

BRAZILIAN EFFORTS IN THE FIGHT AGAINST PIRACY AND INTELLECTUAL PROPERTY CRIMES

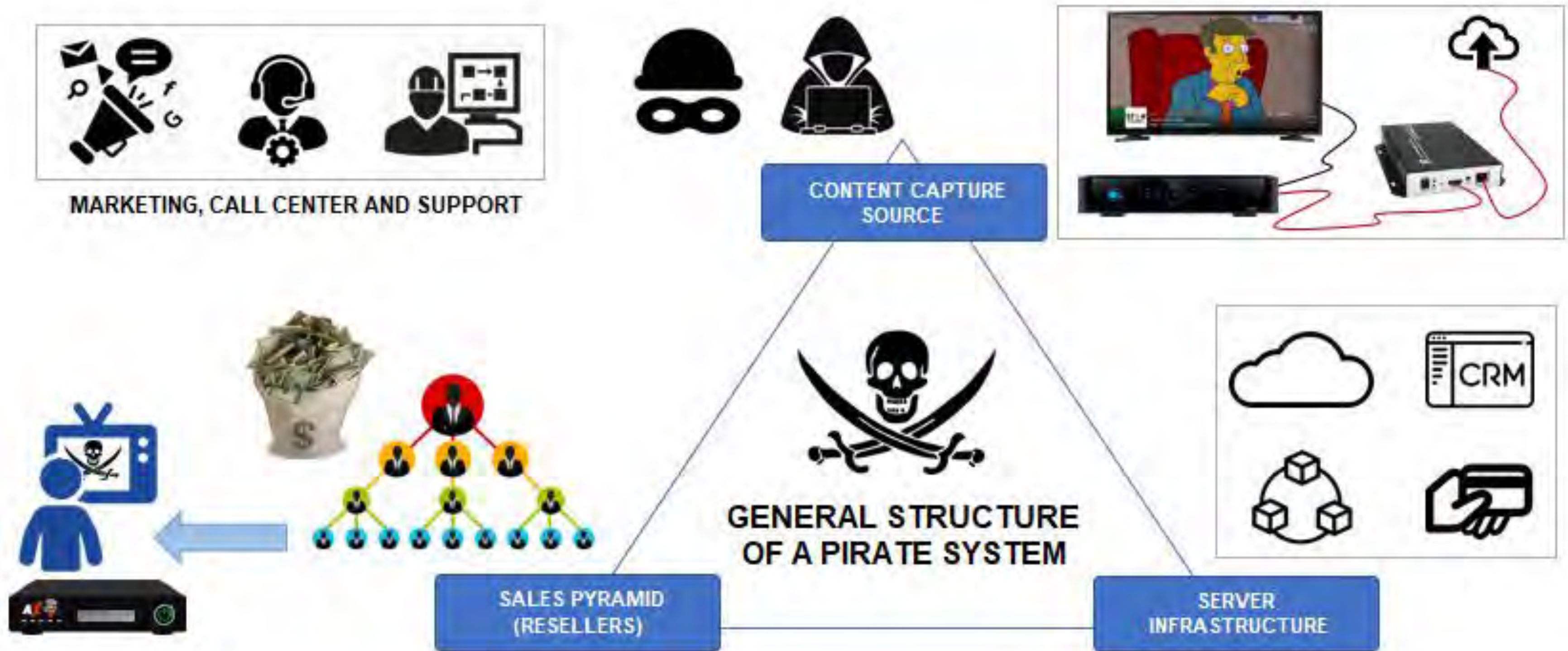
Eduardo Carneiro


Head of Anti-piracy at the National Film Agency
(ANCINE) and Member of National Council for
Combating Piracy and Intellectual Property Crimes

August 2022



The mission of the National Film Agency (ANCINE) is to promote, regulate and oversee the audiovisual industry in Brazil.



- **Promoting coordination between public agencies and private entities to combat copyright violations more efficiently;**
 - **Providing grants and assistance for police investigations and enforcement against copyright violations;**
- 

BRASIL
ESTADOS UNIDOS
REINO UNIDO

OPERAÇÃO 4042

Repressão à pirataria online

CIBERLAB
DCCS/SDP/TEOP

10 Estados Participantes
25 Mandados de Busca
252 Sites Bloqueados
65 Aplicativos Removidos

BA CE GO MG MT PE SC SP RN PR

INTELLECTUAL PROPERTY OFFICE
CITY OF LONDON POLICE
U.S. DEPARTMENT OF HOMELAND SECURITY
MINISTÉRIO PÚBLICO FEDERAL
PÁTRIA AMADA BRASIL



OPERAÇÃO 404.3



SECRETARIA DE OPERAÇÕES INTEGRADAS
"...integrando forças, apresentando resultados"

OBJETIVOS
Repressão a crimes contra propriedade intelectual na internet

PAÍSES PARTICIPANTES
BRASIL REINO UNIDO ESTADOS UNIDOS

POLÍCIAS CIVIS
09 estados:
ES, MA, MS, MT, PA, PE, RO, RS e SP.

NÚMEROS DA OPERAÇÃO


11 MANDADOS DE BUSCA

BLOQUEIO DE CONTEÚDO
Sites - **334**
Aplicativos - **94**
IP- **20**

CGCCO/DIOP/SEMPI
CIBERLAB
Laboratório de Operações Cibernéticas

PÁTRIA AMADA BRASIL
GOVERNO FEDERAL



- **Providing grants and assistance for inspection measures promoted by other public organizations against copyright violations;**
- 





1.5 million illegal streaming devices were seized in 2020–2021

- **Proposing cooperation agreements with online marketplaces to stop the sale of illegal streaming devices;**
- **Preventing the advertisement-based funding of illegal websites;**

The logo consists of a blue rectangular box with white text. On the left side of the box, there is a vertical white line. To the right of this line, the text reads "Member of" in a smaller font, "WIPO Alert" in a larger, bold font, and the URL "wipo.int/wipo-alert" in a smaller font at the bottom.

Member of
WIPO Alert
wipo.int/wipo-alert

- **Monitoring the progress of draft laws in order to develop modern legislation that provides more efficient mechanisms to combat these illegal activities; and**
 - **Developing mechanisms to block websites that predominantly distribute illegal content.**
- 

YOUR LOGO REDE ANTIPIRATARIA Like Page
Sponsored

O consumidor que adquire Álcool Gel pirata está vulnerável à contaminação pelo Coronavírus e as novas variantes. Antes de comprar produtos como esse, verifique a procedência. Os estabelecimentos mais seguros são supermercados e farmácias e, além disso, confira sempre a presença do selo do Instituto Nacional de Metrologia, Qualidade e Tecnologia (Inmetro) e a marca do Sistema Brasileiro de Avaliação de Conformidade (SBAC) nas embalagens.



**ÁLCOOL GEL FALSIFICADO:
NÃO CORRA ESSE PERIGO**

Intellectual Property Office  

Álcool em Gel
Verifique a procedência

DENUNCIE [Learn More](#)

20 562 Comments 311 Shares

Like Comment Share

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Sponsored

Não corra risco pela desinformação. Apenas os órgãos oficiais de saúde e o Governo estão aplicando vacinas contra a COVID-19 no Brasil.
Vacinas falsificadas são ilegais e podem causar efeitos tóxicos, devido à falta de procedência. Denuncie esse crime ao sinal de qualquer suspeita na internet.



**A VENDA DE VACINAS DE
COVID-19 NA INTERNET
É ILEGAL**

Intellectual Property Office  

Órgãos Oficiais da Saúde
Informe-se

REDE ANTIPIRATARIA [Learn More](#)

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Like Comment Share

YOUR LOGO REDE ANTIPIRATARIA Like Page
Sponsored

A venda on-line de vacinas contra a COVID-19 no Brasil não está autorizada e o uso dessas substâncias pode matar. Busque nos órgãos oficiais do Governo as informações sobre o Programa Nacional de Imunização contra a Covid-19 e outras doenças. Se vir qualquer informação ou venda de vacinas ilegais, denuncie.



**NÃO COMPRE VACINAS
PELA INTERNET**

Intellectual Property Office  


Órgãos Oficiais
Denuncie

REDE ANTIPIRATARIA [Learn More](#)


20 562 Comments 311 Shares

Like Comment Share

The National Plan for Combating Piracy 2022-2025

- Institutional action: Coordination between different institutions will be prioritized to promote dialogue, interaction and cooperation, with discussions regarding the establishment of specialized police stations to combat piracy and IP infringement, and legislative improvements.**
 - Prevention and protection: Projects to improve measures to repress IP infringements will be implemented and will involve public institutions from all areas of government and civil society organizations.**
- 

The National Plan for Combating Piracy 2022-2025

- **Training and education:** This covers training for public agents on combating piracy and related crimes, focusing on the exchange of information, good operational and investigation practices.
 - **Awareness raising:** The main aim is to raise consumer awareness about the dangers resulting from piracy. For this purpose, the plan provides for awareness campaigns, booklets, academic events and other resources and activities.
- 

Thank you

Eduardo Carneiro
eduardo.carneiro@ancine.gov.br

Rol de la Aduana de Chile y Fiscalización en Medidas de Frontera



Contenido

1. Antecedentes Generales
2. Plan Estratégico, hacia donde vamos...
3. Normativa Medidas de Frontera
4. Otros Aspectos de la Propiedad Intelectual
5. Estadística de Propiedad Industrial/Intelectual
6. Casos históricos/destacados de Medida de Frontera



Antecedentes Generales



¿Quiénes somos?



Plan Estratégico, hacia donde vamos...



Contexto General Rol Aduanas

¿Qué hacemos?
Fiscalizamos y facilitamos
el comercio exterior

¿Para qué lo hacemos?
Para contribuir a la recaudación
fiscal, al desarrollo económico,
a la competitividad y a la
protección del país y las
personas

¿Cómo lo hacemos?
A través de procesos sinérgicos,
efectivos y transparentes,
sustentados en una gestión
estratégica e inteligente de los datos
e información



Normativa Medida de Frontera



1. Aspectos generales y alcance de las Medidas de Frontera en Aduana

Acuerdos sobre los aspectos de los derechos de propiedad intelectual relacionados con el comercio – OMC
• 1994



Resolución 5026/2003
Imparte instrucciones de la Ley 19.912. Medidas de Frontera
• 2003



Ley 19.912 de Propiedad Intelectual e Industrial: Adecua la legislación de acuerdo a los acuerdos de la OMC
• 2003



Resolución 1573/2021
Imparte instrucciones de la Ley 19.912. Medidas de Frontera
• 2021



3. Medidas de Frontera. Determinación de la falsedad del simple examen.

Artículo 16, Ley 19.912

La autoridad aduanera podrá disponer de oficio la **suspensión del despacho** de mercancía, **cuando del simple examen de la misma resultare evidente** que se trata de mercancía de **marca registrada falsificada o de mercancía que infringe el derecho de autor**. En estos casos, la aduana deberá informar al titular del derecho, si estuviere identificado, la posible infracción, a objeto de que éste ejerza el derecho a solicitar la suspensión y los derechos que le correspondan de conformidad a las normas precedentes y en especial, a objeto de que proporcione información acerca de la autenticidad de las mercancías. La Aduana deberá, además, **efectuar la denuncia, en conformidad a la ley**.



1. Aspectos generales y alcance de las Medidas de Frontera en Aduana



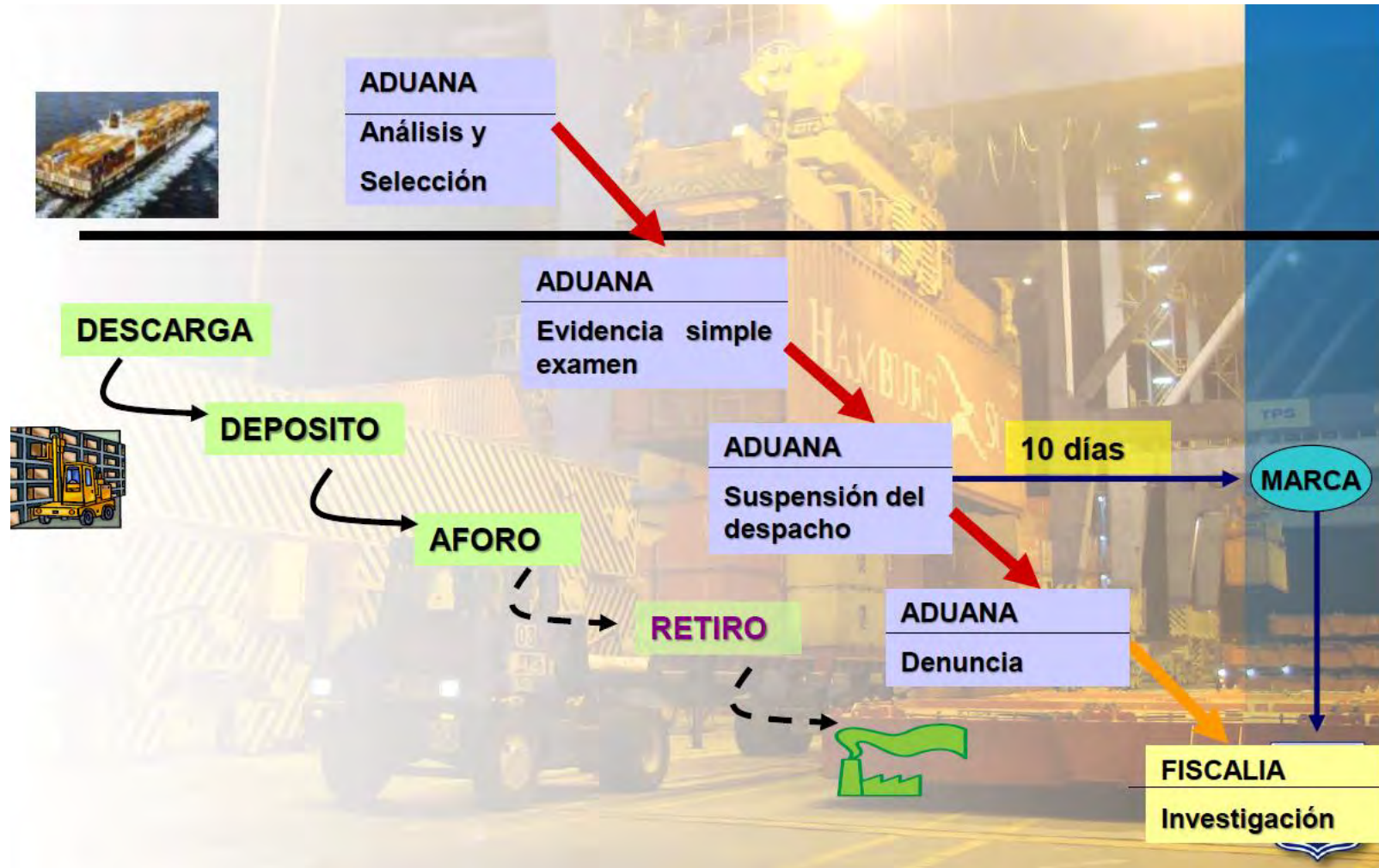
1. Aspectos generales y alcance de las Medidas de Frontera en Aduana



Introduce modificación en el inciso 2° del artículo 16 de la Ley 19.912, que adecua la legislación que indica conforme a los acuerdos de la Organización Mundial del Comercio (OMC) suscritos por Chile, la expresión "5 días hábiles", por "diez días hábiles". Esta modificación da respuesta a la problemática surgida de la cantidad de días de retención de las mercancías infractoras de la PI por parte de la Aduana (5 días hábiles), lo cual a juicio de los titulares o dueños y representantes de las marcas registradas, no era suficiente para ejercer sus derechos ante la Aduana y los Tribunales.



