

The European Observatory on Infringements of IP Rights

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Objectives

- Provide evidence-based contributions and data to enable EU policymakers to shape effective IP enforcement policies and to support innovation and creativity
 - Provide data, tools and databases to support the fight against IP infringement
 - Provide knowledge and learning programs for IP and enforcement authorities as well as for businesses and IP practitioners
 - Develop initiatives to help innovators, creators and businesses (especially SMEs) protect their IP rights
 - Design campaigns to raise awareness of the value of IP and the negative consequences of IP infringement
- = IMPROVING UNDERSTANDING AND KNOWLEDGE

A network of experts and specialist stakeholders.

PLENARY MEETING – ONCE A YEAR

MEMBER STATES & STAKEHOLDERS – ONCE A YEAR

WORKING GROUPS – TWICE A YEAR

- Public Awareness
- Enforcement
- Legal and International
- IP in the Digital World
- Statistics and Economics

SUB GROUPS

HOW TO INFLUENCE?

Representatives from both the public and the private sector. Members of the European Parliament and institutional partners are also vital participants, whose involvement allows the European Parliament, the European Commission Services and Member States to follow and give advice on the Observatory's work.

Private-sector representatives include a broad and balanced range of Union and national bodies representing the various economic sectors, including creative industries, most involved or experienced in the fight against infringements of intellectual property rights. Consumer organizations, small- and medium-sized enterprises, authors and other creators are also represented.



Working Groups

- Public Awareness:
 - Pan-EU Campaign among younger people
 - Helping SME's protecting IP rights (learning tools)
 - Observatory Website
 - Improved Communication on Observatory Work
- Enforcement:
 - IP Enforcement Database
 - Anti-Counterfeiting Intelligence Support Tool
 - Building Knowledge and Competences in IP Enforcement

= broader cooperation with TAXUD, Europol, CEPOL, OLAF, Interpol, WIPO, WCO, UN, UNICRI

Working Groups ctd..

- IP in the Digital World
 - monitor development of Online Legal Offers
 - implementation of MoU on Sale of Counterfeit Goods via Internet (SACG part of work)
 - Orphan Works Registry
- Economics and Statistics
 - Quantification of Infringement (define a method)
 - Completion of 2nd phase of the IP Contribution study
 - Detailed study on the Economic Contribution of GI's
 - Research on Trade Secrets

Working Groups ctd..

- Support Protection of IP Rights outside EU
 - DG Trade improving protection of IP rights ex EU
 - Web based info system help EU companies assess level of violations in different countries
 - Creation of network of IP experts in EU delegations
- **Legal and International**
 - Best Practice Reports; effective practice against IP infringemenets
- Sub Groups:
 - Methods of calculation of costs and damages
 - quantify cost of storage and destruction

Legal Working Group

- Best Practice Reports from 2011 (Observatory I) updated and reviewed by experts on
 - Damages and Costs
 - Storage and Destruction
- Country Reports
 - India, Brazil, Russia, China
- Sub Group created on Damages and Costs

Sub-Group on Damages and Costs

“There are of course many topics within the subject matter of damages to discuss, however initially it has been proposed to be limited to issues like the calculation of infringer’s profits, right holder’s profits and reasonable remuneration when no license market exists and from where “real figures” can be obtained. There is therefore a need to exchange experience and creative ideas among litigators, economists, judges, prosecutors and other concerned parties, to clarify certain issues, and perhaps reach a consensus over the solution and which criteria that shall be considered in such calculation (when no real figures can be obtained). In that work, factors can be identified and systematically defined and it can be discussed how those factors/criteria shall be applied and assessed in various typical situations. If a consensus can be reached of which criteria shall be considered in the various calculations, they can be used in a convincing way in court - hopefully throughout the Union. If the result is good and brings clarity, it might also in the end form part of the harmonisation work of the EU.”

Achievements 2013

- **IP Contribution Study**: quantifies the contribution of IPR-intensive industries to the EU economy
- **IP Perception Study**: qualitative and quantitative analysis of the perception of IP by citizens of all 28 MS
- **Strengthened the network and more representative by addition of new associations. 28 MS and 58 organisations and 10 international organisations as observers**
- **Workings Groups to create sub groups**
- **Enforcement Database**
- **3 major conferences – IP Enforcement Summit**

Cooperation with COM, CEPOL, EPO, WCO, WIPO

Meeting and Conferences 2014

- Conference on Contribution of IP to growth and employment in EU
- High level conference on counterfeiting and piracy (UK + Obs)
- 2 seminars with Europol;
 - sport goods and events
 - internet as facilitator of IP crime
- Conference of IP Economists in Brussels to discuss research agendas of economists from national IP offices, COM, EPO, WIPO and other international organizations

Puh...!

Thank you!