

3. Intellectual Property Rights [38]

Commitment:

“We will advance existing anti-counterfeiting and piracy initiatives through, inter alia, promoting information exchange systems amongst our authorities, as well as developing non-binding Standards to be employed by Customs for Uniform Rights Enforcement (SECURE) at the World Customs Organization.”

G8 Leaders Declaration on the World Economy

Assessment:

Interim Compliance Score

Country	Lack of Compliance -1	Work in Progress 0	Full Compliance +1
Canada		0	
France		0	
Germany			+1
Italy			+1
Japan			+1
Russia		0	
United Kingdom		0	
United States			+1
European Union			+1
Average Score			+0.56

Background:

Intellectual property rights (IPR) are widely thought to support technological innovation and economic growth. However, identifying which policies best support intellectual property rights is a more controversial matter. One forum for intergovernmental discussion on IPR is the World Customs Organization (WCO), an independent organization that works with customs agencies around the world.¹⁵² Customs agencies have a role in enforcing intellectual property rights, partially codified in a non-binding international agreement, the provisional Standards Employed by Customs for Uniform Rights Enforcement (SECURE).¹⁵³

SECURE is a continuously developing document, overseen by the WCO's SECURE Working Group. At the Hokkaido-Toyako Summit, G8 states expressed support for the

¹⁵² About Us, World Customs Organization. Date of Access: 28 December 2008.

http://www.wcoomd.org/home_about_us.htm.

¹⁵³ Provisional Standards Employed by Customs for Uniform Rights Enforcement (SECURE) June 2007. Date of Access: 28 December 2008.

http://www.wcoomd.org/files/1.%20Public%20files/PDFandDocuments/Enforcement/SECURE_E.pdf.

continued development of SECURE.¹⁵⁴ The SECURE Working Group has met four times, most recently 30-31 October 2008 in Brussels.¹⁵⁵

During the Working Group's most recent meeting, G8 members were all unable to reach a consensus on the scope of the application of SECURE. On 4 December 2008, Kunio Mikuriya, the Secretary General of the WCO, stated public concerns about the sustainability of SECURE at the third Pan European Intellectual Property Summit.¹⁵⁶ There are reports that some countries are in favour of disbanding the SECURE working group altogether, but to date, there have been no public moves to disband the SECURE working group.¹⁵⁷

The second IPR initiative covered in this commitment is the expansion of information exchange systems between G8 member authorities. At the Hokkaido-Toyako Summit, G8 leaders discussed the need for increased information exchange among states, in particular among customs and border enforcement agencies, in order to fight counterfeiting and piracy.

Commitment Features:

Compliance with this commitment can be separated into two areas: the development of SECURE and information exchange systems.

SECURE is revised by the SECURE Working Group, so "developing non-binding Standards..." can be understood to mean participating in the working group meetings. Note that the commitment concerns developing standards, not implementing the standards laid out in SECURE. A move to disband the SECURE working group would be the equivalent of not attending a SECURE working group meeting.

The commitment calls on members to develop information exchange systems, not simply exchange information. To qualify for compliance, these systems must enhance the enforcement of anti-counterfeiting and piracy laws.

Scoring:

-1	Member does not attend any meetings of the SECURE Working Group AND does not create or further develop information exchange systems to
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¹⁵⁴ Management Committee Meeting Summary Report, World Customs Organization (Brussels) 10 November 2008. Date of Access: 9 December 2008.

¹⁵⁵ Strengthening the Fight against Counterfeiting and Piracy, 3rd Pan European Intellectual Property Summit, "Brussels IP 2008". 4-5 December. Access: 10 December 2008. <http://www.wcoomd.org/speeches/default.aspx?lid=1&id=118>.

¹⁵⁶ Strengthening the Fight against Counterfeiting and Piracy, 3rd Pan European Intellectual Property Summit, "Brussels IP 2008". 4-5 December. Access: 10 December 2008. <http://www.wcoomd.org/speeches/default.aspx?lid=1&id=118>.