Medidas de Frontera. Suspensión del despacho de Oficio por la Aduana: Proceso



Actualización de la Normativa Medida de Frontera



Resultados Históricos Propiedad Intelectual



¿Por qué actualizar la normativa aduanera?

- ✓ Aumento sostenido en la cantidad de suspensiones de despacho por Propiedad Intelectual.
- ✓ Nuevas modalidades de ingreso
 - ✓ Pasajeros frecuentes
 - ✓ Ecommerce (Postal y Courier.)
 - ✓ Aumento del ingreso de mercancía no tradicional (Cosméticos, dispositivos médicos, suplementos alimenticios, medicamentos, repuestos de vehículos, entre otros).
- ✓ Limitada información estadística para análisis y estudios de la problemática.
- ✓ Demoras operacionales y burocráticas en el proceso de suspensión del despacho y notificación a los afectados.



Publicación pagina SNA – Resolución Exenta N° 1573 y sus anexos

https://www.aduana.cl/aduana/site/docs/20210104/20210104143625/resolucion_exenta_n_1573_fecha_01_07_2021.pdf



Servicio Nacional de Aduanas
Dirección Nacional
Superintendencia de Rentas
Departamento Central de Tránsito

RESOLUCIÓN EXENTA N° 1573

Valparaíso, 11 JUL 2021

VISTOS,

Los artículos 79 y 80 de la Ley N° 17.395, de Propiedad Intelectual.

El artículo 28 de la ley N° 10.030, de Propiedad Industrial, cuyo texto refundido, coordinado y sistematizado se encuentra contenido en el decreto con fuerza de ley N° 3, de 2006, del Ministerio de Economía.

La Ley N° 19.912, que Adecua la Legislación que indica Conforme a los Acuerdos de la Organización Mundial del Comercio suscritos por Chile.

La Ley N° 20.997, que Moderniza la Legislación Aduanera.

CONSIDERANDO,

Que, mediante la dación de la Ley N° 19.912, se dio cumplimiento a las obligaciones de regulación asumidas por nuestro país en el Acuerdo que estableció la Organización Mundial del Comercio y sus Anexos, adoptado en el Acta Final de la Octava Ronda de Negociaciones Comerciales Multilaterales del Acuerdo General de Aranceles y Comercio, GATT, suscrito el 15 de abril de 1994, en Marrakech, Marruecos, y que fueron promulgados mediante el decreto N° 16, de 1995, del Ministerio de Relaciones Exteriores.

Que, en el Título II de dicha ley, acerca "De las medidas en frontera para la observancia de los derechos de propiedad intelectual", se establecen las acciones que pueden arbitrar durante el proceso ingreso de las mercancías posiblemente infractoras, para la protección de los derechos de propiedad intelectual contenidas en el "Acuerdo sobre Aspectos de los Derechos de Propiedad Intelectual Relacionados con el Comercio", establecido en el Anexo 1C del anterior Acuerdo por el que se estableció la Organización Mundial de Comercio. Aquel Acuerdo (el Anexo 1C) contiene la regulación sobre los derechos de propiedad intelectual, disponiendo las normas de carácter sustantivo para las distintas categorías de derechos de propiedad intelectual y además, las que regulan la forma en que debe garantizarse la observancia de estos mismos derechos.

Respecto de este último tipo de reglas, se contemplan, en la Sección 4, Normas Especiales relacionadas con las Medidas de Frontera, los artículos 61 al 69, que establecen los procedimientos a través de los que se puede obtener la suspensión del despacho aduanero de



Principal innovación: Notificación al titular del derecho

Artículo 16.- La autoridad aduanera podrá disponer de oficio la suspensión del despacho de mercancía, cuando del simple examen de la misma resultare evidente que se trata de mercancía de marca registrada falsificada o de mercancía que infringe el derecho de autor. En estos casos, la Aduana deberá informar al titular del derecho, si estuviere identificado, la posible infracción, a objeto de que éste ejerza el derecho a solicitar la suspensión y los derechos que le correspondan de conformidad a las normas precedentes y en especial, a objeto de que proporción e información acerca de la autenticidad de las mercancías.



Eficiencias esperadas

- ✓ Evitar duplicidad y ahorro de tiempo en tramites para titulares de derecho con inscripción de marca en INAPI y adicionalmente el registro del representate de marca en Aduana.
- ✓ Coordinación interinstitucional: Se notificará al titular del derecho registrado en INAPI, contando con un mayor universo de marcas. Actualmente INAPI cuenta con más de 377.000 marcas vigentes, mientras que en ADUANAS se registran solamente 15.000 marcas.
- ✓ Modernización y efficientización de los procesos aduaneros:
 - ✓ En las Aduanas regionales. Se espera disminuir los procesos burocráticos y tramites para la suspensión de despacho en aproximadamente 75%, destinando a recursos humanos que fortalezcan el control en frontera.
 - ✓ Registro de marca: Eliminar el proceso administrativo, destinando los recursos humanos al trabajo analítico en el nivel central.

En la práctica tenemos ...



- ✓ Orden y control en los procedimientos de Medida de Frontera.
- ✓ Estandarización en los procesos de fiscalización.
- ✓ Estandarización formato RSD.
- ✓ Mejora calidad de los datos
- ✓ Optimiza los tiempos.



Herramientas para potenciar observancia de PI

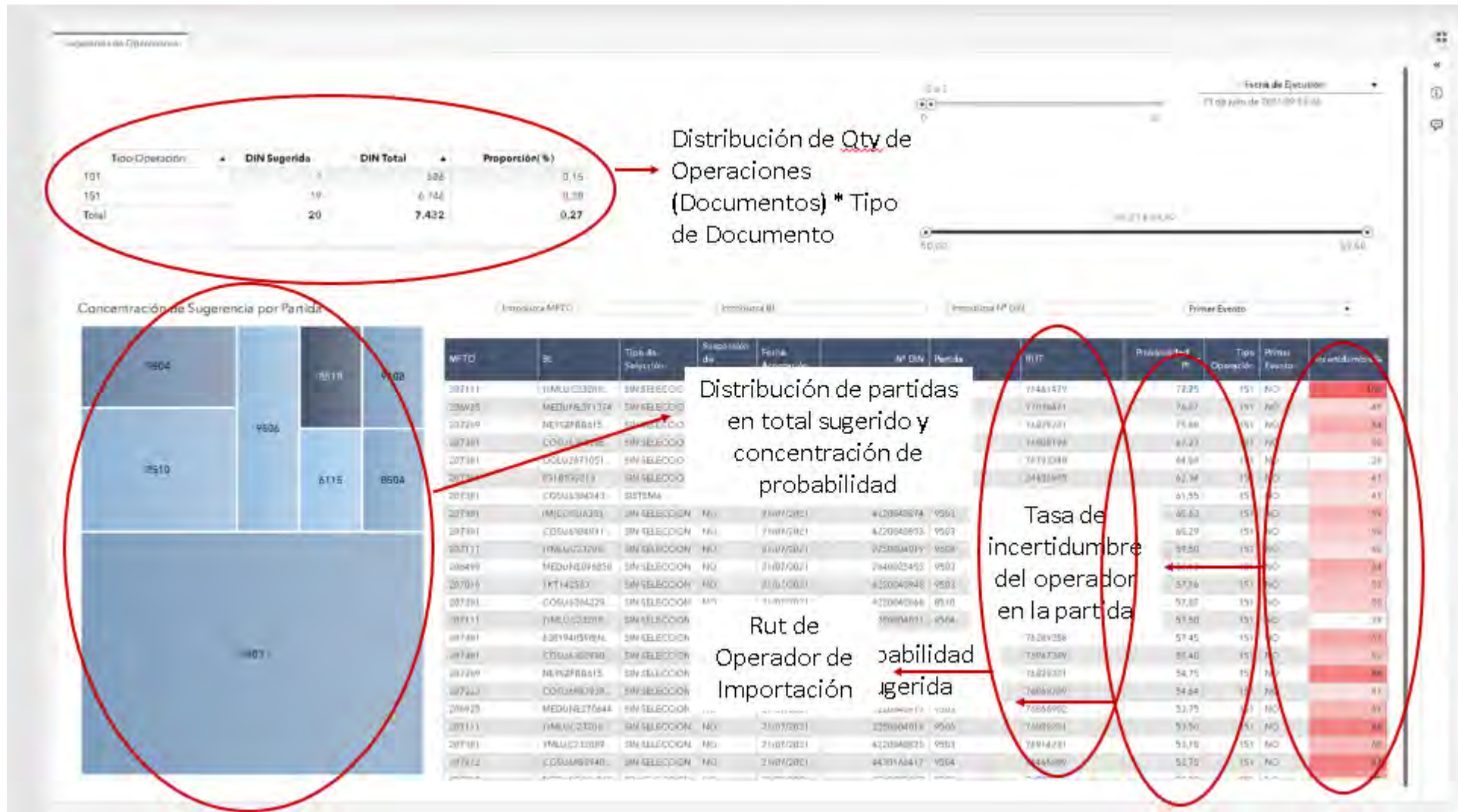




Convenio Aduana - INAPI



Herramientas para potenciar observancia de PI. SAS



Sistema Administración de Marcas (SAM)

Permitirá la sistematización del proceso manual de ingreso de las Resoluciones de Suspensión de Despacho lo cual generará como resultado estadísticas de mayor calidad, asociada a las herramientas de Pentaho. Optimizar los tiempos del proceso de la Suspensión de Despacho. Ordenamiento en el procedimiento de las Suspensiones de Despacho Aduanero para mercancías que vulneran los DPI, desde que se inicia la suspensión hasta la notificación del titular o representante de la marca de la medida y la posterior denuncia de la Aduana.

A screenshot of a login window titled "Login". It contains two input fields: "User:" and "Password:". Below the fields are two buttons: "Entrar" and "Limpiar".

Otros Aspectos de la Propiedad Intelectual



Red de Inteligencia Nacional



JUGUETES



VESTUARIO



CALZADO



COSMÉTICOS



PARTES Y PIEZAS DE CELULARES



PARTES Y PIEZAS VEHÍCULOS



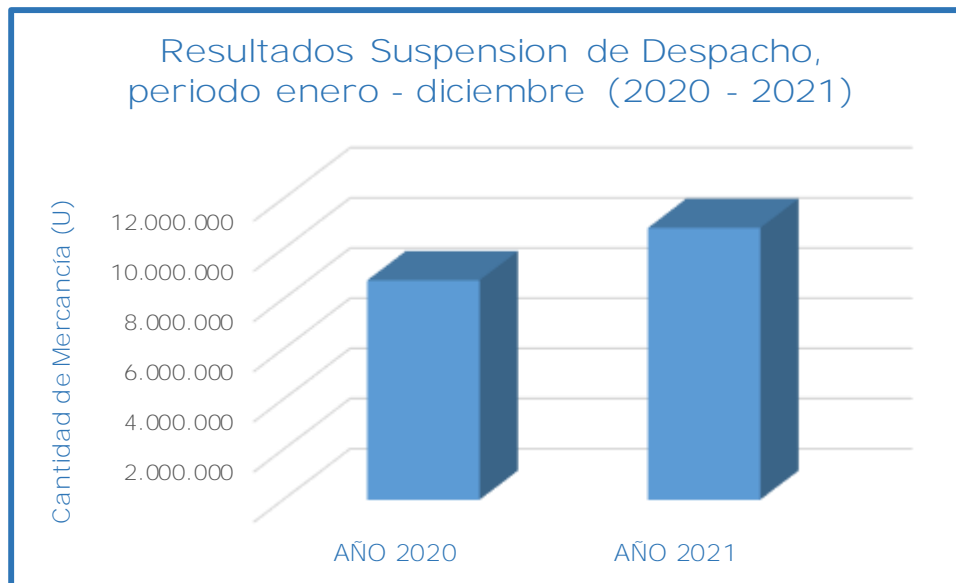
Resultados de Medidas de Frontera



Resultados de Medida de Frontera

Resultados de la Propiedad Intelectual, período 2020 - 2021

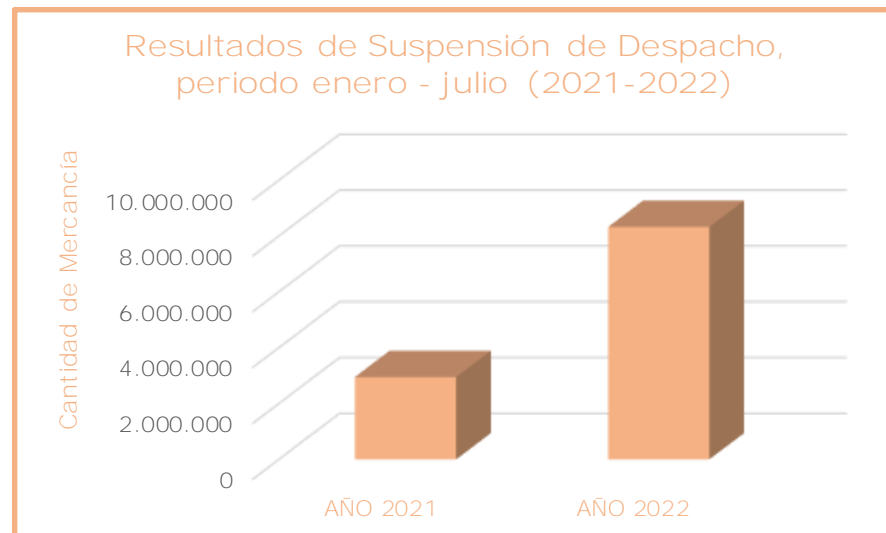
	2020	2021
N° de Suspensiones	1.611	1.603
Cantidad de Mercancías (U)	8.747.987	10.838.892
Valor (US\$)	83.722.807	71.892.603



