

Good practices in Addressing Infringements of IP Rights

应对知识产权侵权的良好实践

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Expert Group Cooperation with intermediaries 专家组与中介机构协同治理



GOOD PRACTICES - PREVENTIVE

最佳实践-预防

- Terms and Conditions
- 规则和条款
 - Regulates the relationship between different actors
 - 明确界定各方权利义务关系
 - Specific rules on IP infringing activities and remedies of repeat illicit activities
 - 规定知识产权侵权投诉流程以及重复违法的处罚机制
- KYBC and User verification
- 用户尽职调查与账户验证
 - Personal and/or business accounts
 - 个人账户和/或企业账户
 - Use of internal and/or external services
 - 使用内部和/或外部服务
 - Additional check such as payment verification or “denied parties lists”
 - 支付验证或“禁限名单”的额外核查

GOOD PRACTICES - PREVENTIVE

最佳实践-预防

- Monitoring and internal risk assessment systems
- 监测与内部风险评估体系
 - Internal risk assessment tools (keywords, region etc.)
 - 内部风险评估工具 (关键词库、地理围墙等)
 - Special collaboration within the sector
 - 行业协同联防机制
 - Automated detection tools
 - 自动化检测工具
- Specific measures put in place for specific situations
- 特定场景下的专项治理措施
 - Trade mark clearing houses
 - 商标清算所

GOOD PRACTICES - REACTIVE

最佳实践-应对

- Notice and Action
- 通知-处理机制

- Trusted flagger schemes
- 可信举报人计划

- IP Protection Programmes
- 专项知识产权保护计划

- Alerts
- 预警系统

GOOD PRACTICES - OTHER

最佳实践-其他

- Collaborations
- 协作
 - Targeted operations, awareness raising activities etc.
 - 开展针对性执法行动、组织公众意识提升活动等举措。

- MoUs
- 谅解备忘录
 - Memorandum of understanding on the sale of counterfeit goods on the internet
 - 关于打击互联网假冒商品销售的谅解备忘录；
 - Memorandum of understanding on online advertising and IPR
 - 关于在线广告与知识产权保护的谅解备忘录。

- Legislation and other
- 立法及其他文件
 - Digital Service Act, Recommendation on measures to combat counterfeiting and enhance the enforcement of intellectual property rights etc.
 - 《数字服务法》、关于打击假冒行为并加强知识产权执法措施的建议等政策法规。



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