¹⁵⁷ Policy Commission, World Customs Organization (Brussels) 26 November 2008. Date of Access: 9 December 2008. <http://www.vpac.gov.ar/documentsE/archivos/SP0284E1a.pdf>.

Trade: WCO secretariat for disbanding SECURE Working Group, Third World Network, 2 December 2008. Date of Access: 29 December 2008. http://www.twinside.org.sg/title2/intellectual_property/info.service/2008/twn.ipr.info.081201.htm.

	combat counterfeiting and piracy.
0	Member attends a meeting of the SECURE Working Group OR creates or further develops information exchange systems to combat counterfeiting and piracy.
+1	Member attends a meeting of the SECURE Working Group AND creates or further develops information exchange systems to combat counterfeiting and piracy.

Lead Analyst: Nike Adebowale

Canada: 0

Canada has partially complied with its commitment to advance international property rights. Canada has participated in the SECURE Working Group.

On 30-31 October 2008, Canada attended the fourth meeting of the WCO’s SECURE Working Group in Brussels.¹⁵⁸ Canada and other countries, however, “failed to reach consensus on any substantive matter,” including non-binding standards.¹⁵⁹

Thus, Canada has been awarded a score of +1 for participating in the SECURE working group. There is no evidence that Canada has promoted information exchange systems.

Analyst: Alicja Serafin

France: 0

France has partially complied with its commitment to advance intellectual property rights. France has participated in the SECURE Working Group, and has signed a declaration in support of information exchange, but has not actively pursued information exchange systems.

On 30-31 October 2008, France attended the fourth meeting of the WCO’s SECURE Working Group in Brussels.¹⁶⁰ France and other countries, however, “failed to reach

¹⁵⁸ Management Committee Meeting Summary Report, World Customs Organization (Brussels) 10 November 2008. Date of Access: 9 December 2008.

¹⁵⁸ Global Dialogue on Customs Capacity Building, World Customs Organization (Brussels) 2 October 2008. Date of Access: 5 December 2008.

http://www.wcoomd.org/files/2.%20Event%20files/PDFs/Global_Dialogue/Global_Dialogue_final-report1.pdf.

¹⁵⁹ Management Committee Meeting Summary Report, World Customs Organization (Brussels) 10 November 2008. Date of Access: 9 December 2008.

<http://www.vpac.gov.ar/documentsE/archivos/November%202008%20E%20-%20Members.pdf>.

¹⁶⁰ Management Committee Meeting Summary Report, World Customs Organization (Brussels) 10 November 2008. Date of Access: 9 December 2008.

<http://www.vpac.gov.ar/documentsE/archivos/November%202008%20E%20-%20Members.pdf>.

¹⁶⁰ Global Dialogue on Customs Capacity Building, World Customs Organization (Brussels) 2 October

consensus on any substantive matter,” including non-binding standards.¹⁶¹

On 27 October 2008, the French representative of the national anti-counterfeiting coalition signed the Cannes Declaration Against Counterfeiting along with along with representatives from Bulgaria, Italy, Morocco, Portugal, Romania and Spain.¹⁶² The declaration collectively noted the dangers of counterfeiting, and addressed measures that could be taken to tackle counterfeiting.¹⁶³ Countries agreed to “strengthen their cooperation through exchange of information.”¹⁶⁴

Thus, France has been awarded a score of 0 for participating in the SECURE working group. France’s initiatives in promoting information exchange systems aimed at advancing anti-counterfeiting and piracy initiatives are still progressing.

Analyst: Amartya Biswas

Germany: +1

Germany has fully complied with its commitment to advance intellectual property rights.