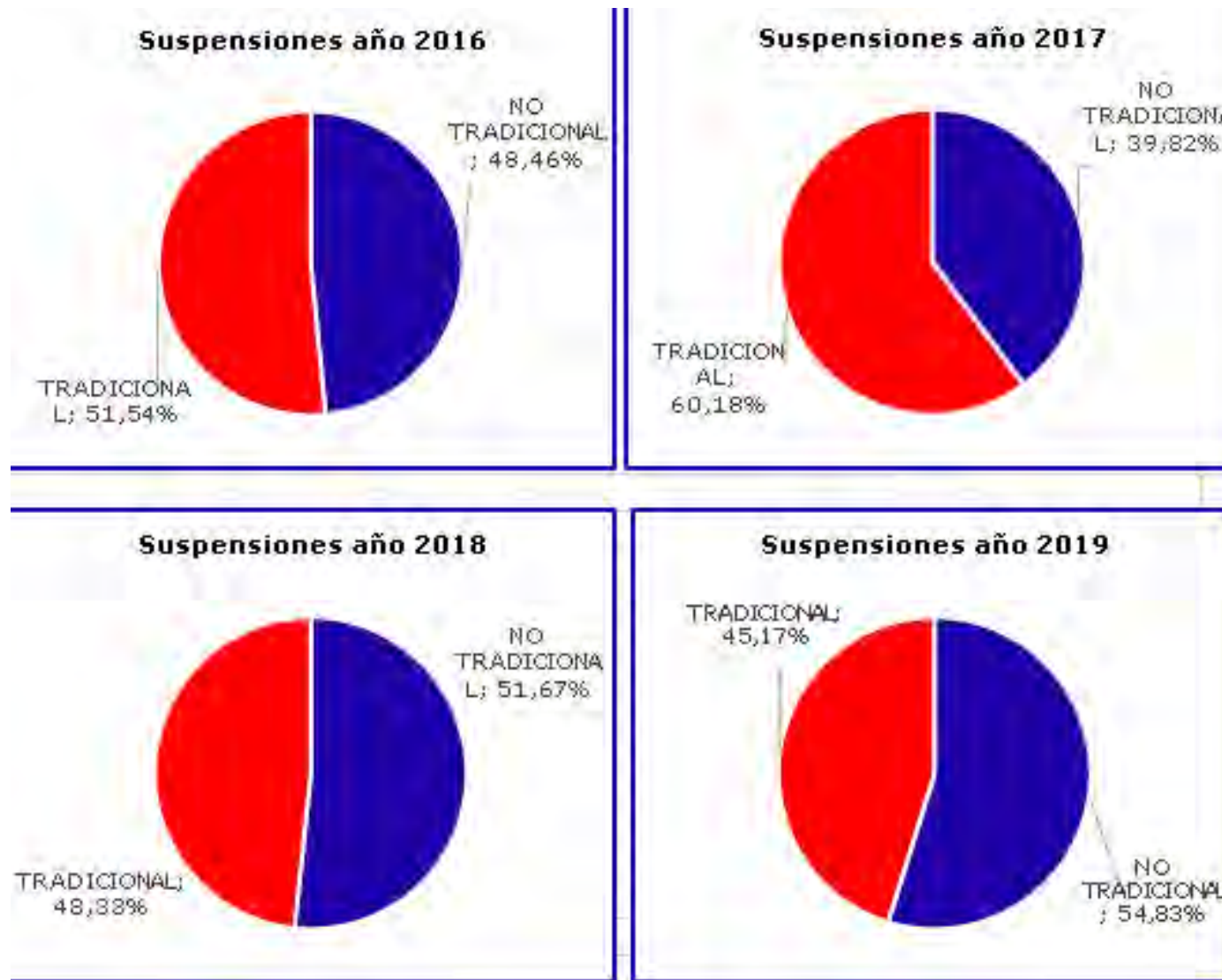
Resultados de Medida de Frontera

Resultados PI , Periodo Enero - Julio (2021-2022)

	Año 2021	Año 2022
N° de Suspensiones	804	730
Cantidad de Mercancía (U)	2.945.893	8.324.459



Resultados de Medida de Fronteras



Casos Exitosos/Históricos



Casos Históricos

Caso EILA. En 2017, la Aduana de Iquique detectó la mayor cantidad de calzado deportivo falsificado en el país y en el mundo. Se trata de 236.418 pares que imitan la marca de la multinacional Fila



Casos Históricos

Caso Cosméticos. En 2018, la Aduana de Iquique detectó la mayor cantidad de cosméticos falsificados en el país. Se trata de 175.000 unidades que imitan marcas reconocidas.



Casos Históricos

Metropolitana – mercancías no tradicionales año 2019 – 2.480 unidades



Julio 2019 – DRAV – Alimentos y Bebidas Alcohólicas



Casos Históricos

DR Aduana de Iquique. “**Caso Parche León**”. **9 mil** unidades de medicamento falsificado



DR Aduana de Iquique. “**Caso Lentes de Contacto**”. **10 mil** unidades de lentes de contacto, que además de infringir la ley de propiedad industrial, el daño puede ser irreversible en la salud de las personas.



DR Aduana de Arica. 500 unidades de Viadil. Paso Fronterizo Chacalluta



Casos Históricos



Casos exitosos en materia de PI. Época de Pandemia

Marzo 2020, DRAT, > 1 millón de cápsulas falsificadas,
marca LIPO6 Black, Origen USA



Casos exitosos en materia de PI. Época de Pandemia

Procedimiento exitoso - Arica - Vodka Stolichnaya, 21.576 unidades



Casos exitosos en materia de PI. Época de Pandemia



Reflexión



Somos actores:

1. En promocionar el cumplimiento voluntario de la normativa tributaria y aduanera.
2. En facilitar el comercio lícito, nacional e internacional.
3. En la protección del país y sus ciudadanos.

Finalmente, continuar aunando facultades y conocimientos entre organizaciones públicas/ privadas, como socios estratégicos, para combatir la falsificación y la piratería, especialmente en mercancías relativas a la seguridad y salud de las personas.



¡Gracias!

Servicio Nacional de Aduanas



NATIONAL
INSTITUTE OF
INTELLECTUAL
PROPERTY OF
THE REPUBLIC
OF KAZAKHSTAN

**GOVERNMENT INITIATIVES,
ENHANCED COOPERATION AND
EXPANDED OUTREACH AND AWARENESS-RAISING
ACTIVITIES IN KAZAKHSTAN**

Content

- Background
- IP enforcement
- IPR awareness and promotion
- Conclusion

The Kazakhstani government attaches great importance to IPRs

«We guarantee respect for intellectual property rights»

- repeatedly emphasized by President Kassym-Jomart K. Tokayev

1. Background

- As the most developed country in Central Asia, Kazakhstan serves as a transit point for counterfeit goods.
- Over 80 million items of counterfeit goods have been detected in the EEU Member States over the past five years.
- Around 5,000 counterfeit products are seized each year in Kazakhstan.

Weaknesses & Priorities

- Coordinated activities of state authorities.
- Market protection against counterfeiting.
- IPR protection on the Internet.
- IP awareness among citizens.

2. IP Enforcement

Comprehensive Action Plan to Combat the Shadow Economy

The plan is developed every three years, taking into account the most relevant issues

Interdepartmental Working Group on Combating Counterfeit Goods

A mechanism for coordinating the work of interested public authorities and organisations in ensuring the IPR enforcement

Roadmap for the Further Development of the IP field

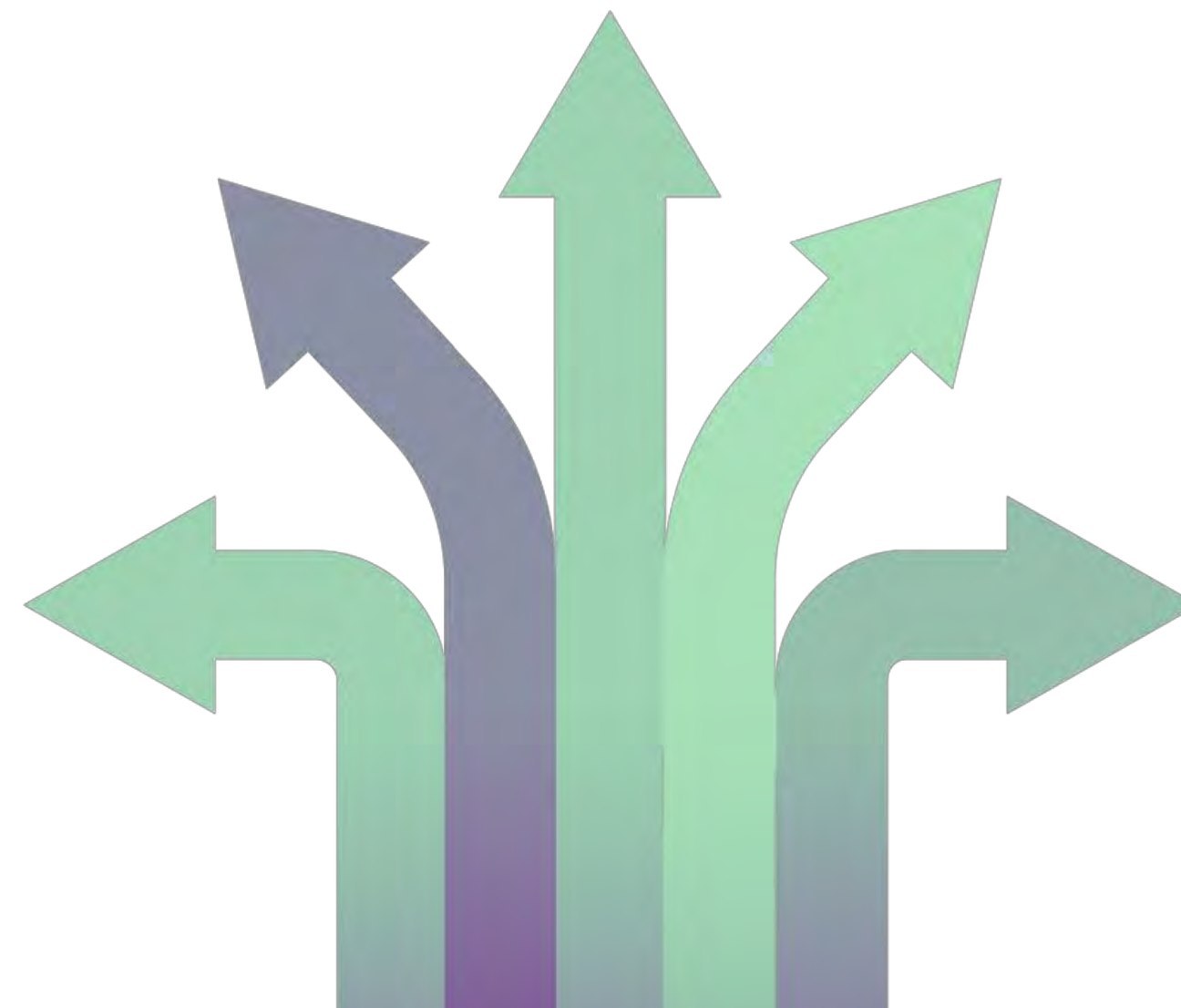
The roadmap sets a number of tasks that include IPR enforcement issues

The Mandatory Digital Labelling

The introduction of labelling and traceability procedures within the EEU is designed to increase the share of legal products on the market

Information Systems Development

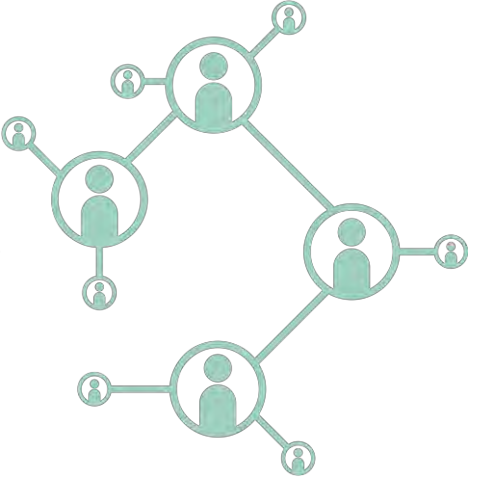
Creating the necessary information platforms for better IPR enforcement





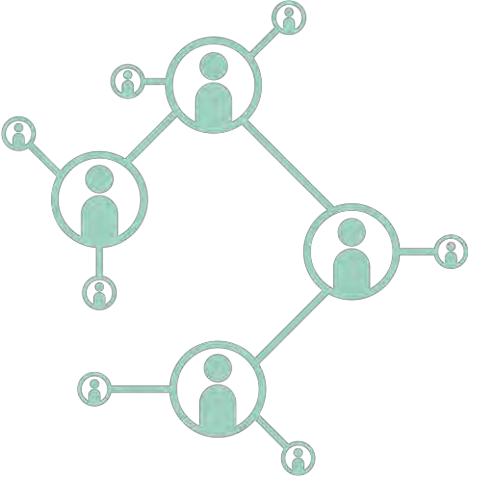
Comprehensive Action Plan to Combat the Shadow Economy for the years 2021-2023

- The plan was approved in 2021 by government decree No. 644.
- A number of measures are in place to protect the public against the purchase of poor quality products and counterfeit goods.
- The plan provides for an annual analysis of intellectual property rights protection issues, including those related to trafficking in counterfeit products in Kazakhstan, and the development of proposals to ensure the IPR enforcement.



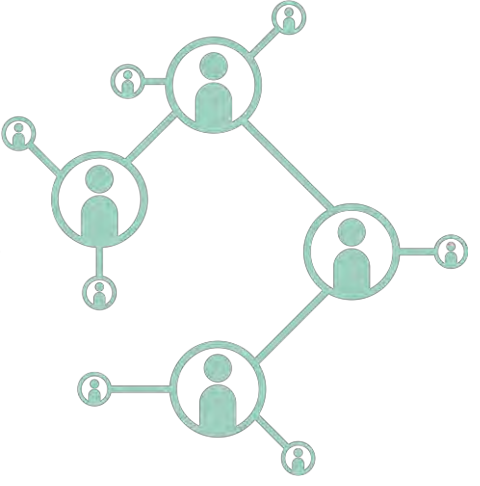
Interdepartmental Working Group on Combating Counterfeit Goods

- Created in 2021 as part of the implementation of the Comprehensive Action Plan to combat the shadow economy for the years 2021-2023.
- The working group is composed of representatives of the Ministry of Justice, Ministry of Finance, Ministry of Internal Affairs, Ministry of Information and Community Development, Financial Monitoring Agency, Supreme Court, National Chamber of Entrepreneurs and National Institute of Intellectual Property.
- The Intellectual Property Rights Center (IPRC), a specialized unit of the IP Office, is the working body of the group.



Purpose and Activities

- (I) identifying problems of the current IPR enforcement system in Kazakhstan;
- (II) examination and proposing measures and actions against counterfeiting and other IP crimes;
- (III) conducting joint work to raise public awareness;
- (IV) encouraging the activism of right holders to protect their IP rights and other relevant issues.

