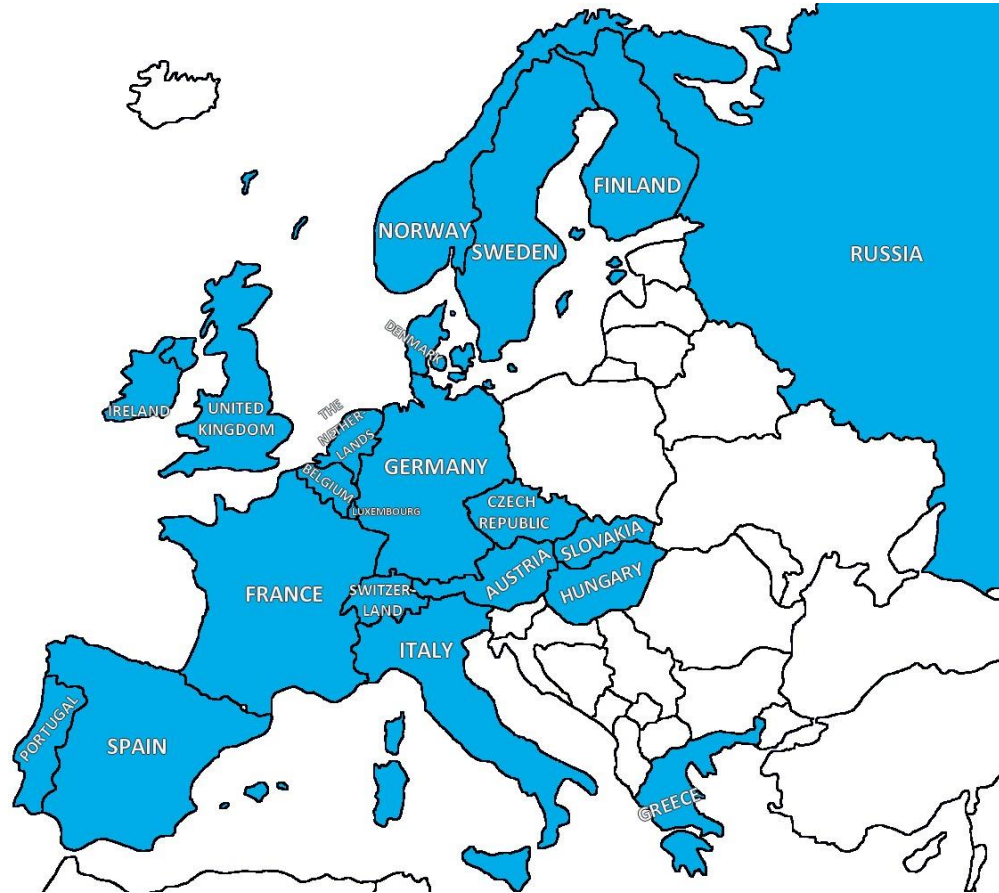


Protection of European brands; view of the industry

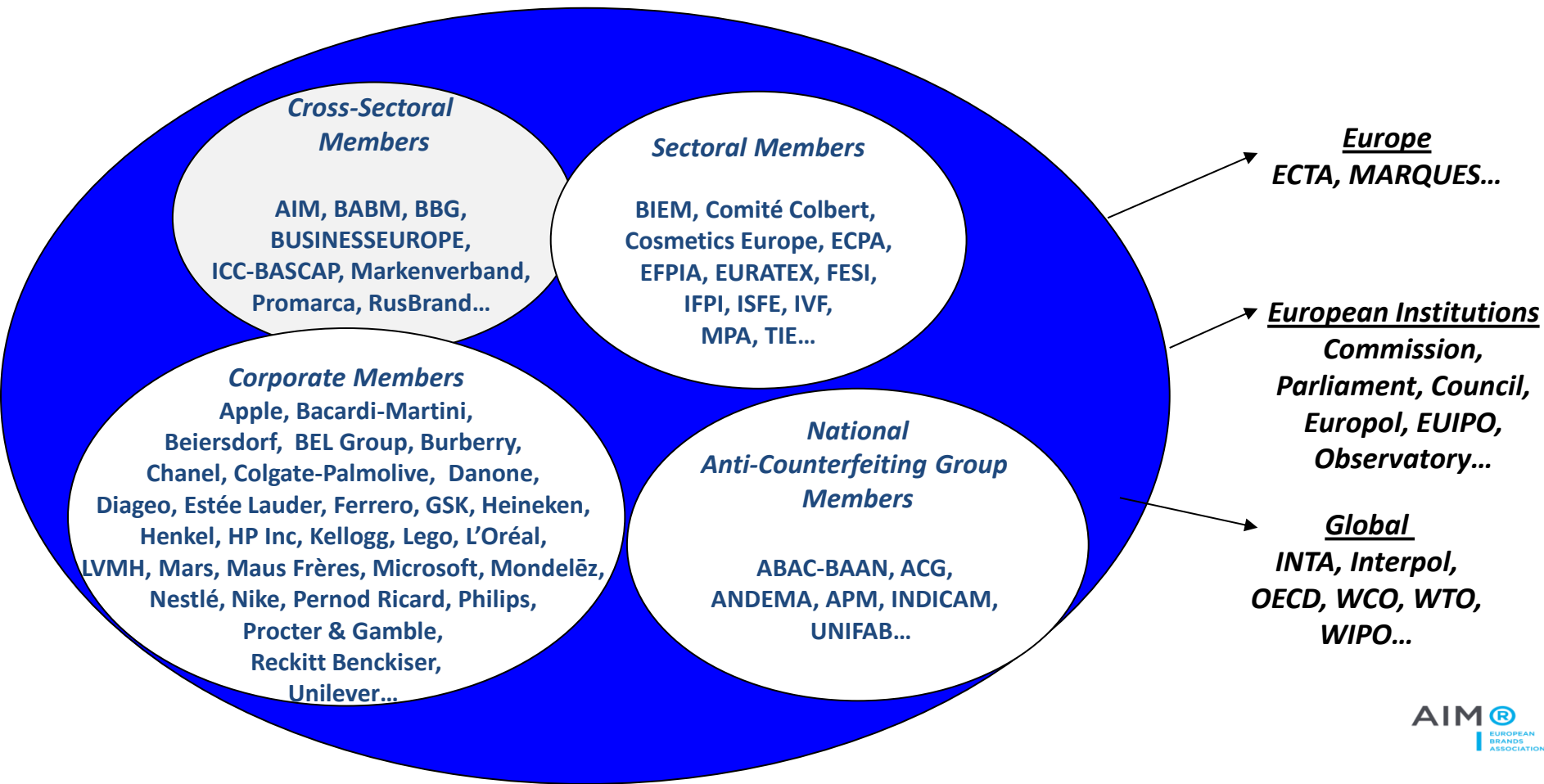
Marie Pattullo
Senior Trade Marks & Brand Protection Manager
AIM



National Association Members



European Industry Coordination via the AIM- Anti-Counterfeiting Committee



Protection – why?

- A trade mark = a badge of origin for consumers
- A brand = innovation, reputation & trust
- Sustainable growth = competitiveness & employment

Does it matter?

- You can make it, they will fake it
 - Chewing gum to aeronautical chips
 - Consumer fraud
 - Health & safety
- 12 EUIPO sectoral studies:
 - c.800,000 jobs lost (EU) due to counterfeiting
 - Brussels Capitale: 439.705¹
 - c.90.3 billion lost sales; €14.6 billion lost tax revenue
 - Where is the money going?