On 30-31 October 2008, Germany attended the fourth meeting of the WCO’s SECURE Working Group in Brussels.¹⁶⁵ Germany and other countries, however, “failed to reach consensus on any substantive matter,” including non-binding standards.¹⁶⁶

On 4-5 November 2008, Germany and Singapore held a bilateral business forum to promote collaboration between small and medium-sized businesses.¹⁶⁷ German delegates discussed the importance of IPR with their Singaporean counterparts, with Professor Dr Lotha Späth, German Singapore Business Forum Co-Chairman and former Chairman of

¹⁶¹ Management Committee Meeting Summary Report, World Customs Organization (Brussels) 10 November 2008. Date of Access: 9 December 2008.

<http://www.vpac.gov.ar/documentsE/archivos/November%202008%20E%20-%20Members.pdf>.

¹⁶² Cannes Declaration Against Counterfeiting, Tax Free World Association (Cannes) 27 October 2008. Date of Access: 9 December 2008.

http://www.uibm.eu/contraffazione/Cannes_declaration_against_counterfeiting.pdf.

¹⁶³ Cannes Declaration Against Counterfeiting, Tax Free World Association (Cannes) 27 October 2008. Date of Access: 9 December 2008.

http://www.uibm.eu/contraffazione/Cannes_declaration_against_counterfeiting.pdf.

¹⁶⁴ Cannes Declaration Against Counterfeiting, Tax Free World Association (Cannes) 27 October 2008. Date of Access: 9 December 2008.

http://www.uibm.eu/contraffazione/Cannes_declaration_against_counterfeiting.pdf.

¹⁶⁵ Management Committee Meeting Summary Report, World Customs Organization (Brussels) 10 November 2008. Date of Access: 9 December 2008.

<http://www.vpac.gov.ar/documentsE/archivos/November%202008%20E%20-%20Members.pdf>.

¹⁶⁵ Global Dialogue on Customs Capacity Building, World Customs Organization (Brussels) 2 October

¹⁶⁶ Management Committee Meeting Summary Report, World Customs Organization (Brussels) 10 November 2008. Date of Access: 9 December 2008.

<http://www.vpac.gov.ar/documentsE/archivos/November%202008%20E%20-%20Members.pdf>.

¹⁶⁷ German-Singapore Business Forum 2008 Promotes Bilateral Collaboration Among SMEs, SPRING Singapore 5 November 2008. Date of Access: 17 December 2008.

<http://www.spring.gov.sg/Content/ModulePage.aspx?group=nw&id=0a541ddd-7dff-42eb-97d1-26a6e90de91a>.

Jenoptik AG saying both Germany and Singapore “should make greater effort to further improve the framework to protect innovation worldwide.”¹⁶⁸

On 4-5 December 2008, the World Intellectual Property Organization, European Commission, and Office for Harmonization in the Internal Market co-sponsored the 2008 Brussels IP Summit.¹⁶⁹ The German government sent government and business delegates to the summit. At the summit, Dr Stefan Waltz of the German Federal Department of Justice discussed the different steps in implementing the Single Integrated Court and community patent systems.¹⁷⁰

Thus, Germany has been awarded a score of +1 for participating in the SECURE working group, and for promoting information exchange systems aimed at advancing anti-counterfeiting and piracy initiatives.

Analyst: Colum Grove-White

Italy: +1

Italy has fully complied with its commitment to advance intellectual property rights.

On 30-31 October 2008, Italy attended the fourth meeting of the WCO’s SECURE Working Group in Brussels.¹⁷¹ Italy and other countries, however, “failed to reach consensus on any substantive matter,” including non-binding standards.¹⁷²

On 27 October 2008, the Italian representative of the national anti-counterfeiting coalition signed the Cannes Declaration Against Counterfeiting along with along with representatives from Bulgaria, France, Morocco, Portugal, Romania and Spain.¹⁷³ The declaration collectively noted the dangers of counterfeiting, and addressed measures that

¹⁶⁸ German-Singapore Business Forum 2008 Promotes Bilateral Collaboration Among SMEs, SPRING Singapore 5 November 2008. Date of Access: 17 December 2008.

<http://www.spring.gov.sg/Content/ModulePage.aspx?group=nw&id=0a541ddd-7dff-42eb-97d1-26a6e90de91a>.