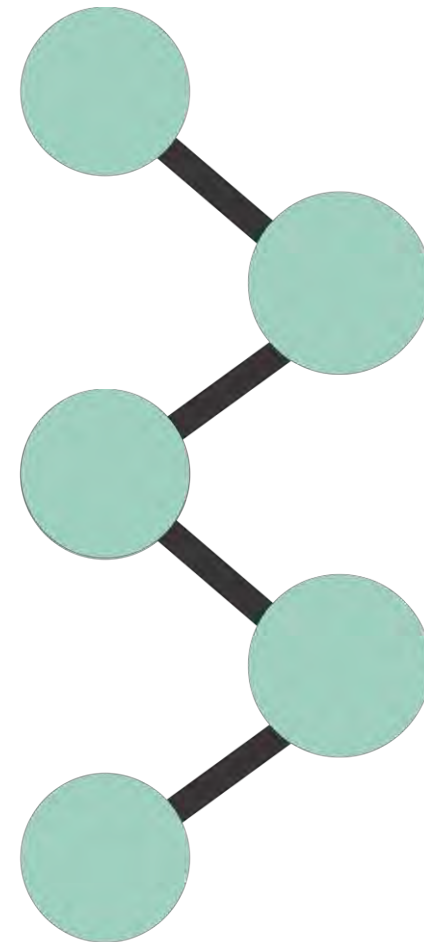


Purpose and Activities

conclusion of a memorandum of understanding among state authorities

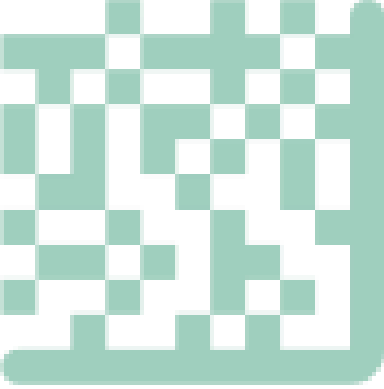
public awareness raising and training for enforcement and customs officials

conducting an analysis on trafficking in counterfeit products in Kazakhstan



issues of tightening of criminal liability for counterfeiting

development of information systems








The Mandatory Digital Labelling

- Labeling became mandatory from October 1, 2020 for tobacco products and is being phased in for other product groups as well.
- The main purpose of labeling is to protect the public from counterfeit products and fight back against shady businesses and counterfeiting.
- A mark is a special encrypted tag on a product that contains manufacturer information, a serial number and a tamper-proof code. The mark is applied in the form of a DataMatrix code. It is a two-dimensional square image in the form of black and white fields.



The Mandatory Digital Labeling

-  1 The manufacturer puts the Data Matrix code on the packaging and sends it to the distributor.
-  2 The distributor receives and scans the shipment and sends it to shops and supermarkets.
-  3 The shop reads the codes on the packages when it receives a new batch of goods and sells the legal goods through a cash register.
-  4 At the moment of sale, the 2D scanner reads the marking and the code is withdrawn from circulation.
-  5 Buyers can read the markings using the Naqty Onim mobile app and check the origin of the goods.



Find out more at

<https://www.youtube.com/watch?v=Tpqjq1xZG6U&t=14s>



BENEFITS TO ALL MARKET PARTICIPANTS



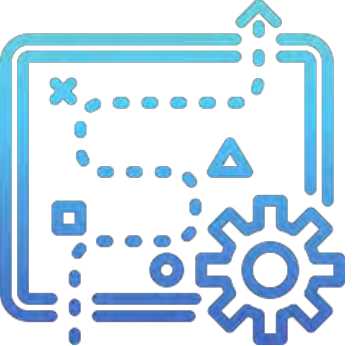
- opportunity for public scrutiny;
- protecting their health;
- protecting their rights to informed consumption and quality products;
- being able to get information about availability and price online.



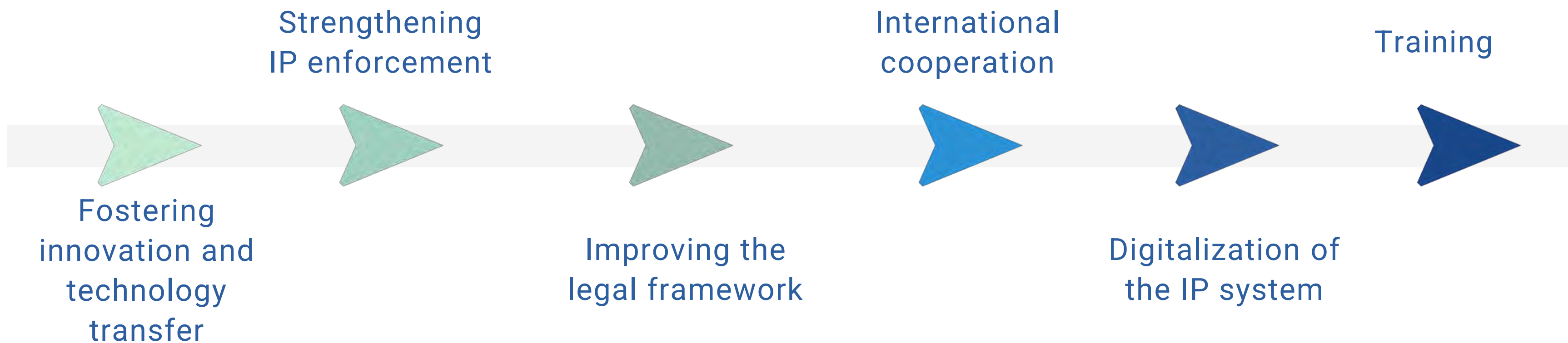
- increasing the transparency of commodity markets and the quality of state control instruments.

BUSINESS

- increasing the competitiveness of market participants;
- increased revenues for bona fide businesses
- brand protection;
- an easier reporting process;
- full access to real-time data on the movement of products through the supply chain



Roadmap for the Further Development of the IP field



3. IP Awareness & Promotion

Training activities

- in the first half of 2022, 4,140 educational events were held by the territorial justice authorities;
- during 2021 and July 2022, QazPatent organised more than 70 events for universities, schools, scientific organisations, entrepreneurs and industrial organisations from all regions of the country.

Developing a network of technology and innovation support centers

- in 2021, QazPatent signed a Guaranteed Service Agreement for TISCs with WIPO;
- there are currently 13 agreements for the opening of TISCs with universities and scientific organisations.

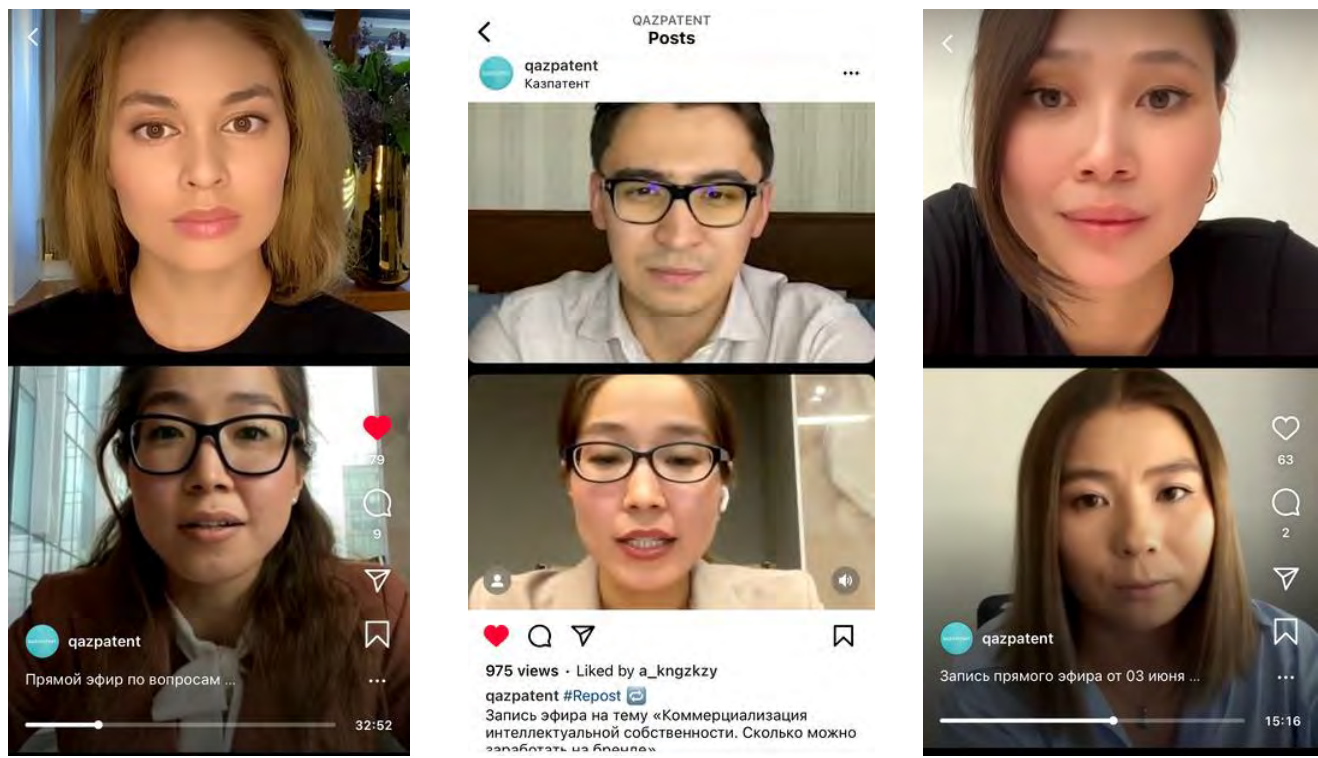
Contests and promotions

- the Republican Campaign "Counterfeit", aimed at raising public awareness of the problem of the distribution of counterfeit products, is held annually;
- this year, as part of the celebration of Intellectual Property Day, QazPatent held an online event, the QazPatent IP Forum, which included webinars for students and entrepreneurs;
- the Young Inventor's School was launched in 2020;
- since 2016, QazPatent has been running an online essay competition for schoolchildren.

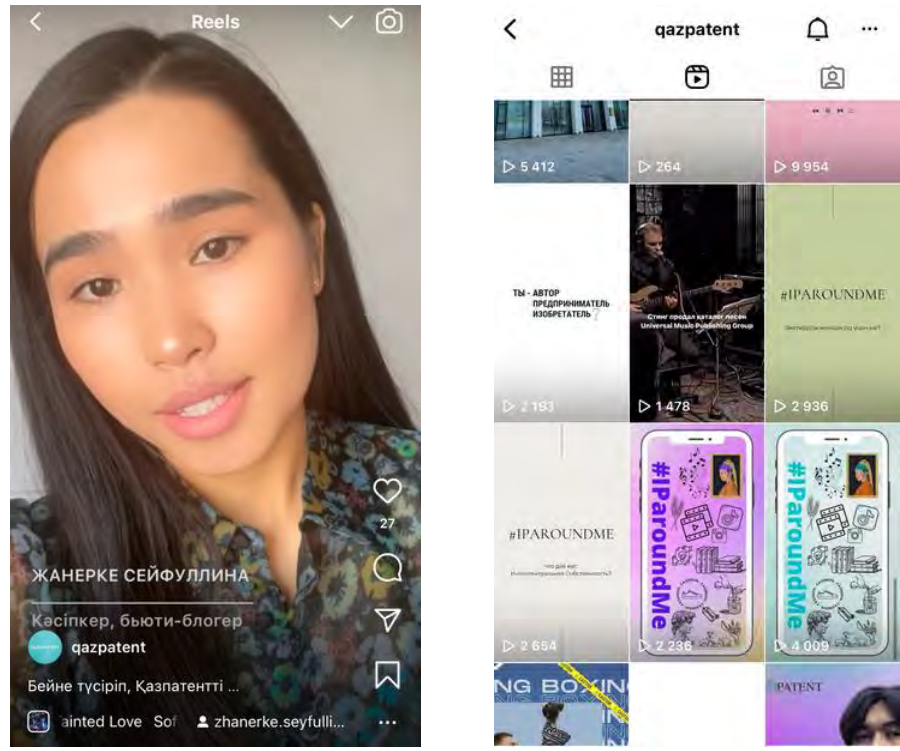
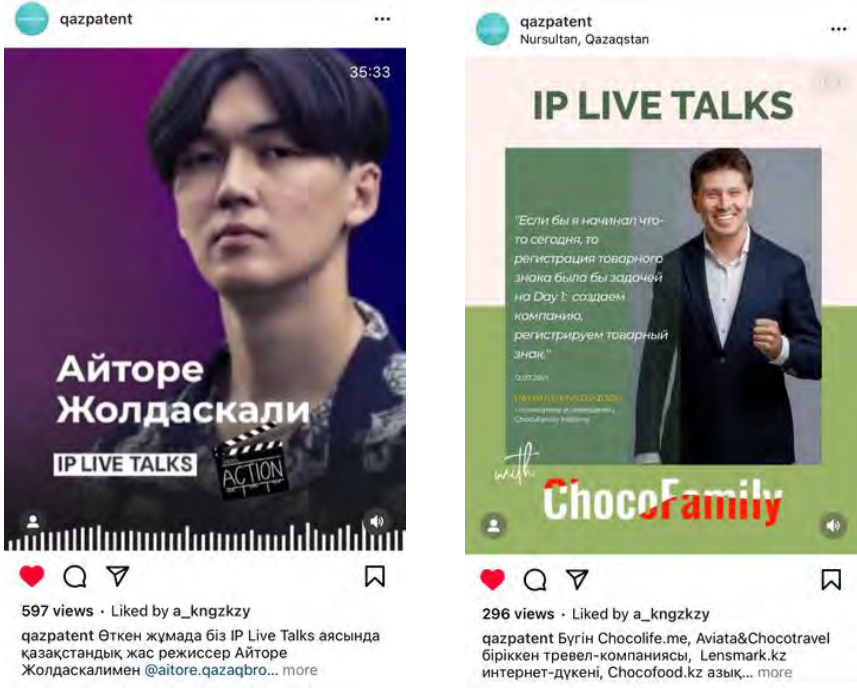
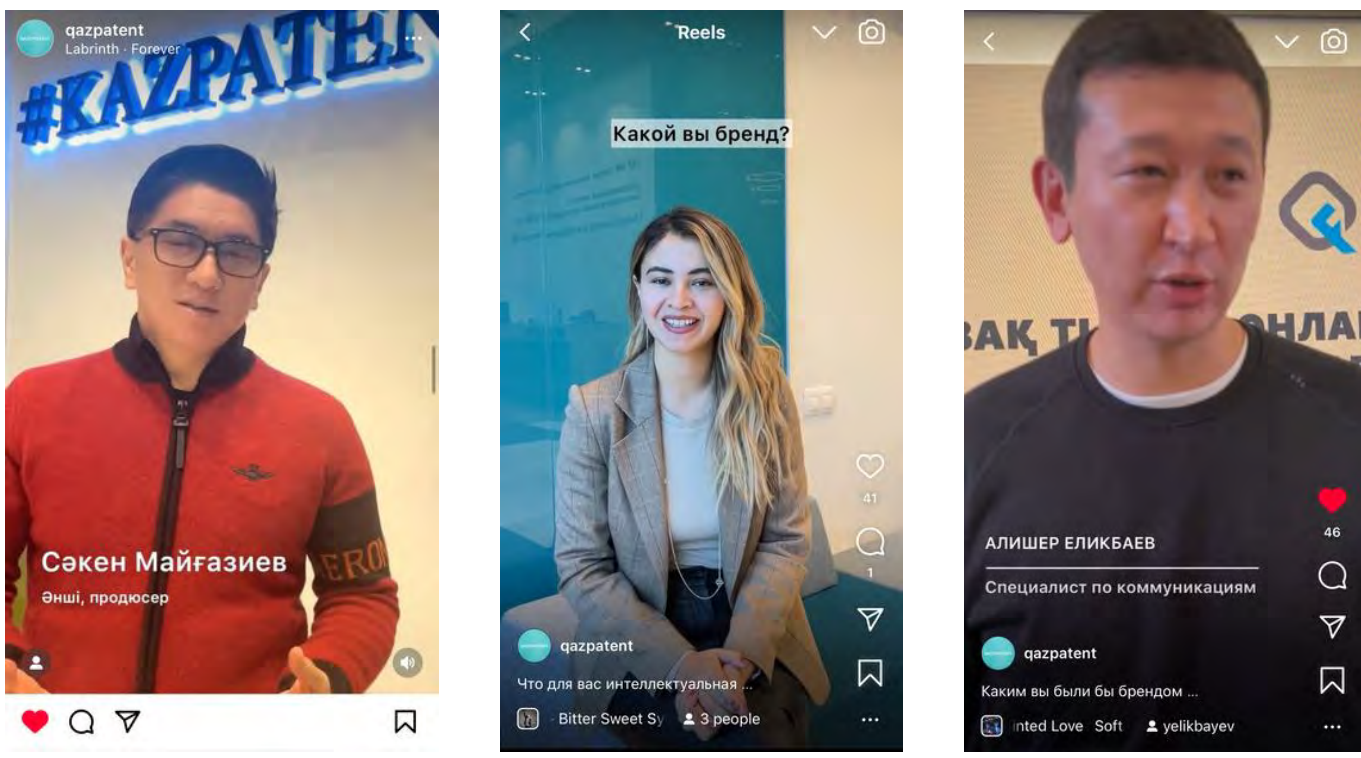
Interaction with opinion leaders

