seized, worth EUR 120,8 million

✓ In 2024, 19 countries



FRONTSX

PORTER AND STATE AND STATE

Source: Op FAKE STAR

Analysis report



2.2 Joint operations





- ✓ Main trends noted
- Imports of semi-finished products
- Assembling on site
- Storage and sales in private properties
- Source of the products: China and Türkiye
- More brands are infringed

Source: Op FAKE STAR

Analysis report



2.2 Joint operations

Specific events: Olympic Games





Seizures by French Customs in France - 2024



2. 2 Joint operations



✓ Links with other crimes

Document fraud

Labour exploitation

Trafficking in human beings

Tax evasion

Environmental crimes

✓ Criminal networks involved Mostly based outside of the EU Mafia-style criminal networks Use of legitimate structures

✓ Money launderingClassical methodsPersisting Intelligence Gap

Estimated economic damages to EU businesses



Loss in sales in 11 key sectors

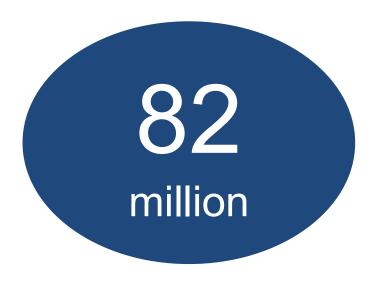
670 000

Jobs lost every year

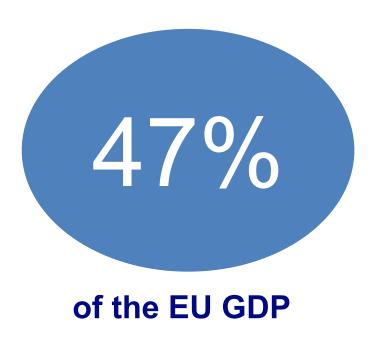
SMEs particularly affected

2. Scale of the phenomenon in the EU

Contributions of IPR-intensive industries to the EU economy



Jobs in the EU (direct and indirect)



Trade surplus €224 billion





www.euipo.europa.eu











THANK YOU



EU TOOLS & DATABASES FOR IP ENFORCEMENT



Agenda

- 1. The EUIPO and the European Observatory on infringements of IPR
- 2. The IP Enforcement Portal (IPEP)
- 3. Other tools





Agenda

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1. The EUIPO and the European Observatory on infringements of IP rights

Location: Alicante, Spain

Established: 1994

Mission: Protecting innovation and creativity

Executive Director: João Negrão

Staff: ± 1 200



THE EUIPO'S KEY ROLE AND RESPONSIBILITIES

- Protects and manages European Union (EU) trade marks, EU designs and Geographical Indications (GIs) for craft and industrial products covering the territory of the 27 EU Member States.
- Is responsible for the EU Register of Geographical Indications.
- Promotes common services and standards with National Intellectual Property (IP) Offices of the EU for the benefit of businesses and citizens.
- Manages the EU Observatory on Infringements of IP Rights.

- Assists in strengthening the enforcement of IP rights and combats counterfeiting with a network of experts, specialist stakeholders and enforcement entities.
- Manages the Orphan Works Database, Out-of-Commerce Portal and Agorateka in the area of copyright.
- Collaborates with non-EU IP offices to promote and strengthen IP systems worldwide.
- Manages international EU-funded IP projects in Africa, America, Asia and Eastern Europe with a total budget of more than € 48 million.
- Implements more than 100 extensions of EU IP common practices in third countries.