¹⁶⁹ PanEuropean IP Summit 2008, 4 December 2008. Date of Access: 17 December 2008.

<http://www.premiercercle.com/ips2008/index.php>.

¹⁷⁰ PanEuropean IP Summit 2008, 4 December 2008. Date of Access: 17 December 2008.

<http://www.premiercercle.com/ips2008/agenda-day1-plenary.php>.

¹⁷¹ Management Committee Meeting Summary Report, World Customs Organization (Brussels) 10 November 2008. Date of Access: 9 December 2008.

<http://www.vpac.gov.ar/documentsE/archivos/November%202008%20E%20-%20Members.pdf>.

¹⁷¹ Global Dialogue on Customs Capacity Building, World Customs Organization (Brussels) 2 October

¹⁷² Management Committee Meeting Summary Report, World Customs Organization (Brussels) 10 November 2008. Date of Access: 9 December 2008.

<http://www.vpac.gov.ar/documentsE/archivos/November%202008%20E%20-%20Members.pdf>.

¹⁷³ Cannes Declaration Against Counterfeiting, Tax Free World Association (Cannes) 27 October 2008. Date of Access: 9 December 2008.

http://www.uibm.eu/contraffazione/Cannes_declaration_against_counterfeiting.pdf.

could be taken to tackle counterfeiting.¹⁷⁴ One of the measures include countries to “strengthen their cooperation through exchange of information.”¹⁷⁵

On 21 October 2008, the Italian Ministry of Economic Development, the Italian Confederation of Industries, and the Association of Italian Banking signed a protocol on the understanding of economic evaluation of patents.¹⁷⁶ The Protocol is a communicative tool which hopes to raise the quality and value of Italian innovative industries through better communications systems between the public and private sectors.¹⁷⁷

On 15 September 2008, Mauro Masi, the General Secretary of the Presidency of the Council of Ministers of Italy, signed a co-financing agreement on behalf of the Italian government with the World Intellectual Property Organization. The agreement provides up to EUR2 million a year for the protection of Italian copyrights, patents, trademarks, and industrial brands.¹⁷⁸

On 5 December 2008, the Italian and Chinese governments held meetings to strengthen bilateral customs and trade relations.¹⁷⁹ A memorandum was signed between Joseph Peleggi, the Director of Italy’s Customs Department, and Sun Songpu, the Deputy Minister of China’s Custom’s Department. The memorandum reaffirmed the importance of mutual assistance to facilitate trade, improve security, and promote information exchange systems about piracy and anti-counterfeiting activities.¹⁸⁰

Thus, Italy has been awarded a score of +1 for participating in the SECURE working group, and for promoting information exchange systems aimed at advancing anti-counterfeiting and piracy initiatives.

Analyst: Colum Grove-White

Japan: +1

¹⁷⁴ Cannes Declaration Against Counterfeiting, Tax Free World Association (Cannes) 27 October 2008. Date of Access: 9 December 2008.

http://www.uibm.eu/contraffazione/Cannes_declaration_against_counterfeiting.pdf.

¹⁷⁵ Cannes Declaration Against Counterfeiting, Tax Free World Association (Cannes) 27 October 2008. Date of Access: 9 December 2008.

http://www.uibm.eu/contraffazione/Cannes_declaration_against_counterfeiting.pdf.

¹⁷⁶ MSE, Confindustria, ABI, CRUI: firmato il Protocollo di intesa sulla valutazione economica dei brevetti, Istituto per la Promozione Industriale (Italy) 19 December 2008. Date of Access: 19 December 2008.

http://www.ipi.it/en_inside.asp?id=297&id_madrP=933&id_modu=2079&id_serv=55.

¹⁷⁷ MSE, Confindustria, ABI, CRUI: firmato il Protocollo di intesa sulla valutazione economica dei brevetti, Istituto per la Promozione Industriale (Italy) 19 December 2008. Date of Access: 19 December 2008. http://www.ipi.it/en_inside.asp?id=297&id_madrP=933&id_modu=2079&id_serv=55.