- QazPatent has been running "IP Live Talks" and "QazPatent IP Digest" sections on social media since 2021;
- in 2021 an "IP Around Me" campaign was held;
- in February this year, QazPatent organised the integration of a specially produced promotional video into the popular web series on entrepreneurship "Salem, men Nurlan Koyanbayev" (Hi, It's me, Nurlan Koyanbayev) on the YouTube platform of Kazakh media giant.

IP Live Talks (2021)



IP Around Me (2021)



"Salem, men Nurlan Koyanbayev" (Hi, It's me, Nurlan Koyanbayev)



Мастер келді | Salem, men Nurlan Koyanbayev | 9 серия

757 тыс. просмотров • 6 месяцев назад

SE SALEM EPISODES ✓

Еуразиялық банктан Автокарта - Автокөлікке әуесқойлар үшін үздік карта! Дүние жүзі бойынша

4K Субтитры



Ол менің двойнигім | Salem, men Nurlan Koyanbayev | 10 серия

726 тыс. просмотров • 5 месяцев назад

SE SALEM EPISODES ✓

Басы дауға қалған Нұрлан, танымал телебағдарламада халыққа шындықты айтпақ болды.

4K Субтитры

ВМЕСТЕ С

QAZPATENT

 qazpatent  [http:// kazpatent.kz](http://kazpatent.kz)

QazPatent IP Forum (April, 2022)



Kazpatent held a training webinar for faculty and students of the International Education Corporation

Submitted on 26/04/2022 - 17:34

Changed on 27/04/2022 - 16:34



On 26 April Kazpatent held a training webinar for faculty and students of the International Education Corporation. The event was held as part of the IP Forum, timed to coincide with International Intellectual Property Day. Kazpatent's experts covered questions of state policy in the field of intellectual property, legal protection of copyright objects, industrial designs, inventions and utility models, as well as international patenting under the Patent Cooperation Treaty (PCT) and the regional patenting of inventions under the Eurasian Patent Convention (EAPC).

The webinar participants were interested in the examination and registration timeframes as well as in the payment

methods.

Kazpatent X. Досмұхамедов атындағы Атырау университеті және С.Сейфуллин атындағы Қазақ агротехникалық университетінің профессор-оқытушылар құрамы мен студенттері үшін оқыту вебинарларын өткізді

Жарияланған күні: 28/04/2022 - 17:10

Өзгертілген күні: 29/04/2022 - 11:30

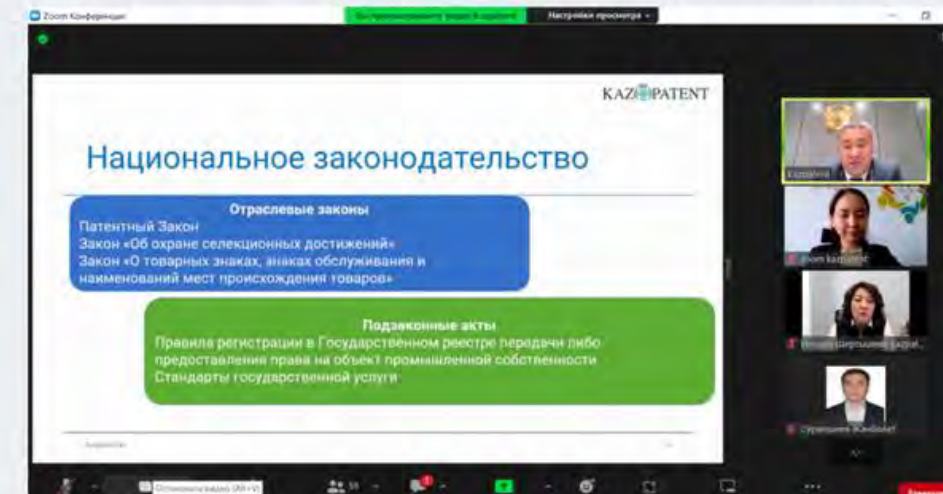


Сәуірдің 28 Kazpatent X. Досмұхамедов атындағы Атырау университеті және С.Сейфуллин атындағы Қазақ агротехникалық университетінің профессор-оқытушылар құрамы мен студенттері үшін оқыту вебинарларын өткізді.

Іс-шара Халықаралық зияткерлік меншік күнін мерекелеуге арналған IP Forum шеңберінде өткізілді.

Kazpatent сарапшылары Қазақстан Республикасындағы зияткерлік меншік саласындағы мемлекеттік саясат, Еуразиялық патенттік Конвенция шеңберінде өнеркәсіптік үлгілерді өңірлік қорғау, Патенттік кооперация туралы шарт (PCT) шеңберінде өнертабыстарды халықаралық патенттеу, Еуразиялық патенттік Конвенция (ЕАПК) шеңберінде өнертабыстарды өңірлік патенттеу, Отандық және халықаралық мәліметтер базасы бойынша патенттік ізденістер, IT-шешімдерді патенттеу, зияткерлік меншік объектілерін коммерцияландыру, зияткерлік меншік объектілерін қорғау, сондай-ақ Қазақстанда технологиялар мен инновацияларды қолдау орталықтарын дамыту мәселелерін қамтыды.

Вебинарға қатысушыларды патенттеуге жататын объектілер, патентке өтінім беру рәсімдері, өнеркәсіптік меншік объектілерін коммерцияландыру тәсілдері, зияткерлік меншік объектілерін қорғау тәсілдері туралы мәселелер қызықтырды.



The IV Young Inventor's School (May, 2022)

Head of the Center for Intellectual Property Rights (IPR Center) Altyn Sapargali and the chief expert of the Division on examination of trademarks, appellation of origin Azat Nakenov spoke to the students, explaining to them the main aspects of the legal protection of all trademarks and counterfeit activities.



Altyn Sapargali



Azat Nakenov

During the event, schoolchildren took part in an interactive quiz on the topic of invention. The most active participants received memorable gifts.



4. Conclusion

- Continue activities in cooperation with the private and public sectors.
- Adopt best practices, taking into consideration the specificities of a national system.
- Focus on building respect for IPRs.

QAZPATENT

Altyn Sapargali, Head of the IPRC

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E-mail: kazpatent@kazpatent.kz

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kazpatent.kz



MAJOR INVESTIGATION CASE OF THE NEWLY-CREATED TECHNOLOGY AND DESIGN POLICE DIVISION OF KIPO

August 31, 2022

Kim, Namkyu

Deputy Director/Investigator
Technology and Design Police Division



**Korean Intellectual
Property Office**



CONTENTS

- 01** Introducing the Special Judicial Police
- 02** History of the Tech Police
- 03** Current Status of the Tech Police
- 04** Major Investigation Case

a. The Special Judicial Police

Labor Enforcement



Special Judicial Police

Railroad Enforcement



Drug Enforcement



Forest Protection



≡ Law Enforcement Agency

b. The Special Judicial Police of KIPO

Criminal Penalty on Patent Infringement

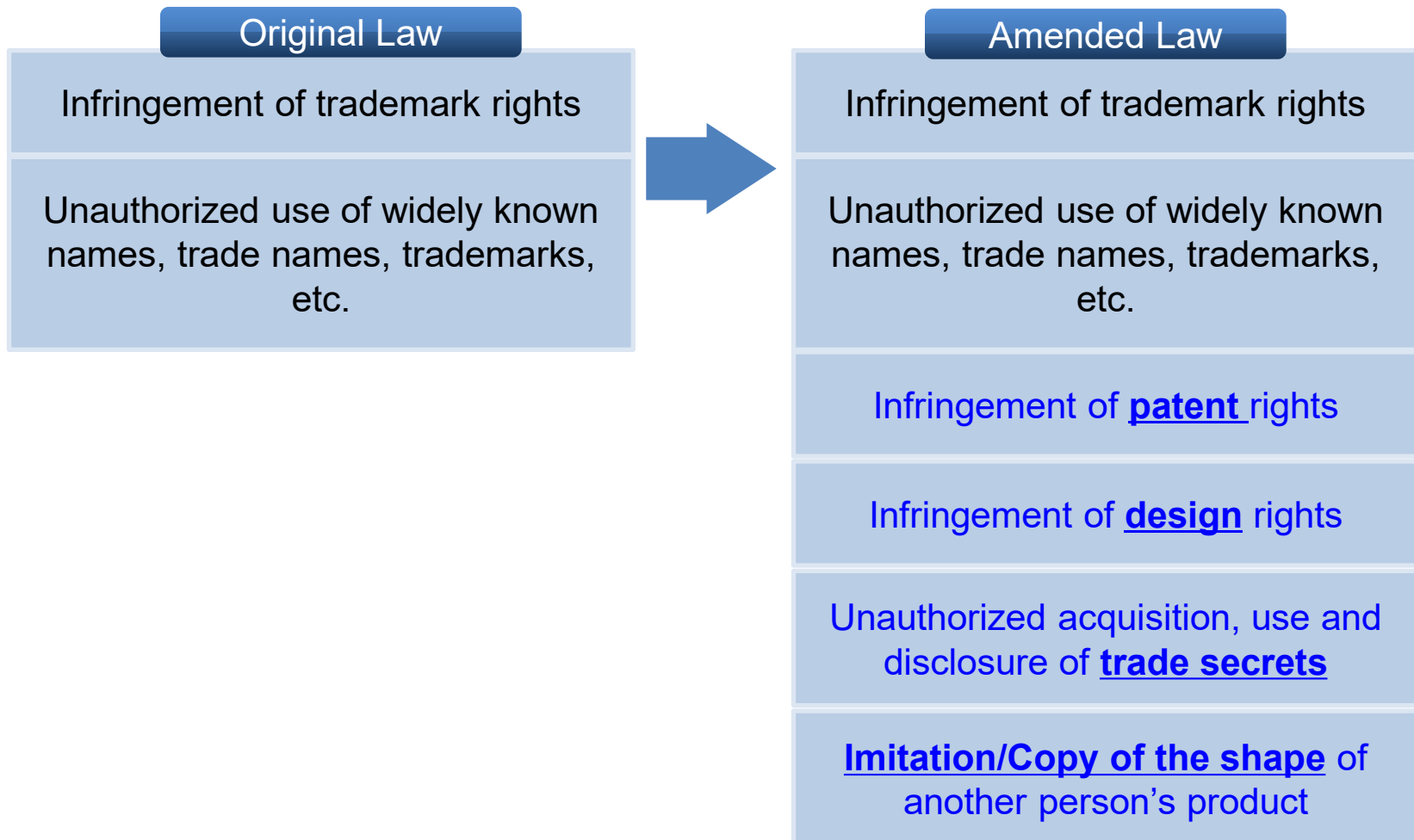
Any person who infringes a patent or an exclusive license **shall be punished by imprisonment** with labor for not more than seven years **or by a fine** not exceeding 100 million won. (*The Patent Act, Article 225*)

Concerns

- Who should investigate patent right infringement cases?
- Do regular police authorities have the right capabilities?