THE EUIPO'S IMPACT

2.9 million

registered EU trade marks at the EUIPO since 1996

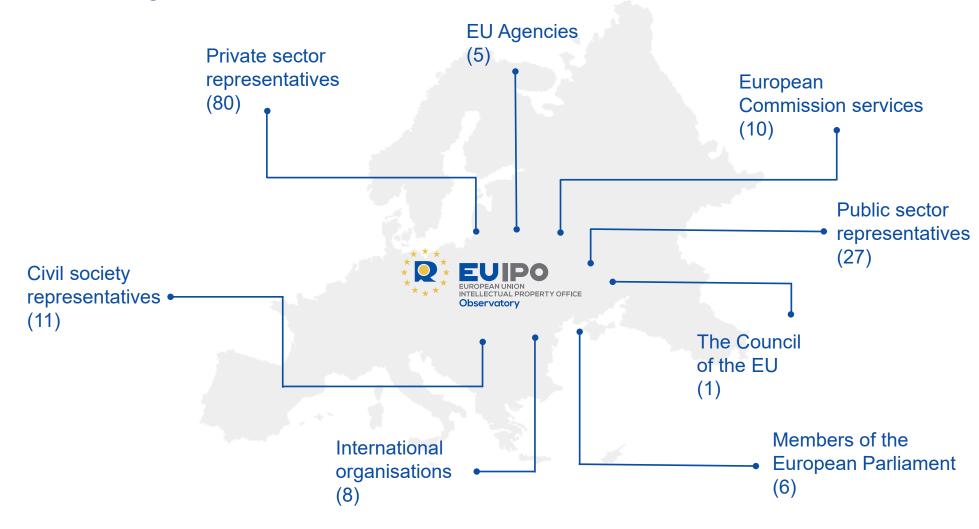
1.9 million

registered Community designs at the EUIPO since 2003



1. The EUIPO and the European Observatory on infringements of IP rights

The Observatory: a network





1. The EUIPO and the European Observatory on infringements of IP rights

Observatory goals



₩

01 Goal

Facts & evidence

02 Goal

Tools & resources for enforcement

Support EU policies



03 Goal

Awareness

Strengthening the network

International cooperation



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2. The IP Enforcement Portal (IPEP)

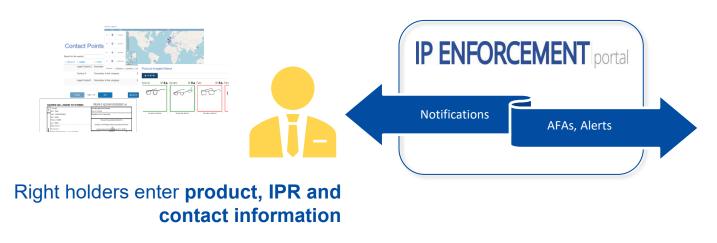
The IP Enforcement Portal is a legal tool: its use by law enforcement authorities is based on article 2(1) of Regulation EU 386/2012 establishing the mandate of the EU Observatory

Q	EUROPEAN UNION INTELLECTUAL PROPERTY OFFICE Observatory	Proc		Q	
Home	About the Observatory	Intellectual property for	Facts, Figures and Case Law	News & events	
	The EU	platform to manage custor and deal with IPR enf	ns applications for action (orcement matters N et? Sign up	AFA)	
		A free, multilingual	and secure tool		
		eAFA toolkit 8	& resources		





IPEP is a free of charge, secure platform enabling real-time exchange of information between right holders and enforcement authorities





Enforcers access information with **one** single search

Rights holder are authenticated and IPR information validated













IPEP as an IPR enforcement tool

How is IPEP useful to enforcers

- ✓ Search multilingual search in different databases for product, company, contact and real time IPR information
- ✓ Contact rights holders through the tool
- ✓ Send or receive alerts from rights holders or other enforcement authorities





Search

Products

Contacts

Trade marks

Companies

IPRs





Global search

Dashboard Global Search Alerts for Customs and Police Company repository Customs and Police Repository Statistics VTC

Global Search

Search supplementary information of those companies, products and IP rights that could suffer any kind of IPR infringements.







TM view Search for



English (en) 🗸

Sign in





(©) 🔯

Go to:

TM info ~

IPR Rec

Products (8)

Plant Variety (8)

Search in the results:

COMPANY / OWNER

Euipo 1

Euipo 1

Euipo 1

GALILEO

GALILEO

Search for trade marks with similar images

Goods and Services

Trade mark status Registered

Status date 30/01/2018

210/260 Application number 017287129

550 Trade mark type Word

551 Kind of mark Individual

270 Application language code

Second language

Application reference TRM2511965EU00

511 Nice classification

9.39

Acquired distinctiveness false

Show more

Dates

220 Application date 04/10/2017

151 Registration date 26/01/2018

141 Expiry date 04/10/2027

Vext →

Office



View this trade mark in the office of origin

Trade mark office EUIPO - EUIPO

190 Registration office

\PHIC





Products (8)

Plant Variety (8)