¹⁷⁸ WIPO-OMPI: firmato accordo a Palazzo Chigi (Italy) 15 September 2008. Date of Access: 31 December 2008. <http://www.governo.it/GovernoInforma/Comunicati/dettaglio.asp?d=40280>.

¹⁷⁹ INCONTRO BILATERALE TRA L’AGENZIA DELLE DOGANE E

L’AMMINISTRAZIONE DOGANALE CINESE (Rome) 5 December 2008. Date of Access: 1 January 2009. <http://www.agenziadogane.it/wps/wcm/connect/resources/file/ebadd7406f59443/cre-s-20081205-61698.pdf?MOD=AJPERES>.

¹⁸⁰ INCONTRO BILATERALE TRA L’AGENZIA DELLE DOGANE E L’AMMINISTRAZIONE DOGANALE CINESE (Rome) 5 December 2008. Date of Access: 1 January 2009. <http://www.agenziadogane.it/wps/wcm/connect/resources/file/ebadd7406f59443/cre-s-20081205-61698.pdf?MOD=AJPERES>.

Japan has complied with its commitment to advance intellectual property rights.

On 30-31 October 2008, Japan attended the fourth meeting of the WCO's SECURE Working Group in Brussels.¹⁸¹ Japan and other countries, however, "failed to reach consensus on any substantive matter," including non-binding standards.¹⁸²

On 28 July 2008, the Japanese government launched the Triway Pilot Project. This one-year program was agreed to by the Japan Patent Office (JPO), United States Patent and Trademark Office (USPTO), and the European Patent Office at the November 2007 Trilateral Pre-conference.¹⁸³ The program is intended to promote work sharing amongst the three members in "order to improve the resulting quality of any patents issued ... by each of the Trilateral Offices."¹⁸⁴

On 24 September 2008, the Japanese Commissioner of the JPO, Takashi Suzuki, and the US Under Secretary of Commerce for Intellectual Property and Director of the USPTO Jon Dudas signed a statement to "enhance mutual cooperation on work sharing and international patent harmonization."¹⁸⁵ In the statement, both Japan and the US committed to enhance their current examiner exchange program to foster improved bilateral cooperation and understanding amongst their respective patent examiners.¹⁸⁶

Thus, Japan has been awarded a score of +1 for participating in the SECURE working group, as well as for promoting information exchange systems aimed at advancing anti-counterfeiting and piracy initiatives.

Analyst: Jim Mylonas

Russia: 0

Russia has partially complied with its commitment to advance intellectual property rights.

On 30-31 October 2008, Russia attended the fourth meeting of the WCO's SECURE

¹⁸¹ Management Committee Meeting Summary Report, World Customs Organization (Brussels) 10 November 2008. Date of Access: 9 December 2008.

<http://www.vpac.gov.ar/documentsE/archivos/November%202008%20E%20-%20Members.pdf>.

¹⁸¹ Global Dialogue on Customs Capacity Building, World Customs Organization (Brussels) 2 October

¹⁸² Management Committee Meeting Summary Report, World Customs Organization (Brussels) 10 November 2008. Date of Access: 9 December 2008.

<http://www.vpac.gov.ar/documentsE/archivos/November%202008%20E%20-%20Members.pdf>.

¹⁸³ Triway Pilot Programme between the United States Patent and Trademark Office, the European Patent Office, and the Japan Patent Office, European Patent Office (Munich) 16 July 2008. Date of Access: 3 December 2008. <http://www.epo.org/patents/law/legal-texts/InformationEPO/archiveinfo/20080716.html>

¹⁸⁴ Triway Pilot Programme between the United States Patent and Trademark Office, the European Patent Office, and the Japan Patent Office, European Patent Office (Munich) 16 July 2008. Date of Access: 3 December 2008. <http://www.epo.org/patents/law/legal-texts/InformationEPO/archiveinfo/20080716.html>

