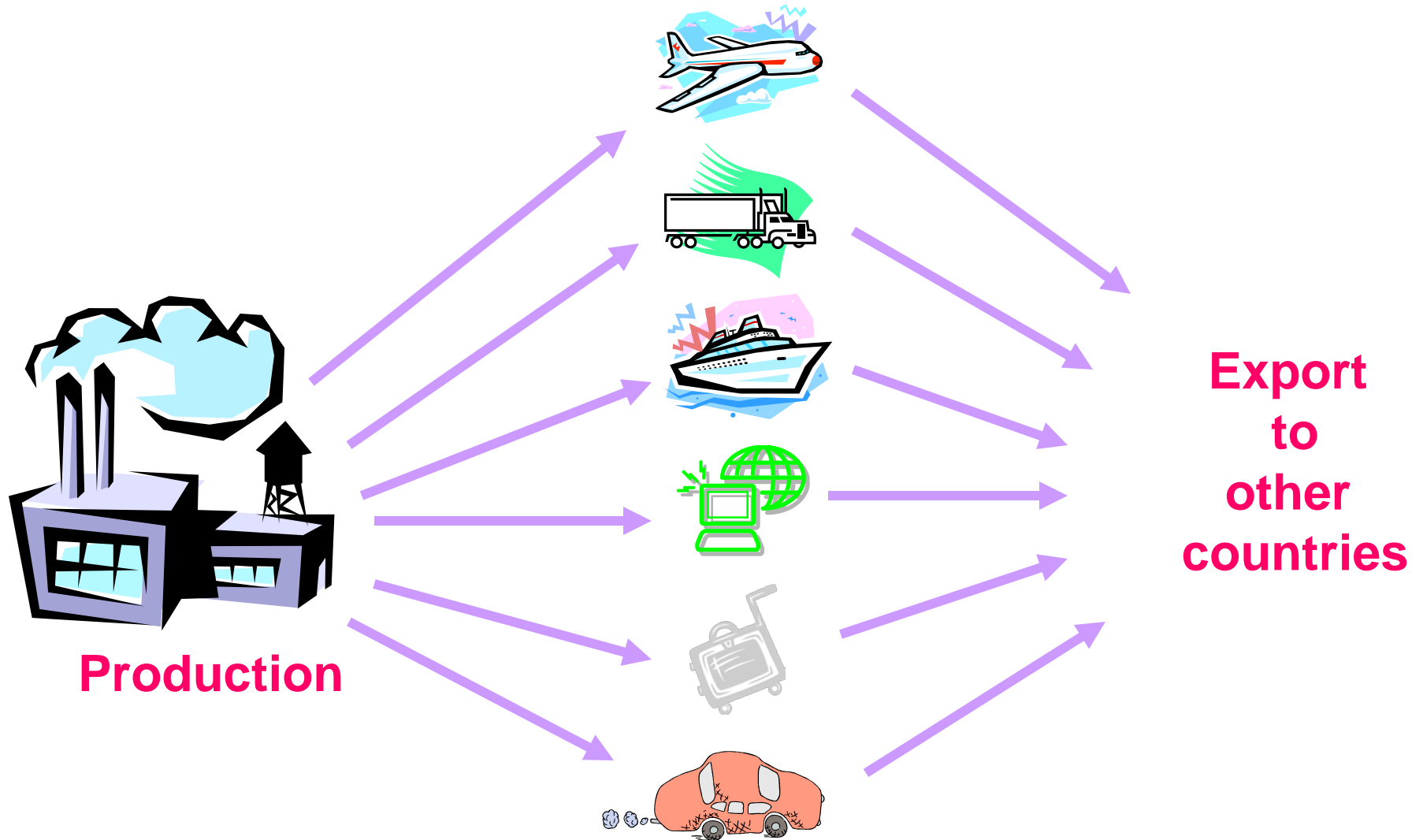


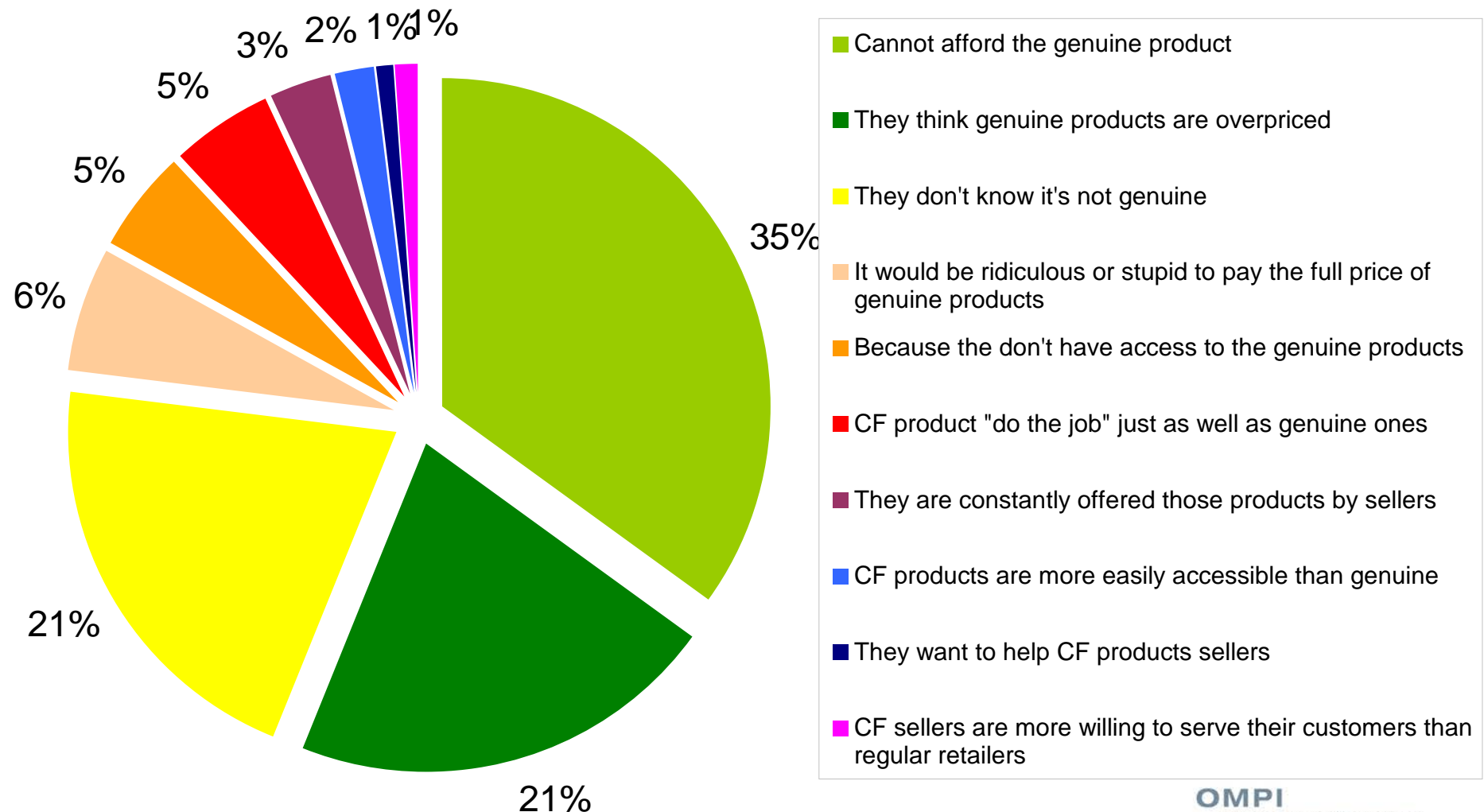
Strategic Goal VI of WIPO: Building Respect for Intellectual Property (IP)