Contact with the r

Companie

Other IF

Company Information

Euipo 1

Home >

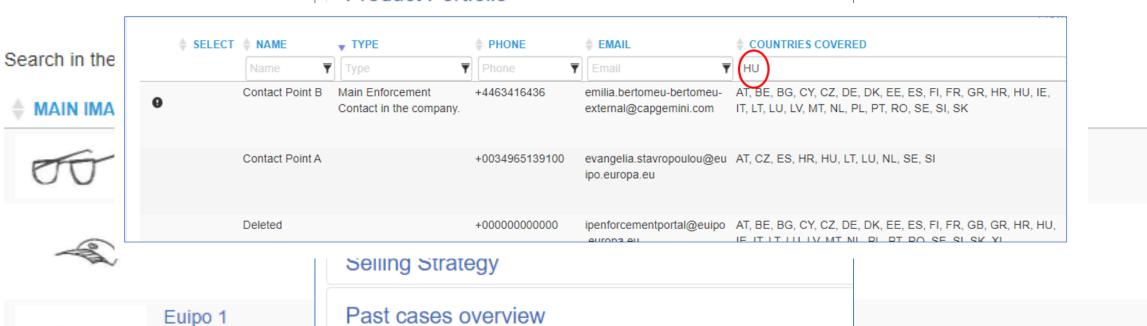
Information about the company, contact points and IPR portfolio.

aphical Indications (1)