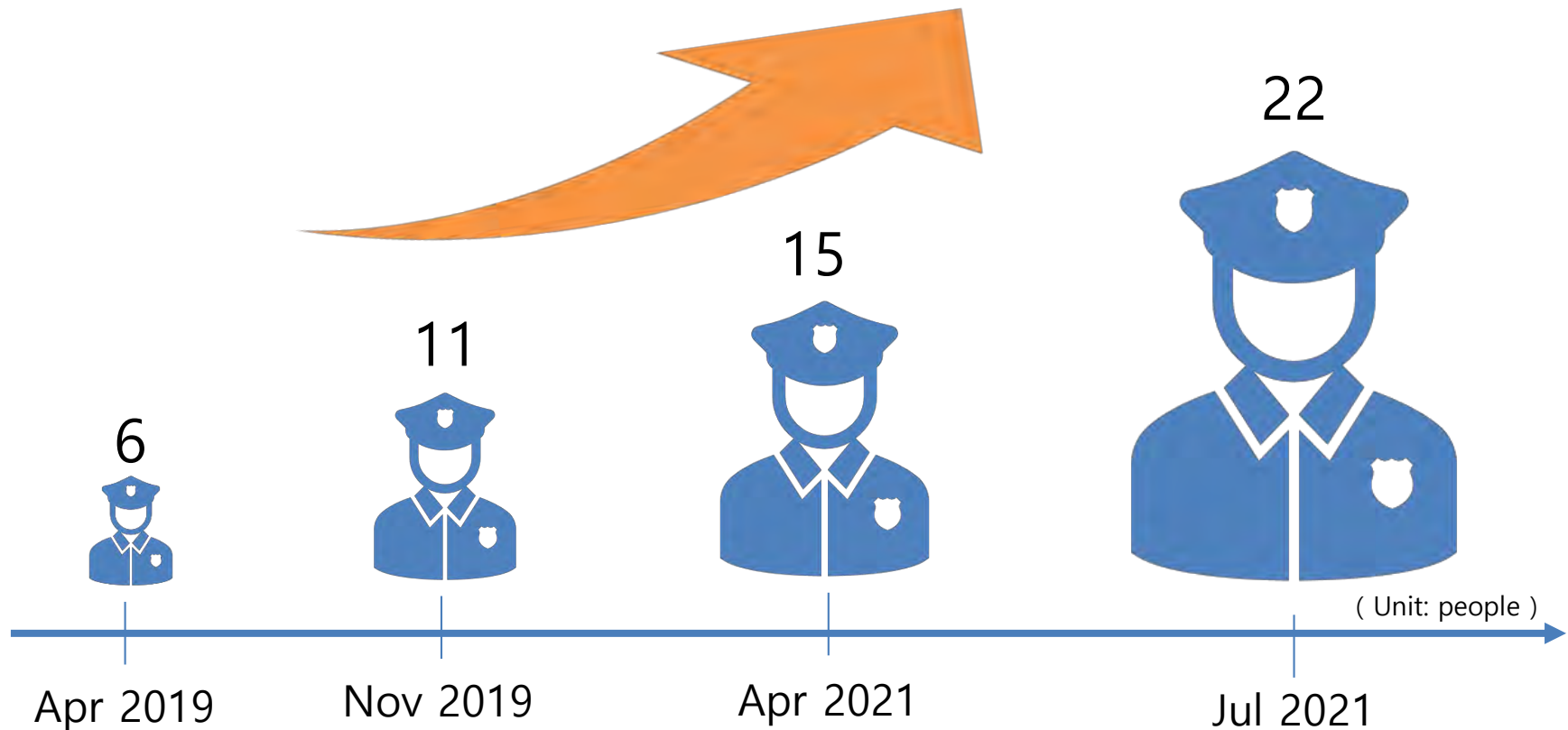
⇒ **Administrative officials with specific expertise should be granted investigative and enforcement authority.**

a. Broadening the authority of the KIPO SJP



(2019.4, The Act on the Persons Performing the Duties of Judicial Police and Scope of Duties)

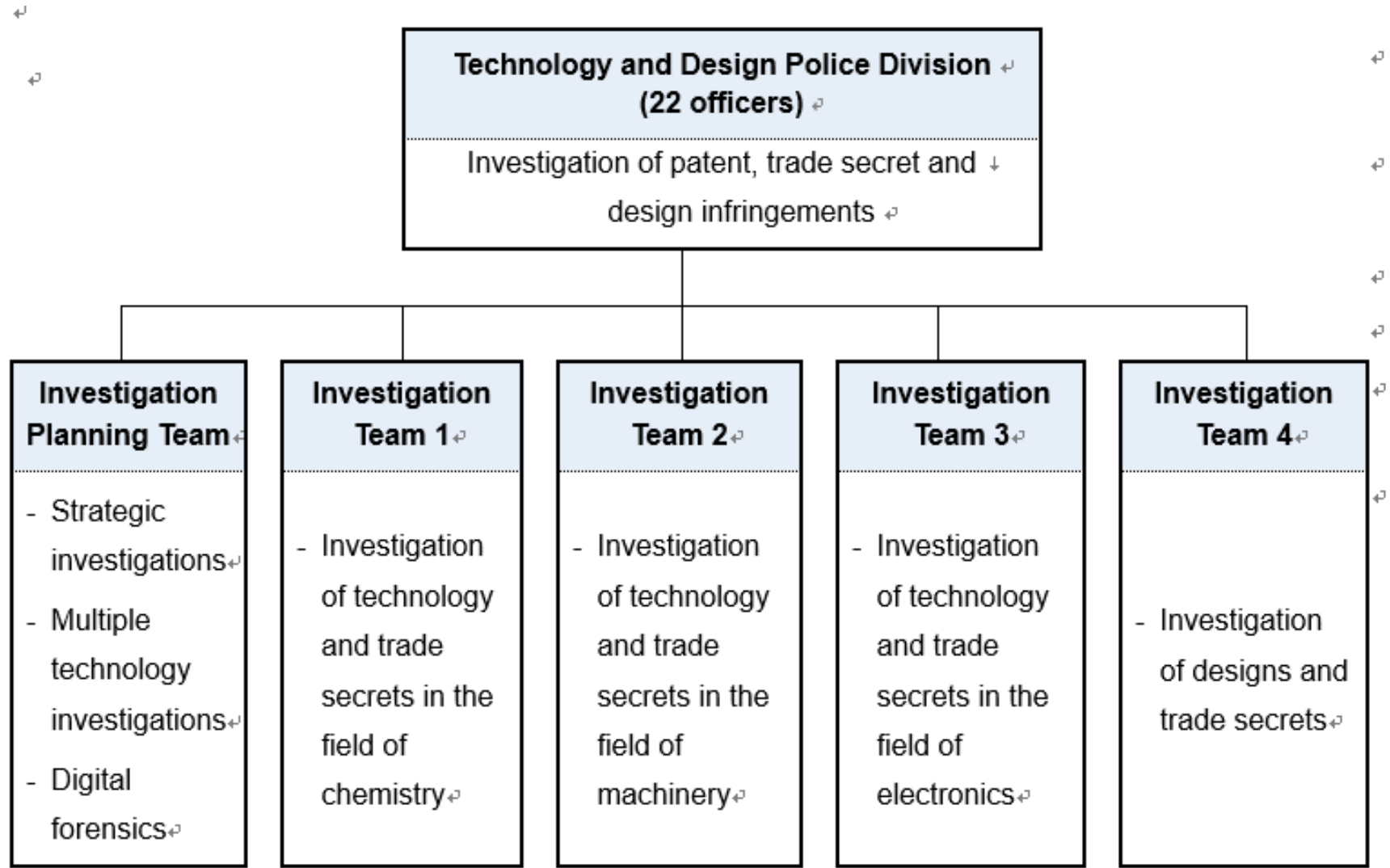
b. Expansion of the organization and investigators



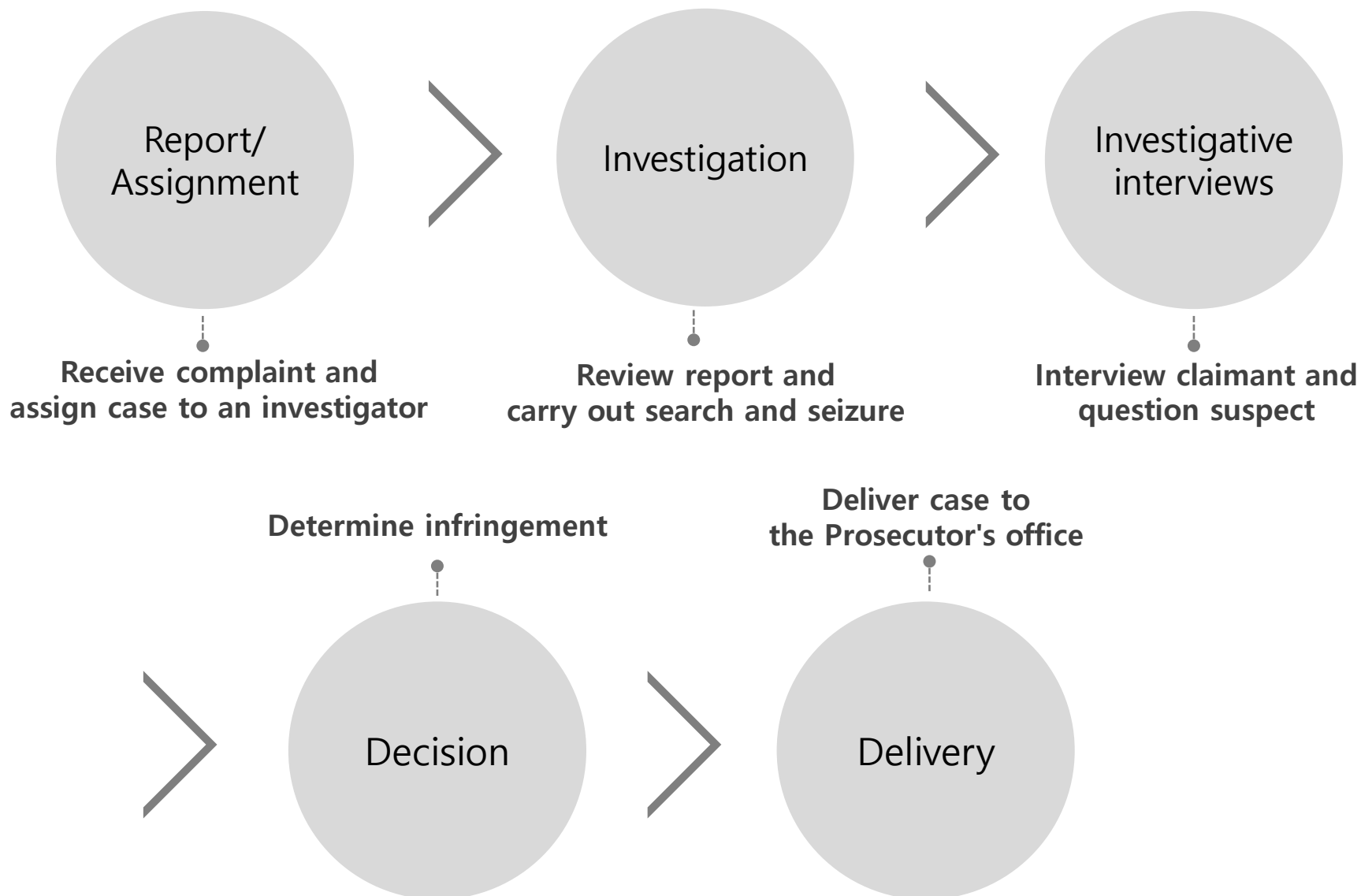
A "team" within the IP Investigation Division

An independently organized "Tech Police Division"

a. Organizational chart of the Tech Police



b. Investigation process



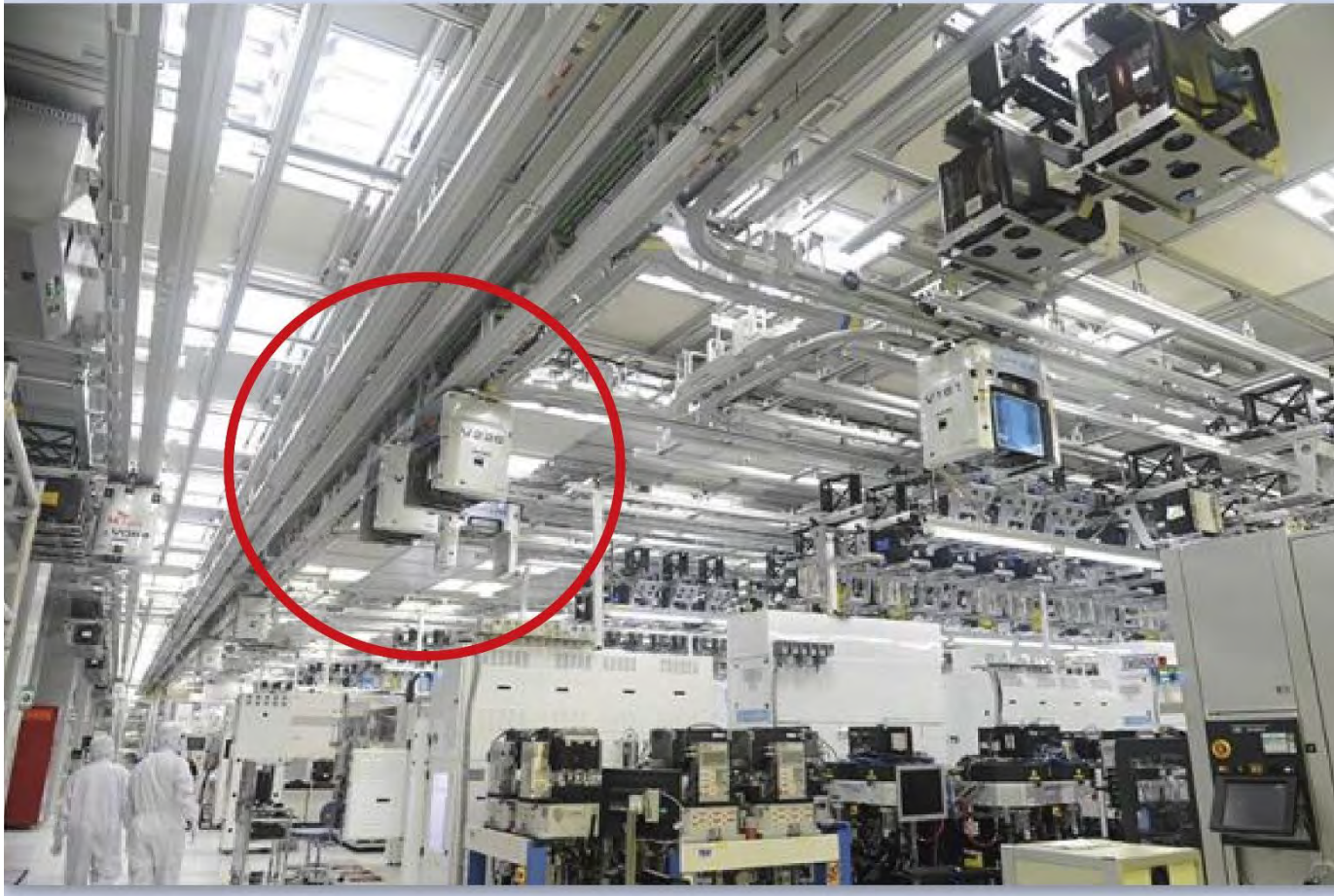
c. Number of criminals

(Unit: people)

	2019 (Apr. ~ Dec.)	2020	2021	Total
Patent	95	170	169	434
Trade Secret	20	39	85	144
Design	73	82	71	226
Other	12	82	50	144
Total	200	373	375	948