*Ms. Louise van Greunen
Building Respect for IP Division*

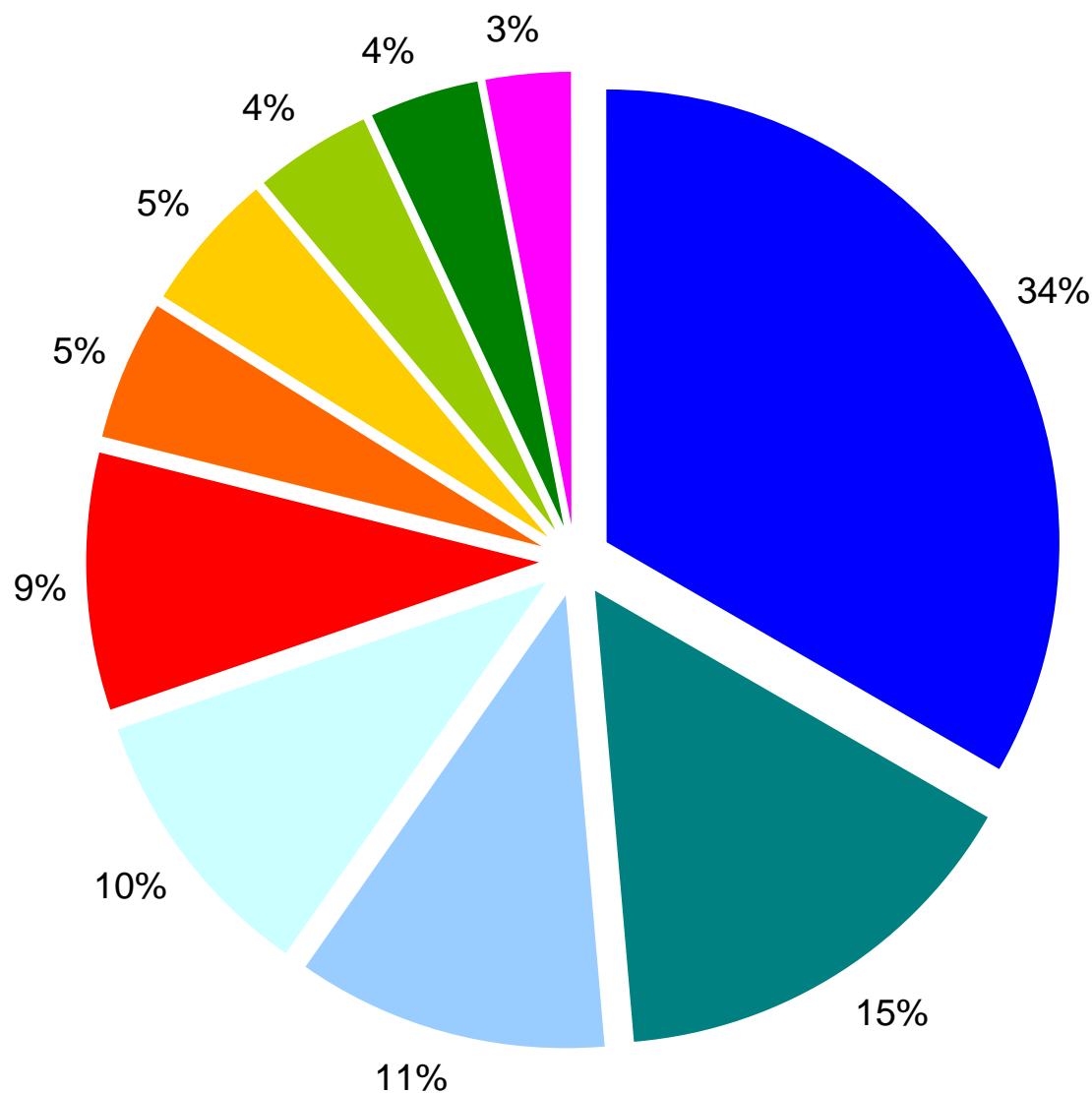
Means of conveyance



TOP REASON



TOP DETERRENT



- They can damage your health or safety
- If you buy genuine you'll have better service and warranty
- You waste your money
- Your money goes to criminals
- Poor quality can damage the equipment you own
- You set a bad example to children around you
- You can get into trouble with the police
- You steal from the original companies
- You contribute to damaging the economy
- You support a business based on stealing others' idea or art

Fakegifts.com



- DiPadova - largest Internet site dealing in counterfeit goods: Rolex, Cartier, Mont Blanc...
- he said: "... and even if they shut down one site, I'll put up another. I'm very much aware of what I'm doing, but the money is good, I'm going to keep doing it"
- sentenced (14.12.01) - 24 months prison + 3 years supervised released + US\$ 14 million in restitution to TM owners

Dior

Cartier

MONT
BLANC



OMPI
ORGANISMO INTERNACIONAL
DE LA PROPIEDAD
INTELLECTUAL

Article 61 of TRIPS

- Criminal procedures and penalties at least in cases of wilful trademark counterfeiting and copyright piracy on a commercial scale
- Definitions: Article 51 fn 14
- **Counterfeit trademark goods:** goods and packaging – unauthorized trademark – identical or cannot be distinguished in its essential aspects – validly registered for such goods – infringing rights in country of importation
- **Pirated copyright goods:** copies – directly or indirectly - without consent or authorization - infringing rights (copyright or related right) in country of importation