Paten

Product Portfolio

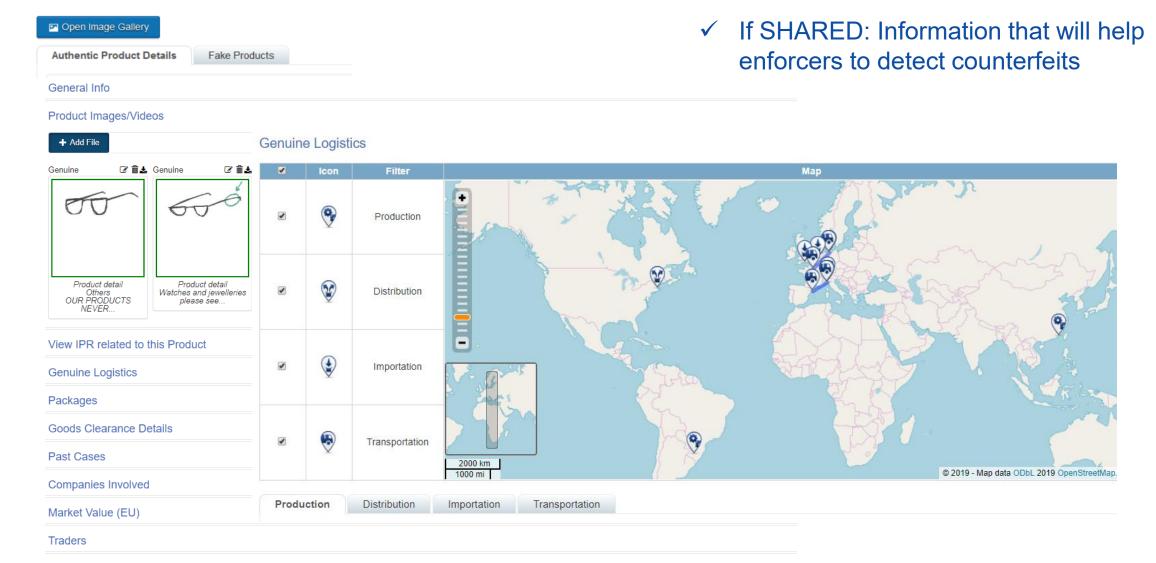
Document Portfolio







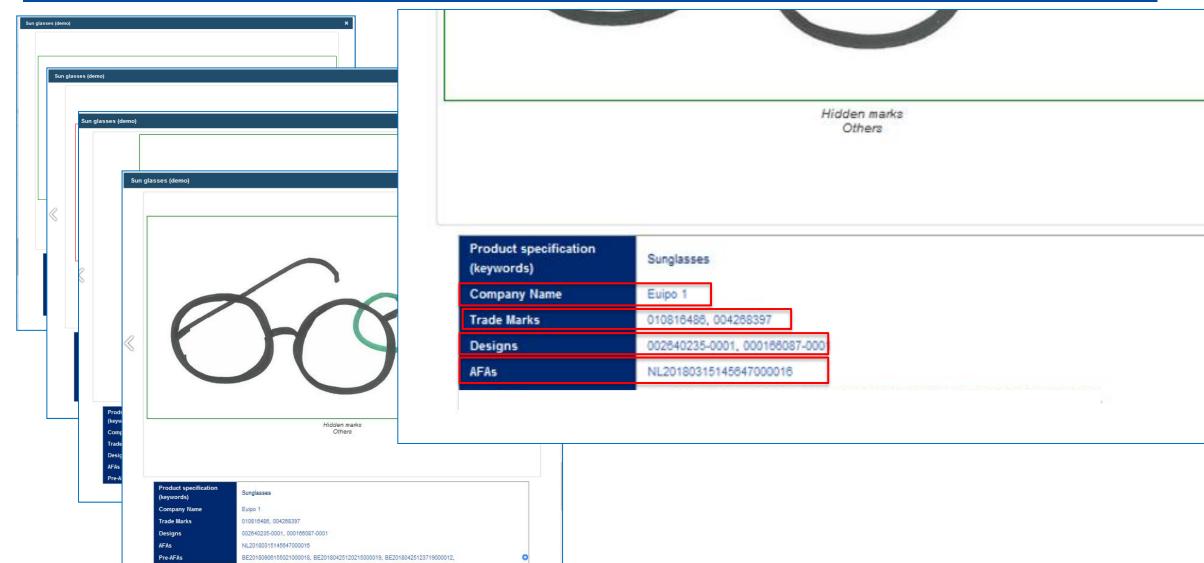
Search on product information







Product Information: Image gallery





eAFAs in IPEP

IPEP is the single e-filing and AFA management point for 24 Member States and alternative system for Germany, Spain and Italy.

All the AFA information of a rights holder is displayed and visible in IPEP, ready to be managed

To ensure quality and proper processing of data, it is advised to fill in and

manage AFAs electronically





Customs Application for Action (AFAs) – electronic filing and extension

Application for Action (AFA)

Protect your rights on the border providing the custom authorities with the necessary information about your rights, contacts and products.

The Application for Action allows the applicant to request the customs authorities to take action with respect to goods suspected of infringing an intellectual property right.

Further details can be found in the Manual for Application for Action provided by DG TAXUD.



- ✓ File and manage e-AFAs in all EU languages
- ✓ Pre-admissibility check on mandatory information following Customs Regulation(EU) no. 608/2013





Contact rights holders: Suspicious Cases





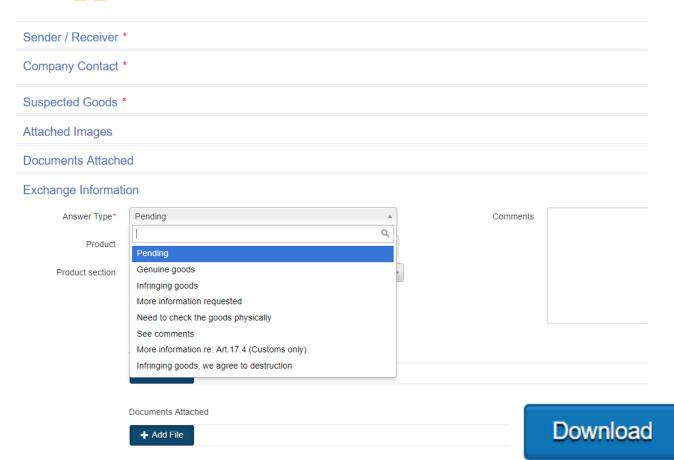


Suspicious Cases









- ✓ Notify detentions on suspicious goods to rights holders
- ✓ Set deadline and get 'read receipt'
- Exchange information with rights holders and download into pdf & xls

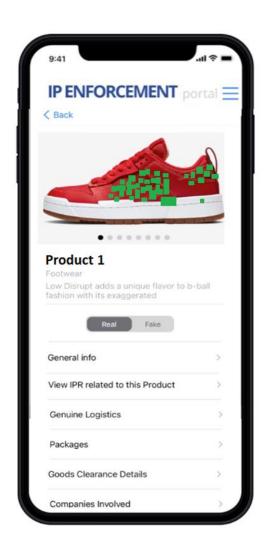




IPEP Mobile App

IPEP Mobile App for enforcers

- ✓ Secure and multilingual
- ✓ Text and barcode search
- ✓ Full synchronisation with IPEP desktop
- ✓ Suspicious Cases create and send
- ✓ Display of related AFA numbers