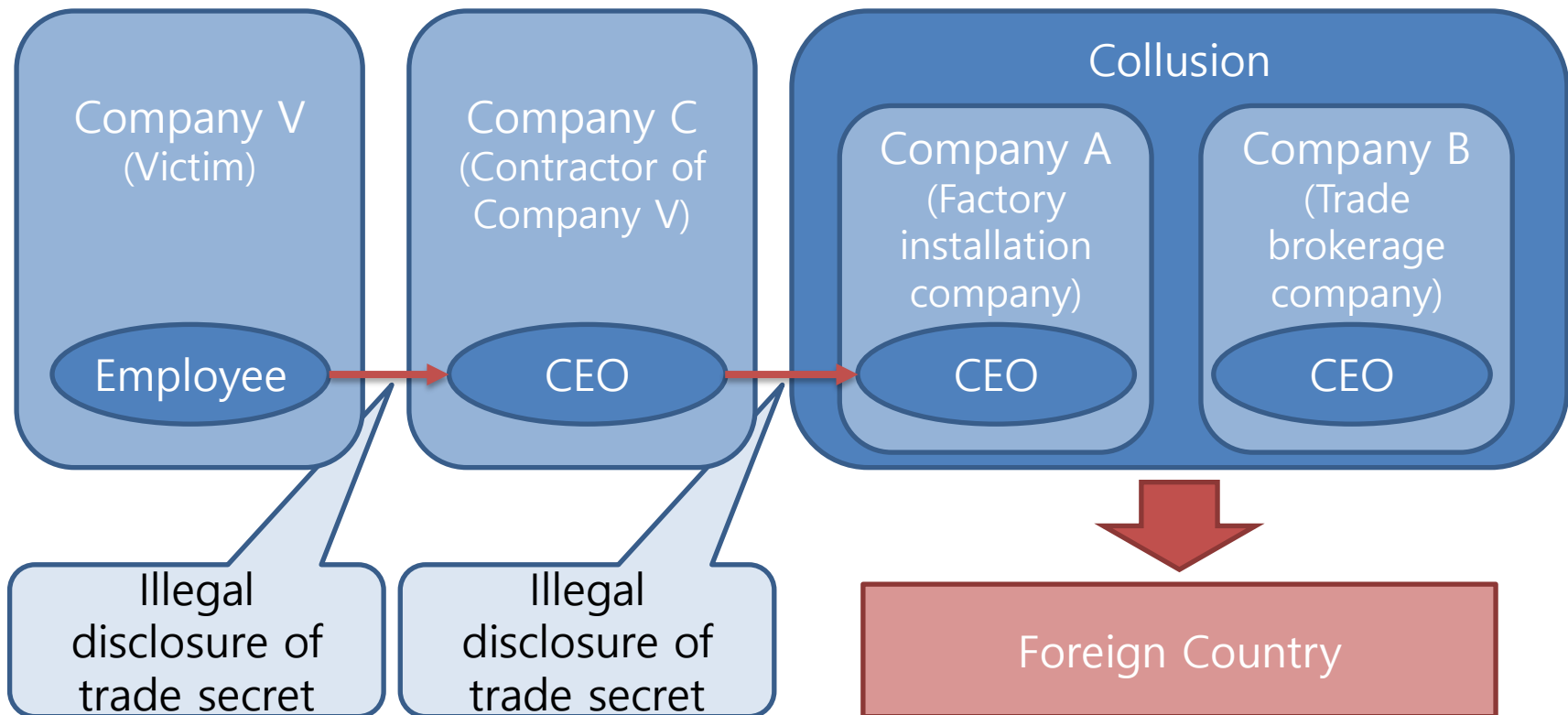
a. Case overview

Overhead Hoist Transport (OHT) Technology



a. Case overview (continued)

Overview



b. Development of the investigation

(Jan. 2020) Start investigation

(May. 2020) Search and seizure of "Company A"

(~Jul. 2021) Investigation (incl. questioning of suspects)

(Jul. 2021) Deliver case to the Public Prosecutor's office

(Jul. 2021 ~ Dec. 2021) Further investigation (by the Prosecutor)

(Dec. 2021) Criminal charge (by the Prosecutor)

(Dec. 2021 ~ now) Trial proceedings

c. Significance

Technology crimes (patent infringement, trade secret disclosure) **are hard to expose and hard to convict.**

☞ **It is necessary to conduct investigation and prove the commission of a crime based on technical and legal knowledge, as well as capabilities and experience.**

Once technology is disclosed, it is **irreversible** and results in **significant economic damage** for businesses and society.

☞ **The KIPO SJP prevented economic loss of about KRW 100B (USD 78M) by arresting criminals.**

THANK YOU

nkim28@korea.kr



The Role of Prosecution in Enforcing Intellectual Property Rights in the Republic of Korea

2022. 8. 31.

Prosecutor Minwoo Seo

IP Crime Investigation Division

Daejeon District Prosecutor's Office

Raising IP Awareness in ROK

- Government policies were redirected to emphasize the significance of IP
- Relevant laws were revised in accordance with international treaties
- Campaigns were launched to change public attitudes and behaviors

KSPPO's Effort to Strengthen Enforcement



- Expanding the scope of IP crime
- Enhancing the expert knowledge and skills
- Seeking alternatives

Transformation of Approaches to IP Crimes



IP Crime Investigation Division in Daejeon Prosecutor's Office

DDPO Specializes in IP Crime



IP Crime Investigation Division in Daejeon Prosecutor's Office

DDPO Specializes in IP Crime



- Daejeon is the Mecca of IP
- ✓ Korean Intellectual Property Office, Patent Court, Universities, Research institutes

Capacity Building in the Prosecution Service

- Dispatch of senior officers
- Prosecutor's decision before the IP court's conclusion
- Transfer of complicated IP cases to DDPO

Cooperation with Other Organizations



**DDPO's
IP Crime
Investigation Division**

Supervision



**Specialized
IP police officers**

Patent, Trademark, Industrial Design,
Unfair Trade, Trade Secret Cases
Investigation

Cooperation with Other Organizations



IP Crime Investigation Division in Daejeon Prosecutor's Office

Cooperation with Other Organizations



SK Hynix Newsroom Image

Implementation of Criminal Mediation

Criminal Mediation

- Mediators with little knowledge of IP or technology
- Effective only for obvious infringement cases



IPRDMC, KCC

- Experts in IP or technology
- Increasing the chance to make more than satisfactory results

Implementation of Criminal Mediation

The screenshot shows the homepage of the Industrial Property Rights Dispute Mediation Committee. At the top, there is a navigation bar with the logo on the left and four menu items: '분쟁조정제도', '분쟁조정위원회', '정보자료', and '분쟁조정신청'. The main banner features a background image of two hands shaking, with the title '산업재산권 분쟁조정위원회' and a list of four benefits: 1. 시간과 비용을 절약하실 수 있습니다. 2. 전문적이고 중립적인 조력을 받을 수 있습니다. 3. 양 당사자가 만족할 수 있는 다양한 분쟁해결이 가능합니다. 4. 신속성이 있고 비공개 됩니다. Below the list is a '자세히' button. The lower section contains three columns: '신청방법안내' (Application Method Guide) with a right arrow, '조정신청접수' (Mediation Application Reception) with a right arrow and a '접수하기' button, and 'FAQ / 자주하는 질문' (FAQ / Frequently Asked Questions) with a plus icon. Below the FAQ is a '홍보자료' (Promotional Materials) section.

Homepage of KIPO's Industrial Property Rights Dispute Mediation Committee

IP Crime Investigation Division in Daejeon Prosecutor's Office

Conditional Suspension of Prosecution



One-day awareness course on copyright protection

Training and Networking to Enhance Expertise



The Institute of Justice

IP Crime Investigation Division in Daejeon Prosecutor's Office

Training and Networking to Enhance Expertise



Professional Prosecutors' Community Seminar

Training and Networking to Enhance Expertise



Prof. James Gibson speaking in the seminar

Thank you!

Kingdom of Saudi Arabia



IP Respect
Officer
Program

Table of Contents

1. Introduction

2. Program Phases

1. Phase One: Qualification

2. Phase Two: Achieving Objectives

3. Achievements of 2021 IP respect officers

4. Video



IP Respect Officer Meeting

01

Introduction



Introduction

Introduction to IP Respect

Officer

IP Respect Officer Program aims to raise awareness, compliance, protect intellectual property rights, manage, utilize and value intangible assets in both public and private sectors by training and qualifying representatives to be responsible for respecting intellectual property in the entities they represent.



Program Scope



Public Sector
(2020-2022)



Private Sector
(planned in 2023-2026)

Program Objectives



Raise
Awareness



Increase
Compliance



Protect intangible
assets (IP)

02

Program Phases



Program Phases

Program Phases

IP Respect Officer Program consists of two main phases:



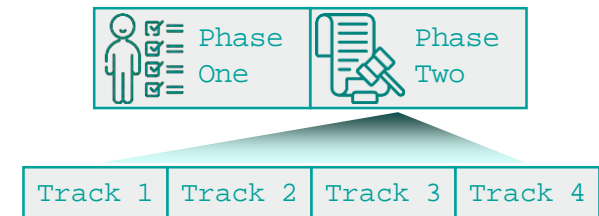
Phase One Qualification

At this Phase, the nominated representative from each entity will be trained on general intellectual property basics and IP laws and regulations. At the end of this phase, the officers will be officially certified as an IP respect officer.



Phase Two: Achieving Objectives

Achieving objectives phase is conducted continuously where annual KPI's are set to be achieved by IPR officers and their entities.



Program Phases

Phase One Qualification

This phase consists of four stages as follows:



Workshops for the
nominated IPR
officers

Provided by
SAIP



Intellectual
property primer
(DL-001)

Provided by
WIPO



General Course on
Intellectual
Property
(DL-101)

Provided by
WIPO



Training sessions on
Trademarks, Copyright,
IP Policy & Patents

Provided by
SAIP



Program Phases



Phase Two: Achieving IP objectives or the initiative objectives

This phase consists of four main tracks:



Track 1: Intellectual Property Awareness

At this track, SAIP:

- Assesses entities' awareness
- Provides awareness materials
- Provides training workshops



Track 2: Intellectual Property Policies

SAIP **supports and assists** the entity with formulating and adopting their own intellectual property policies



Track 3: Utilization of IP rights

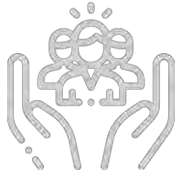
- Raise governmental entities' awareness regarding the use and utilization of IP



Track 4: Protecting and Managing Intellectual Property

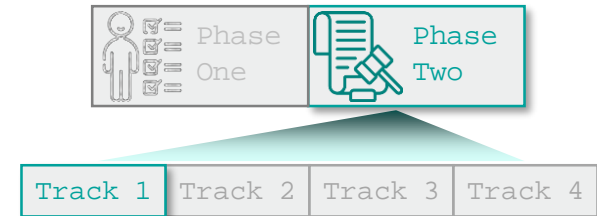
- Protecting IP rights
- Contributing to raising compliance
- Managing intangible assists

Program Phases



Track One: Intellectual Property Awareness

This track aims to raise the level of awareness among entities in public and private sectors and consists of three phases:



Stream one : Baseline

Measuring baseline using

- questionnaires
- short quizzes

to be distributed to measure the level of IP awareness



Stream Two: Raising Awareness

- Providing IP awareness packages
- Calendar plan for the awareness packages
- Training and workshops



Stream Three: Improvement measuring

Detecting the level of improvement by assessing the entities using online surveys and questionnaires

Program Phases



Track Two: Intellectual Property Policies

Track two aims to have intellectual property policies approved in all public and private entities. This track consists of two phases:



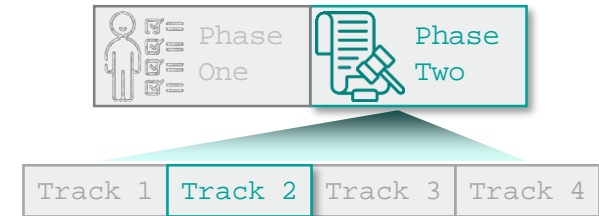
Stream one : Baseline

Measuring the baseline using online assessment surveys



Stream Two: Formulating and approving IP policies

Supporting entities by providing guides on how to write intellectual property policies and assisting the entity with formulating and adopting these policies.

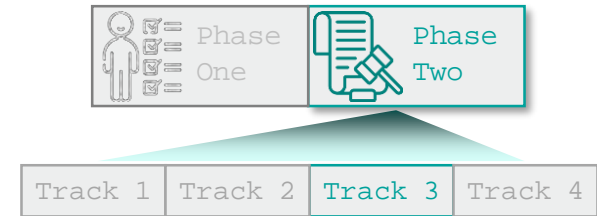


Program Phases



Track Three: Utilization of IP rights

Track three aims to analyze the most common usage of intellectual property at the government entities mainly through two phases:



Stream one : Observing the As-Is situation

Gathering the general perception of the IP usage.



Stream Two: Enlightenment

Training workshops are offered to IPR officers, with the presence of targeted groups from IT and PR Departments to ensure avoiding any possible violations.

Program Phases



Track four: Protection and Management of Intellectual Property

After qualifying and certifying the IPR Officers with the support of SAIP team, they will be responsible for the following:



Ensuring that the entity complies with intellectual property laws and regulations

Support, monitor, ensure a high compliance and act proactively to avoid committing any violations. IPR Officer can communicate directly with SAIP in case support is needed.



Contracts

ensure that contracts contain clauses for IP and their entity's intellectual property rights are preserved through procurements and projects.



Protecting and manage intangible assets

Protect, manage and ensure protection of intangible assets that falls under the scope of their entity's IP, such as copyright, trademarks, patents, designs, maps and etc.



Employees Support

Support their entity's employees in case of inquiries, and acting as an intellectual property consultants for the entity they represent.

03

Achievements



Achievements



First batch Achievements:

The IP respect officers of the first batch have done a great job on the intellectual property level that includes:

76

Ensuring that the entity complies with intellectual property laws and regulations

IP officers responsible for preparing IP policies, raising awareness ,answering inquiries related to IP in cooperation with the Saudi Authority for Intellectual Property

31

Intellectual Property Policies

IP Respect Officer helped in building intellectual property policies for their organizations through SAIP's policy department

+45

Raising Awareness

More than 45 government entities have participated in the awareness-raising campaigns by publishing IP content through internal screens and e-mail, and social media accounts.



Achievements



Second batch Achievements:

IP Respect Officers in the second batch have been through the same Process with the support of SAIP. There are 130 candidates for this batch, but they are still in the qualification and accreditation stage, and the full picture will be clarified by the end of 2022.