¹<http://statbel.fgov.be/fr/statistiques/chiffres/travailvie/emploi/chiffres/>

COUNTER- FEITING & TERRORISM

REPORT 2016

union des
fabricants **unifab**
Union de l'Industrie Textile et de la Mode

<http://www.unifab.com/>

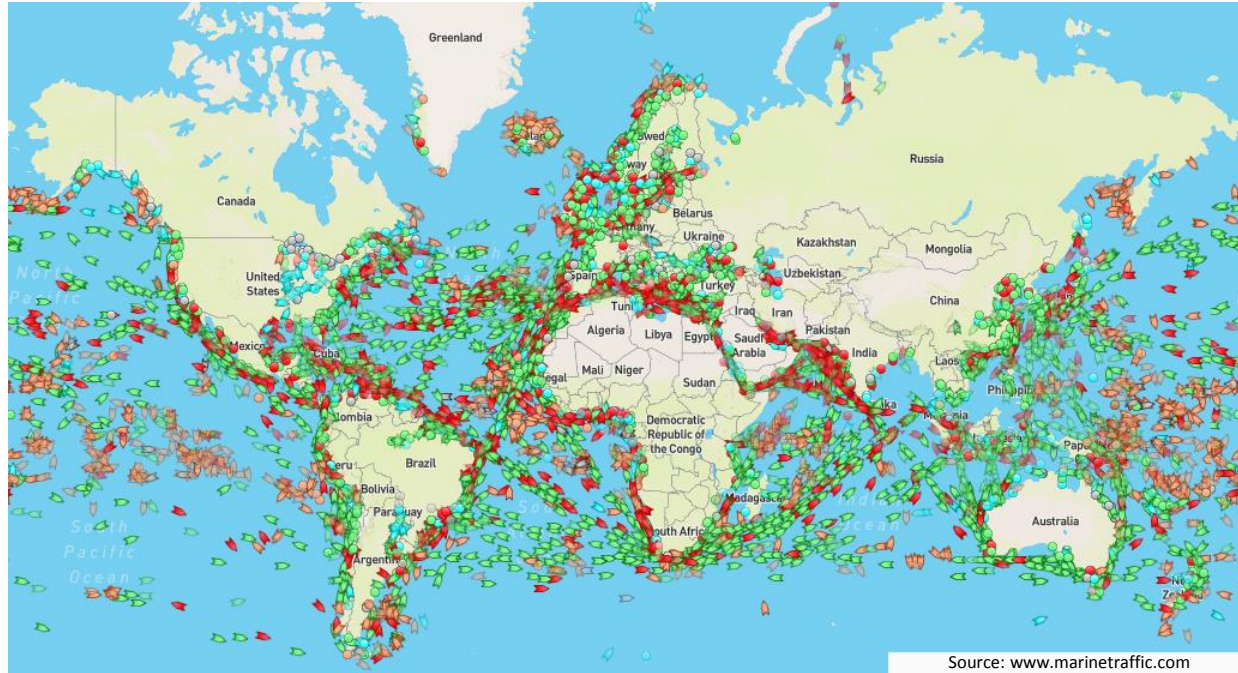
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 - Brussels Capitale: 439.705¹
 - c.90.3 billion lost sales; €14.6 billion lost tax revenue
 - Where is the money going?
- OECD/EPO: 5% of imports to the EU are fake²
 - “Just” imports
 - Small consignments? Or sea freight?