¹⁸⁵ Statement on Enhanced Mutual Cooperation between the United States Patent and Trademark Office and the Japan Patent Office, Japan Patent Office (Tokyo) 26 September 2008. Date of Access: 3 December 2008. http://www.jpo.go.jp/cgi/linke.cgi?url=/torikumi_e/puresu_e/mou_uspto2008.htm

¹⁸⁶ Statement on Enhanced Mutual Cooperation between the United States Patent and Trademark Office and the Japan Patent Office, Japan Patent Office (Tokyo) 26 September 2008. Date of Access: 3 December 2008. http://www.jpo.go.jp/cgi/linke.cgi?url=/torikumi_e/puresu_e/mou_uspto2008.htm

Working Group in Brussels.¹⁸⁷ Russia and other countries, however, “failed to reach consensus on any substantive matter,”¹⁸⁸ including non-binding standards.

Thus, Russia has been awarded a score of 0 for participating in the SECURE working group. Russia’s has not yet taken action to promote information exchange systems aimed at advancing anti-counterfeiting and piracy initiatives.

Analyst: Yulia Ovchinnikova

United Kingdom: 0

The United Kingdom has partially complied with its commitment to advance intellectual property rights.

On 30-31 October 2008, the UK attended the fourth meeting of the WCO’s SECURE Working Group in Brussels.¹⁸⁹ The UK and other countries, however, “failed to reach consensus on any substantive matter,” including non-binding standards.¹⁹⁰

Thus, the UK has been awarded a score of 0 for participating in the SECURE working group. There is no evidence that the United Kingdom has participated in promoting information exchange systems.

Analyst: Alicja Serafin

United States: +1

The United States has fully complied with its commitment to advance intellectual property rights.

On 30-31 October 2008, the US attended the fourth meeting of the WCO’s SECURE Working Group in Brussels.¹⁹¹ The US and other countries, however, “failed to reach

¹⁸⁷ Management Committee Meeting Summary Report, World Customs Organization (Brussels) 10 November 2008. Date of Access: 9 December 2008.

<http://www.vpac.gov.ar/documentsE/archivos/November%202008%20E%20-%20Members.pdf>.

¹⁸⁷ Global Dialogue on Customs Capacity Building, World Customs Organization (Brussels) 2 October

¹⁸⁸ Management Committee Meeting Summary Report, World Customs Organization (Brussels) 10 November 2008. Date of Access: 9 December 2008.

<http://www.vpac.gov.ar/documentsE/archivos/November%202008%20E%20-%20Members.pdf>.

¹⁸⁹ Management Committee Meeting Summary Report, World Customs Organization (Brussels) 10 November 2008. Date of Access: 9 December 2008.

<http://www.vpac.gov.ar/documentsE/archivos/November%202008%20E%20-%20Members.pdf>.

¹⁸⁹ Global Dialogue on Customs Capacity Building, World Customs Organization (Brussels) 2 October

¹⁹⁰ Management Committee Meeting Summary Report, World Customs Organization (Brussels) 10 November 2008. Date of Access: 9 December 2008.

<http://www.vpac.gov.ar/documentsE/archivos/November%202008%20E%20-%20Members.pdf>.

¹⁹¹ Management Committee Meeting Summary Report, World Customs Organization (Brussels) 10 November 2008. Date of Access: 9 December 2008.

<http://www.vpac.gov.ar/documentsE/archivos/November%202008%20E%20-%20Members.pdf>.