Alerts / Interesting cases: secure information exchange











Enforcement authority (ies)





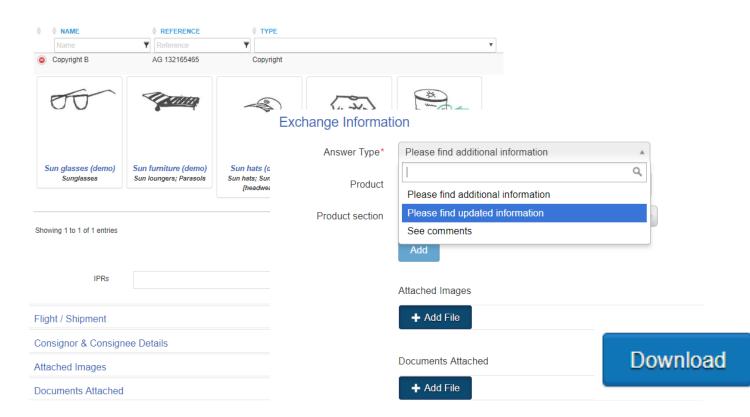
Alerts for Customs and Police







IPRs infringed



- ✓ Receive Alerts from rights holders or other enforcement authorities
- ✓ Forward alerts to other authorities
- ✓ Create interesting cases
- ✓ Exchange information and download into pdf & xls





Interesting Case as fact sheet

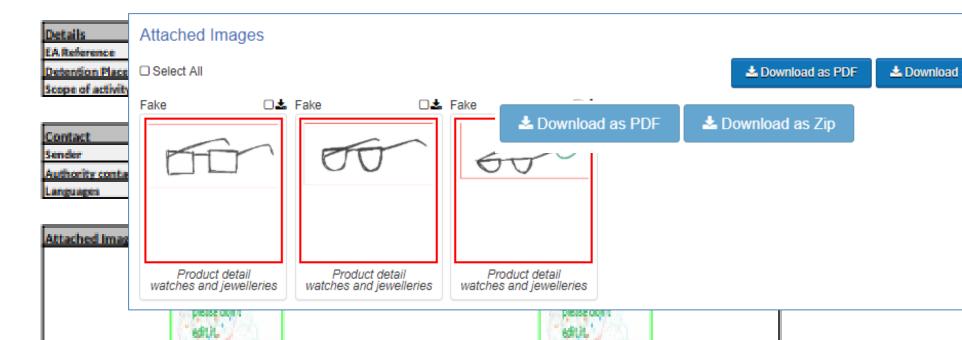


IP ENFORCEMENT portal

EUROPOL Reference EURO20190710114115

Interesting Case

Creation Date	10/07/2019	Last updated date	10/07/2019	
Title	BTS4JVT			
Description	UAT BTS4			
Sender EUROPOL				
Additional emails to receive alert	uillermo.mateo@euipo.europa.eu			







Mail notification



Wed 17/07/2019 15:13

IP Enforcement Portal notification: New Interesting Case

To

IP ENFORCEMENT portal

Dear IP Enforcement Portal User,

A new Interesting Case Alert has been recorded in the IP Enforcement Portal.

You may find the details via this link (Access via CCN network) or this link (Access via internet).

IP Enforcement Portal team.

Observatory

European Union Intellectual Property Office Avda. de Europa 4, E-03008 Alicante, Spain

Tel: +34 96 513 9100

ipenforcementportal@euipo.europa.eu

www.euipo.europa.eu

Twitter: @EU_IPO

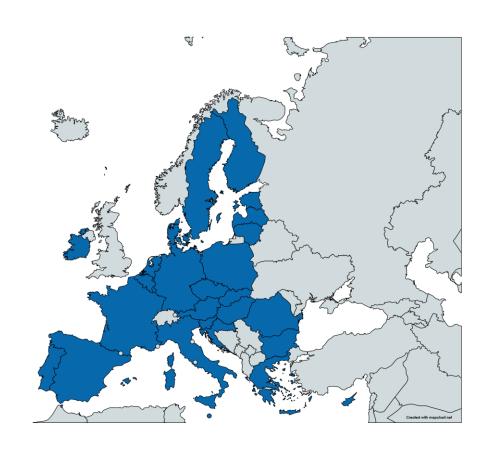


The EU enforcement community is accessing...