130

Government IP respect officers have been nominated to join the upcoming qualification program

5

Semi-Governmental
Entities

31

Football
clubs

94

Government
entities





نفخر اليوم بتأهيل أكثر من 70 #مسؤول_احترام_الملكية_الفكرية



Watch later



Share

MORE VIDEOS

Mohammed Al Masoud, IP Respect Officer at the General Authority for Survey and Geospatial Information



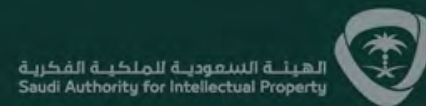
1:41 / 4:14



YouTube



Thank you





UNODC

United Nations Office on Drugs and Crime

**CONTAINER
CONTROL
PROGRAMME**



WORLD CUSTOMS ORGANIZATION
ORGANISATION MONDIALE DES DOUANES



THE UNODC-WCO-ICAO CONTAINER CONTROL PROGRAMME'S WORK ON IPR



The Container Control Programme (CCP) UNODC and WCO Initiative

- Launched in 2004
- Developed jointly by UNODC and the World Customs Organization (WCO)
- Assists Governments establish and maintain effective container controls
- Focused at seaports, dry ports, land borders, railways and airports
- Prevents trafficking in drugs and other illicit goods
- Facilitates legitimate trade and protects revenue

Background

International trade routes—sea, land, rail and air— are exploited by criminal organizations which pose a threat to the security of the international trade supply chain.

1. Trade Expansion

More than 800 million container movements in the maritime trade supply chain every year, transporting 90% of the world's cargo.

2. Illicit Trafficking

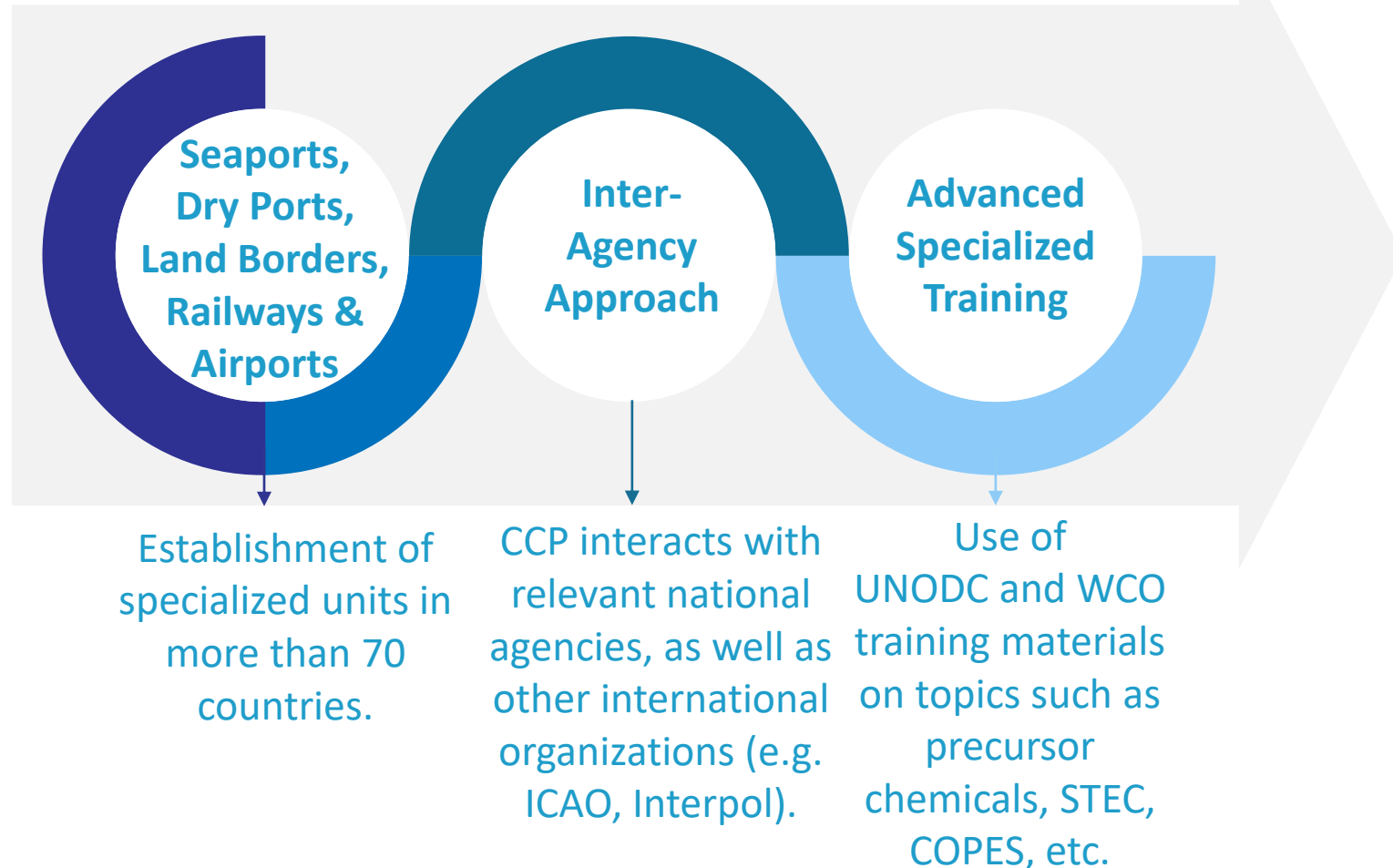
The containerized trade supply chain is exploited to traffic illicit goods.

3. Security

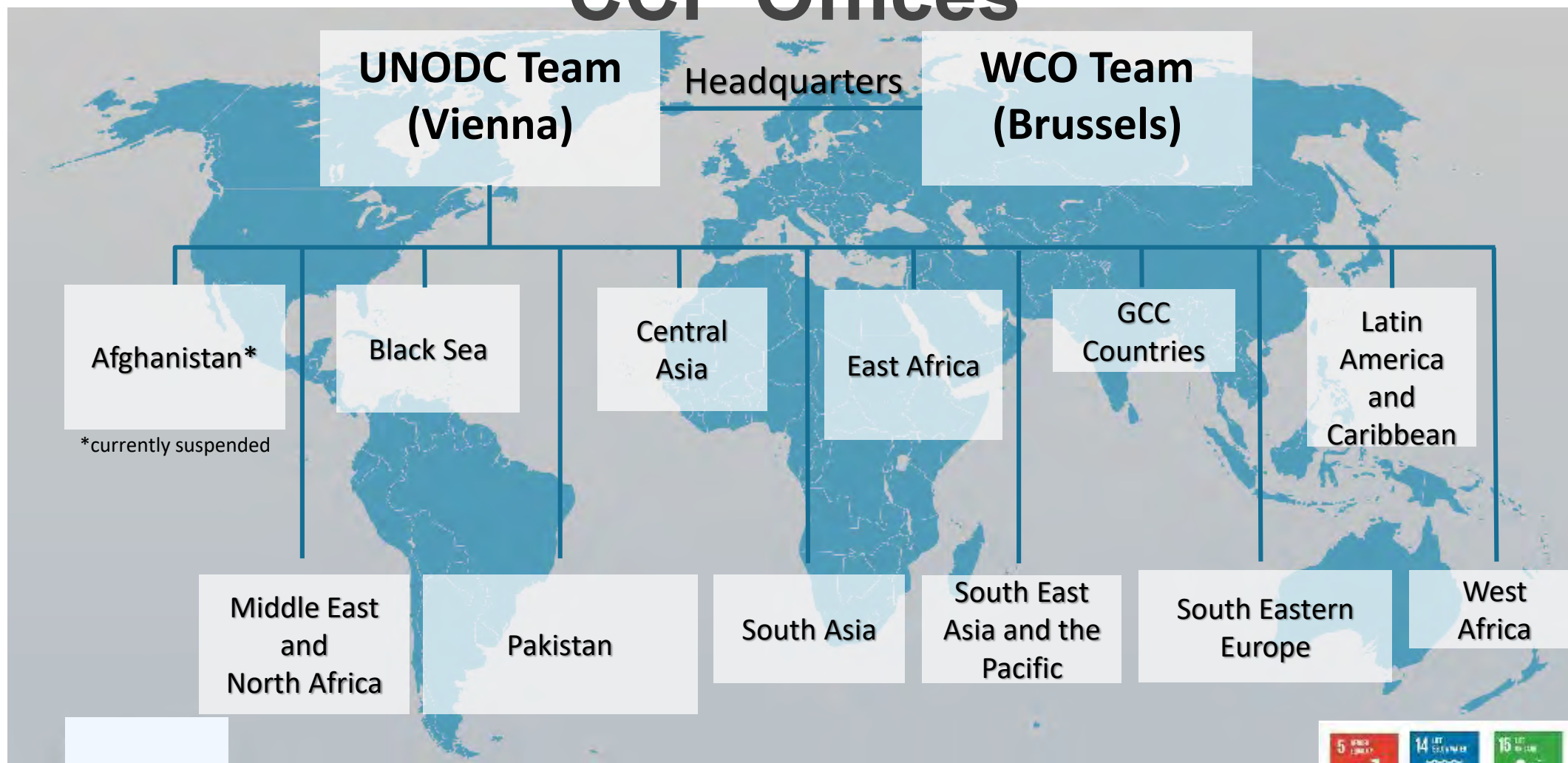
Organized criminal groups and terrorist organizations seek to exploit weak, ineffective and inconsistent border controls.

Supply Chain Security

CCP activities strengthen the security of the international cargo supply chain by building and improving national capacities.



CCP Offices



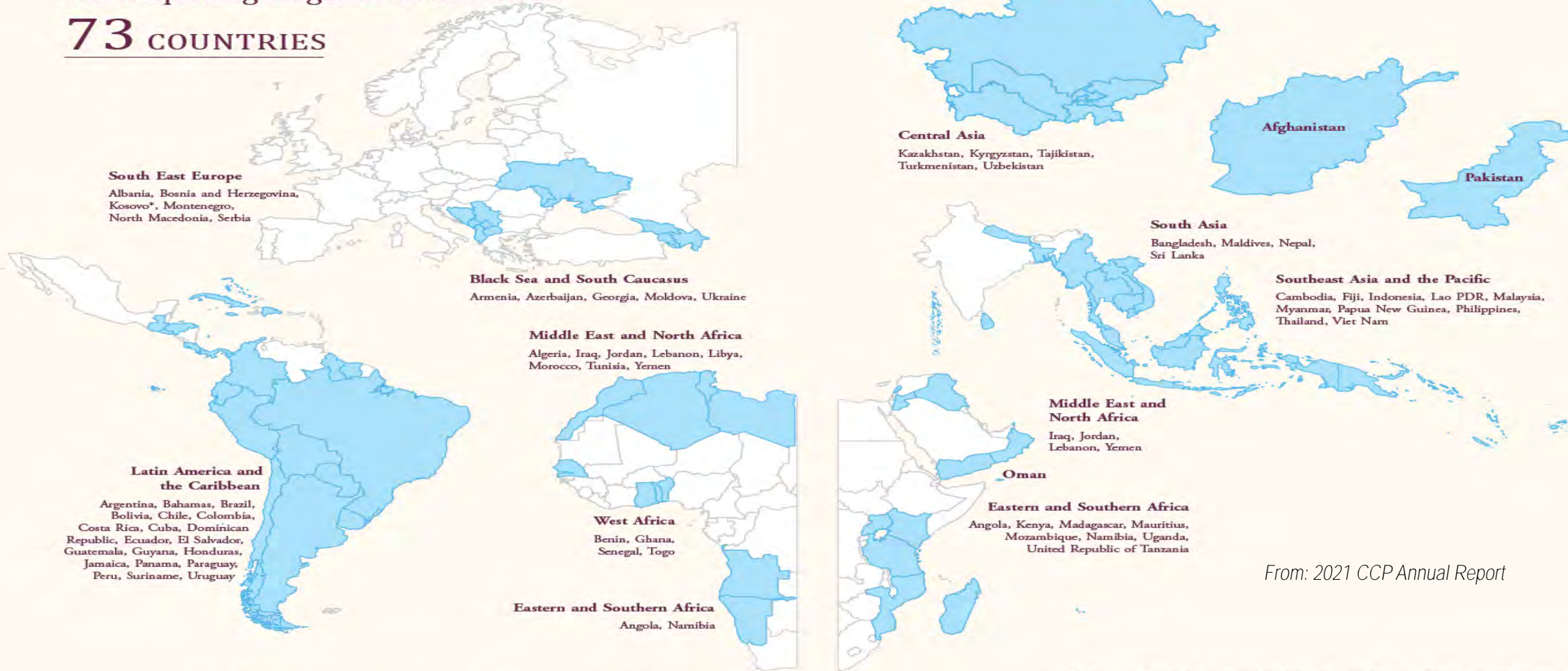
This is an official UN map. The designations employed and the presentation of material on this map do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries. Dotted line represents approximately the Line of Control in Jammu and Kashmir agreed upon by India and Pakistan. The final status of Jammu and Kashmir has not yet been agreed upon by the parties. Final boundary between the Republic of Sudan and the Republic of South Sudan has not yet been determined.





Participating Regions & Countries

73 COUNTRIES



From: 2021 CCP Annual Report

Note: The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations.

** All references to Kosovo in the present report should be understood in the context of United Nations Security Council resolution 1244 (1999).*

Training & Mentoring

CCP assists Member States to equip, train and mentor Customs, Aviation Security (AVSEC) and other law enforcement officials to refine the selection of high-risk cargo shipments.





2021 Results & Successes





2021 Results & Successes

GLOBAL SEIZURE CASES BY YEAR



CCP Results Since 2004

Seized:

> 619 tons of cocaine, 14 tons of heroin, > 74 tons of cannabis, 2.8 tons/121,200 liters of precursors for drugs and explosives, 1.1 tons (946,300 units) of psychotropic substances, 325 tons of tramadol, and 2,481,854,900 units of cigarettes.

There have also been seizures of 90 shipments of strategic and dual use goods, 152 cases of environmental crime, more than 1,000 cases of IPR goods and 3 instances relating to fisheries crime .



CCP's work on IPR

Challenges and lessons learned







UNODC

United Nations Office on Drugs and Crime

**CONTAINER
CONTROL
PROGRAMME**



WORLD CUSTOMS ORGANIZATION
ORGANISATION MONDIALE DES DOUANES





UNODC

United Nations Office on Drugs and Crime

**CONTAINER
CONTROL
PROGRAMME**



WORLD CUSTOMS ORGANIZATION
ORGANISATION MONDIALE DES DOUANES





UNODC

United Nations Office on Drugs and Crime

CONTAINER CONTROL PROGRAMME



WORLD CUSTOMS ORGANIZATION
ORGANISATION MONDIALE DES DOUANES



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SENIOR PROGRAMME COORDINATOR
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BOB VAN DEN BERGHE
PROGRAMME COORDINATOR
UNODC
BOB.VANDENBERGHE@UN.ORG