¹⁹¹ Global Dialogue on Customs Capacity Building, World Customs Organization (Brussels) 2 October

consensus on any substantive matter,” including non-binding standards.¹⁹²

On 28 July 2008, the US government enacted the Triway Pilot Project and all of its provisions. This one-year pilot program was agreed on by the Japan Patent Office (JPO), United States Patent and Trademark Office (USPTO), and the European Patent Office (EPO) at the November 2007 Trilateral Pre-conference.¹⁹³ The program is intended to promote work sharing amongst the three members in “order to improve the resulting quality of any patents issued ...by each of the Trilateral Offices.”¹⁹⁴

On 24 September 2008, the US Under Secretary of Commerce for Intellectual Property and Director of the USPTO Jon Dudas and the Japanese Commissioner of the JPO, Takashi Suzuki signed a statement to “enhance mutual cooperation on work sharing and international patent harmonization.”¹⁹⁵ In the statement, both Japan and the US committed to enhance their current examiner exchange program to foster improved bilateral cooperation and understanding amongst their respective patent examiners.¹⁹⁶

On 2-3 October 2008, the US department of Customs and Border attended the Global Dialogue on Customs Capacity Building held in London, England.¹⁹⁷ This meeting was a follow up to the Global Dialogue on Capacity Building that took place in Johannesburg on 4 April 2007. A priority of the conference was expanding experience and information sharing systems among states, which help fight counterfeiting and piracy.¹⁹⁸

On 13 October 2008, President George W. Bush signed the Prioritizing Resources and Organization for Intellectual Property (PRO-IP) Act of 2008 into law. Title III of the Act, entitled “Coordination and Strategic Planning of Federal Effort Against Counterfeiting and Infringement,” establishes several measures that improve US cooperation and coordination efforts with foreign governments in pursuit of intellectual property rights

¹⁹² Management Committee Meeting Summary Report, World Customs Organization (Brussels) 10 November 2008. Date of Access: 9 December 2008.

<http://www.vpac.gov.ar/documentsE/archivos/November%202008%20E%20-%20Members.pdf>.

¹⁹³ Triway Pilot Programme between the United States Patent and Trademark Office, the European Patent Office, and the Japan Patent Office, European Patent Office (Munich) 16 July 2008. Date of Access: 3 December 2008. <http://www.epo.org/patents/law/legal-texts/InformationEPO/archiveinfo/20080716.html>

¹⁹⁴ Triway Pilot Programme between the United States Patent and Trademark Office, the European Patent Office, and the Japan Patent Office, European Patent Office (Munich) 16 July 2008. Date of Access: 3 December 2008. <http://www.epo.org/patents/law/legal-texts/InformationEPO/archiveinfo/20080716.html>

¹⁹⁵ Statement on Enhanced Mutual Cooperation between the United States Patent and Trademark Office and the Japan Patent Office, Japan Patent Office (Tokyo) 26 September 2008. Date of Access: 3 December 2008. http://www.jpo.go.jp/cgi/linke.cgi?url=/torikumi_e/puresu_e/mou_uspto2008.htm

¹⁹⁶ Statement on Enhanced Mutual Cooperation between the United States Patent and Trademark Office and the Japan Patent Office, Japan Patent Office (Tokyo) 26 September 2008. Date of Access: 3 December 2008. http://www.jpo.go.jp/cgi/linke.cgi?url=/torikumi_e/puresu_e/mou_uspto2008.htm

¹⁹⁷ Global Dialogue on Customs Capacity Building, World Customs Organization (Brussels) 2 October 2008. Date of Access: 5 December 2008.

http://www.wcoomd.org/files/2.%20Event%20files/PDFs/Global_Dialogue/Global_Dialogue_final-report1.pdf.

¹⁹⁸ Global Dialogue on Customs Capacity Building, World Customs Organization (Brussels) 2 October 2008. Date of Access: 5 December 2008.

http://www.wcoomd.org/files/2.%20Event%20files/PDFs/Global_Dialogue/Global_Dialogue_final-report1.pdf.

enforcement. Included in these provisions, is the commitment to “work with other countries and exchange information with appropriate law enforcement agencies in other countries.”¹⁹⁹ This legislation will encourage US government officials to share critical anti-counterfeiting and piracy information with other countries.

Thus, the United States has been awarded a score of +1 for participating in the SECURE working group, as well as for promoting information exchange systems aimed at advancing anti-counterfeiting and piracy initiatives.

Analyst: Jim Mylonas

European Union: +1

The EU has complied with its commitment to advance intellectual property rights.