- ✓ Customs authorities of all MS
- ✓ The police community of the Portal is growing:

54 police, market surveillance authorities and prosecutors

Europol Frontex OLAF Eurojust EPPO

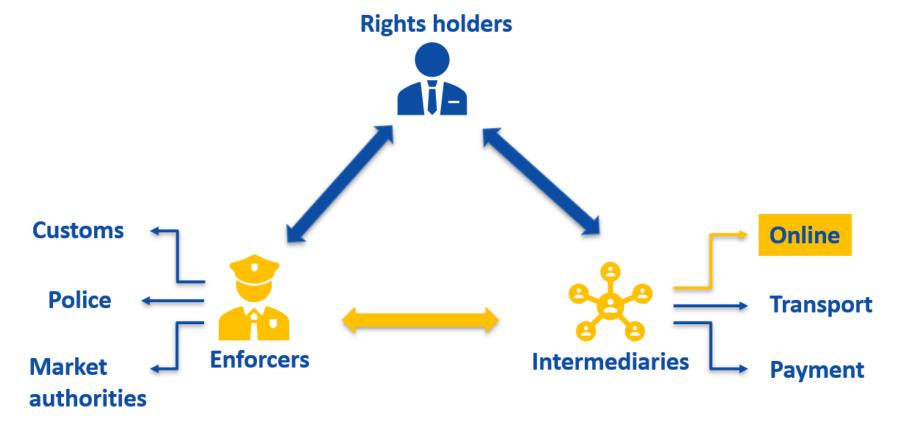






IPEP – single EU portal for EU IPR enforcement

A secured portal for all key players in IP enforcement to cooperate and share information