¹<http://statbel.fgov.be/fr/statistiques/chiffres/travailvie/emploi/chiffres/>

²Trade in Counterfeit and Pirated Goods: Mapping the Economic Impact, 2016

Counterfeiting in the global economy

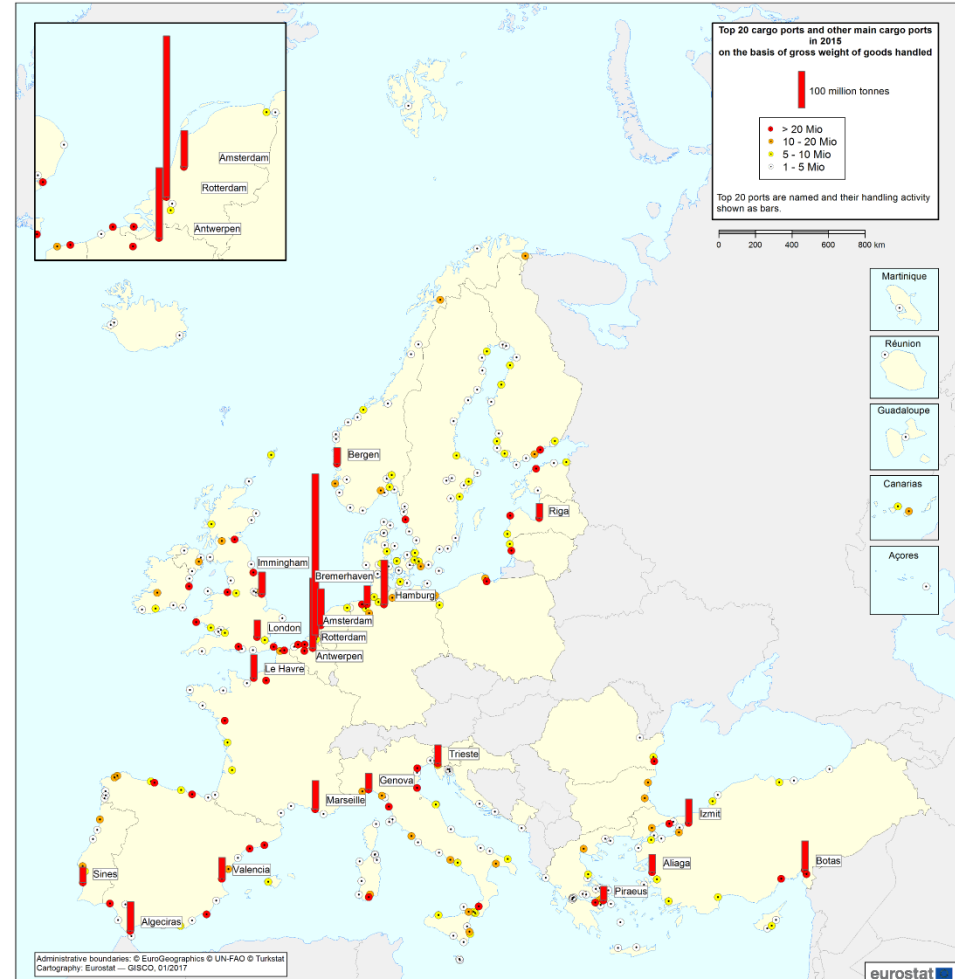


- 2.5 % of world trade (US\$ 461bn p.a.)
- 5% of all imports into the EU by value
- Large concentration of cargo vessels in and around EU waters
- Over 50% of all weight is imported into EU by sea (Eurostat)
- Lots of consignments enter EU with transit status

EU Cargo Ports

- Limited number of large seaports
- Rotterdam and Antwerp account for 37% of volume of containers handled in 1000 TEUs (Twenty-Foot Equivalent Unit) handled in top 10 EU cargo ports

Port	2013	2014	2015
Rotterdam	11021	11634	11577
Antwerp	8256	8812	9370
Hamburg	9302	9775	8848
Bremerhaven	5822	5731	5467
Valencia	4328	4407	4609
Algeciras	3988	4555	4516
Felixstowe	3434	4072	4043
Gioia Tauro	3652	3708	3030
Le Havre	2186	2433	2560
Genova	1546	2014	2079
Total	53535	57141	56099



Protection – how?

- Register the trade mark (national, EUIPO, WIPO)
- Customs recordal
 - Supplementary information
 - Risk analysis essential for targeting
 - Data sharing – e.g. Enforcement Database; nominal data behind public firewalls
- Police, investigators, raids...
 - Inter-LEA cooperation (OLAF, Europol, Interpol, WCO...)

Protection – public cooperation

- Dialogue
 - IP Dialogues
 - Assistance, e.g. IPKey
- National law & Free Trade Agreements
 - Powerful enabler of free trade
 - After the words, the action
- Free Trade Zones
 - To facilitate legal – not *//*legal – trade

Protection – private cooperation

- Intermediaries
 - The entire value chain
 - Shippers, post and courier, online, payment processors...
 - “...calls on the Commission to assess the current Intellectual Property Rights Enforcement Directive (IPRED), in order to prevent the intentional misuse of reporting processes **and ensure that all actors in the value chain, including intermediaries such as internet service providers, can fight more effectively against counterfeiting, by taking active, proportionate and effective measures** to ensure traceability and prevent the promotion and distribution of counterfeit goods, given that counterfeiting represents a risk for consumers”¹
- Shared responsibility for (inter alia) consumer protection and economic growth

¹European Parliament resolution of 15 June 2017 on online platforms and the digital single market, para 59

AIM - European Brands Association

9 avenue des Gaulois
B – 1040 Brussels

T: +32 2 736 03 05

F: +32 2 734 67 02

E: marie.pattullo@aim.be



@AIMbrands

www.aim.be