On 30-31 October 2008, the EU attended the fourth meeting of the WCO’s SECURE Working Group in Brussels.²⁰⁰ The EU and other attendees, however, “failed to reach consensus on any substantive matter,” including non-binding standards.²⁰¹

On 25 September 2008, the European Council adopted an anti-counterfeiting and anti-piracy plan.²⁰² The Council’s resolution outlined the EU’s commitment to tackling IPR issues, and highlighted the European Commission’s role in implementing an industrial property rights strategy for Europe.²⁰³

On 2-3 October 2008, the European Commission DG Taxation & Customs Union, as well as the European Commission EuropeAid Co-operation Office, attended the Global Dialogue on Customs Capacity Building held in London, England.²⁰⁴

¹⁹⁹ Prioritizing Resources and Organization for Intellectual Property (PRO-IP) Act of 2008, H.R. 3325, Public Law No: 110-403 Library of Congress (Washington) 13 October 2008. Date of Access: 3 December <http://thomas.loc.gov/cgi-bin/bdquery/z?d110:SN03325:@@D&summ2=1&>.

²⁰⁰ Management Committee Meeting Summary Report, World Customs Organization (Brussels) 10 November 2008. Date of Access: 9 December 2008.

<http://www.vpac.gov.ar/documentsE/archivos/November%202008%20E%20-%20Members.pdf>.

²⁰⁰ Global Dialogue on Customs Capacity Building, World Customs Organization (Brussels) 2 October

²⁰¹ Management Committee Meeting Summary Report, World Customs Organization (Brussels) 10 November 2008. Date of Access: 9 December 2008.

<http://www.vpac.gov.ar/documentsE/archivos/November%202008%20E%20-%20Members.pdf>.

²⁰² Press Release on Competitiveness (Internal Market, Industry and Research), Council of the European Union (Brussels) 26 September 2008. Date of Access: 9 December 2008.

http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/en/intm/103101.pdf.

²⁰³ Press Release on Competitiveness (Internal Market, Industry and Research), Council of the European Union (Brussels) 26 September 2008. Date of Access: 9 December 2008.

http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/en/intm/103101.pdf.

²⁰⁴ Global Dialogue on Customs Capacity Building, World Customs Organization (Brussels) 2 October 2008. Date of Access: 5 December 2008.

http://www.wcoomd.org/files/2.%20Event%20files/PDFs/Global_Dialogue/Global_Dialogue_final-report1.pdf.

On 2 December 2008, the European Council expressed the need to enhance the existing patent system in Europe.²⁰⁵ Proposals included establishing an EU patent court, and establishing a single patent litigation system in the EU that would apply to both European patents and to future EU patents.²⁰⁶

On 4-5 December 2008, the World Intellectual Property Organization, European Commission, and Office for Harmonization in the Internal Market co-sponsored the 2008 Brussels IP Summit.²⁰⁷ Topics included the promotion of global information exchange systems.²⁰⁸

Thus, the EU has been awarded a score of +1 for participating in the SECURE working group, as well as for promoting information exchange systems aimed at advancing anti-counterfeiting and piracy initiatives.

Analyst: Amartya Biswas

²⁰⁵ Press Release on Competitiveness (Internal Market, Industry and Research), Council of the European Union (Brussels) 2 December 2008. Date of Access: 10 December 2008.

http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/en/intm/104497.pdf.

²⁰⁶ Press Release on Competitiveness (Internal Market, Industry and Research), Council of the European Union (Brussels) 2 December 2008. Date of Access: 10 December 2008.

http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/en/intm/104497.pdf.

²⁰⁷ PanEuropean IP Summit 2008, 4 December 2008. Date of Access: 17 December 2008.

<http://www.premiercercle.com/ips2008/index.php>.

²⁰⁸ PanEuropean IP Summit 2008, 4 December 2008. Date of Access: 17 December 2008.

<http://www.premiercercle.com/ips2008/index.php>.