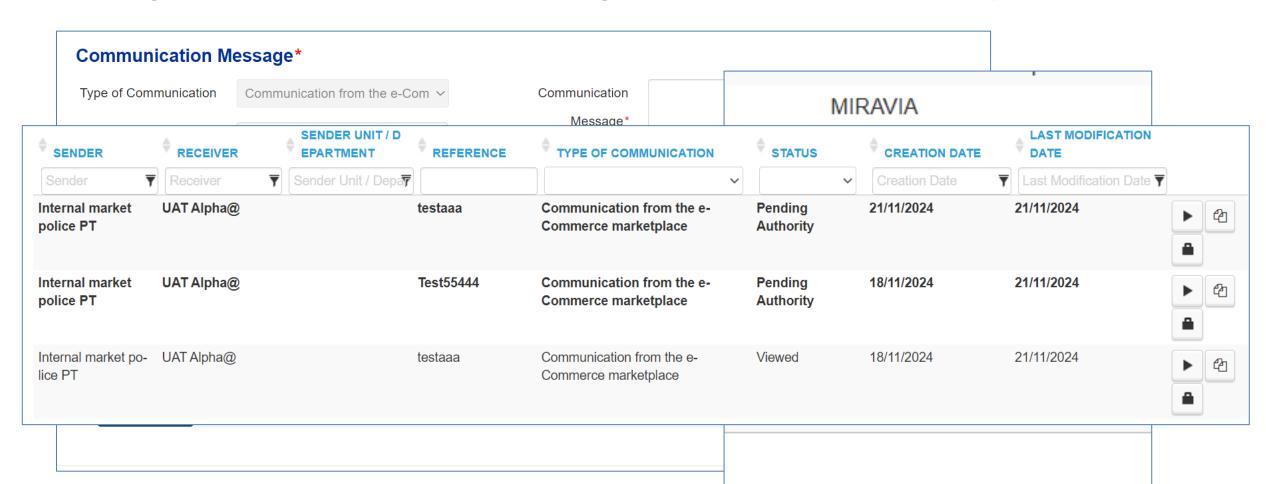






IPEP – exchange of information with intermediaries

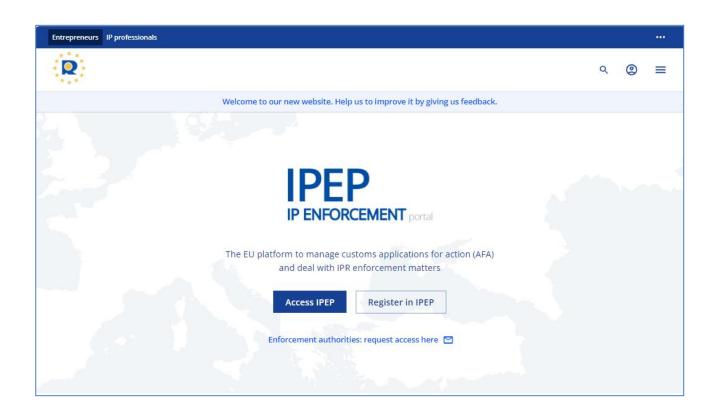
Exchange contact information and messages with e-commerce market places







IP Enforcement Portal – State of play



- ✓ 2, 483 Companies (6 from SEA)
- ✓ 8 Intermediaries
- ✓ 78, 971 IPRs
- ✓ Number of products 13 198
- ✓ 94 Enforcement authorities
- √ 860 accesses/month by enforcement authorities



In a nutshell

IP ENFORCEMENT portal



FREE supported by EUIPO



SECURE

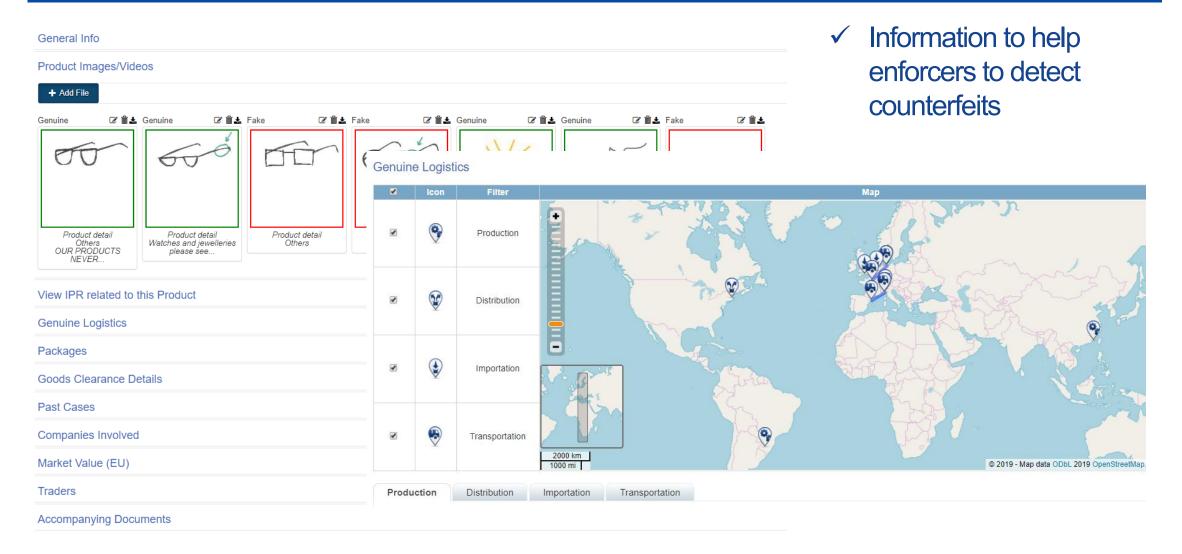
Access through customs **secure** network CCN and other secure tunnels as guaranteed by the **security audit**



MULTILINGUAL
Information available in 23
languages

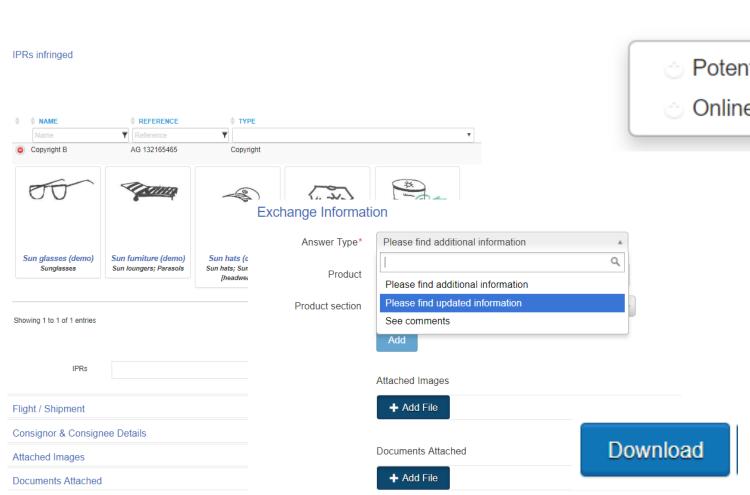


Product information





Alerts for Customs and Police



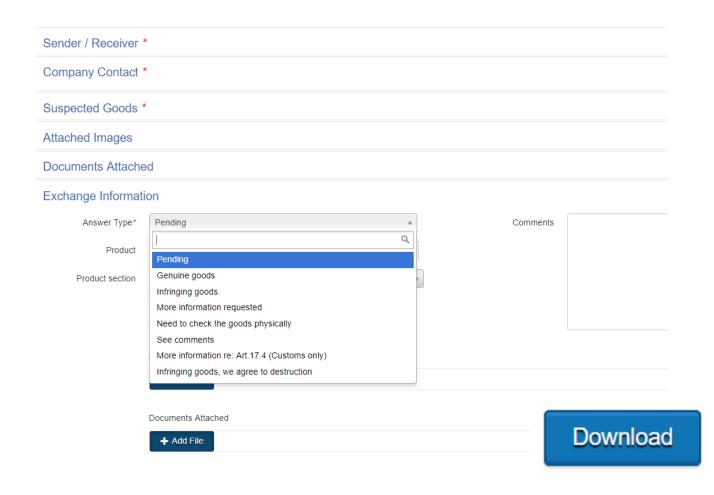
- Potential Infringement or Trend
 Online Infringement
 - ✓ Inform internal market authorities - they do not have AFAs

Add

- Create alerts on web pages selling fakes
- Exchange information and download into pdf



Suspicious Cases



- ✓ Receive notifications on suspicious goods by enforcement authorities
- ✓ Authorities set deadline and get 'read receipt'
- Exchange information with the enforcement authorities and download into pdf



IP Enforcement Portal – State of play



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3. Other tools

EUIPO Databases

TM view

TMview

Trade marks of all participating official trade mark offices at national, international and EU level

View ✓

DESIGN view

DesignView

A central access point to registered designs information held by all participating national offices

View ∕¹

GI view

GIview

Comprehensive information on the registered and extended data of geographical indications (GIs)

View ✓

TM class

TMclass

The one-stop classification portal providing access to the Harmonised Database used in the EU and databases of goods and services worldwide

View ∕¹

DESIGN class

DESIGNclass

Compare the design classification databases of the participating offices

View ∕¹

Similarity

Similarity

Assessment of the similarity between goods and services by IP offices in the EU

View ✓



EUIPO Databases



TMview contains information on trade mark applications and registrations from all EU national IP offices, the EUIPO and also many IP offices from outside the EU.

- **132,196,943** trade marks
- Search by name, owner, goods/services (Nice Classification), and legal status.



DesignView provides access to the EUIPO database of registered designs along with databases of other national registries.

- **23,656,035** designs
- Search by product type, classification, registration number, and applicant.

3. Other tools

EUIPO Databases



Glview

official registered data for GIs registered

- directly in the EU,
- third country GIs protected at EU level through bilateral and multilateral agreements
- all EU GIs protected abroad with these agreements

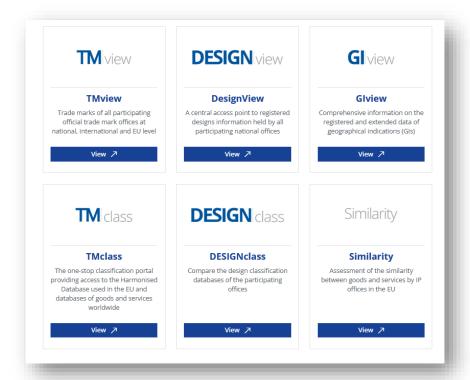
Contains Product specifications, area of origin, legal status, control bodies.



IP and enforcement

IP ENFORCEMENT portal

Databases







www.euipo.europa.eu











THANK YOU