Advisory Committee on Enforcement

(WIPO Assemblies - September 23 to October 1, 2002)

- One single Committee in charge of global enforcement issues with objectives:
 - coordination with certain organizations and the private sector to combat counterfeiting and piracy
 - public education
 - assistance
 - coordinate national and regional training
 - exchange of information

Sessions of the ACE

www.wipo.int

- 1st Session: 2003
- 2nd Session: 2004 - the role of the judiciary and the prosecution in enforcement activities
- 3rd Session: 2006 - education and awareness-building, including training
- 4th Session: 2007 - cooperation and coordination at the different levels –criminal enforcement
- 5th Session: 2009 - contribution of, and costs to, right holders in enforcement, taking into account Recommendation No. 45 of the WIPO Development Agenda

6th Session of the ACE

December 1 to 2, 2010

- A literature review of methodologies and gaps in the existing studies;
- Identification of different types of infractions and motivations for IPR infringements, taking into account social, economic and technological variables and different levels of development;
- Targeted studies with an aim to developing analytical methodologies that measure the social, economic and commercial impact of counterfeiting and piracy on societies taking into account the diversity of economic and social realities, as well as different stages of development;
- Analysis of various efforts, alternate models and other possible options from a socio-economic welfare perspective to address the counterfeiting and piracy challenges'

7th Session of the ACE (Nov.30 to Dec.1, 2011)

8th Session (December 17 and 18, 2012)

■

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- Analysis of various efforts, alternate models and other possible options from a socio-economic welfare perspective to address the counterfeiting and piracy challenges

9th Session of the ACE (March 3 to 5, 2014)

- Preventive actions, measures or successful experiences to complement ongoing enforcement measures with a view to reducing the size of the market for counterfeited or pirated goods
- Practices and operation of alternative dispute resolution systems in IP areas

Global Congress on Counterfeiting and Piracy

- WIPO / WCO / INTERPOL + private sector partnership
- *Paris, 2011 / Istanbul 2013*
- <http://www.ccapcongress.net/>

Purpose of the WIPO Development Agenda

- To ensure a balance in the IP system, taking into account the needs and interests of all countries, developed and developing, and all stakeholders

Cluster F: Other Issues

Recommendation 45

- To approach IP enforcement, in line with Art 7 of TRIPS, with a view that “the protection and enforcement of IP rights should contribute to the promotion of technological innovation and to the transfer and dissemination of technology to the mutual advantage of producers and users of technological knowledge and in a manner conducive to social and economic welfare and to a balance of rights and obligations.”

Development Agenda

Role of WIPO

- To support an informed policy debate on the way in which IP can best evolve as a tool for the individual and collective benefit and
- To establish an equilibrium between private rights
 - *to encourage creativity and innovation, and*
- the public interest
 - *to access knowledge and in sharing and collaborating in cultural development*

WIPO – Strategic Goal VI

Program 17: expected results

- Create and enabling environment that promotes respect for IP - balanced policy dialogue - Recommendation 45
- Strengthened legal frameworks and capacity building - strategic and coordinated - right holder cooperation
- Integration of IP issues in enforcement related activities of partner Organizations and strategic cooperation

Cooperation with the UN Environmental Programme (UNEP), UN ESCAP and other partners

- WIPO/UNEP Regional Workshop on the Disposal of Counterfeit Goods (Bangkok, July 3 and 4, 2012)
- WIPO/UNEP/UN ESCAP Regional Workshop on the Disposal of Counterfeit Goods for ASEAN Countries (Bangkok, November 21 and 22, 2013)

WIPO Magazine June 2012

Nigeria's Anti-Piracy Drive Yields Results





*WIPO Development Agenda Project -
Review of electronic waste recycling
technologies – Patent Landscape*

Patent Information Section,
Access to Information and Knowledge Division



Partners and issues

- WIPO and the Secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Waste and their Disposal – **Report to be published in December 2013**
- Old devices pose health, labor and environmental problems
- Two basic issues:
 - Recycling
 - Material recovery

Report: policy support tool

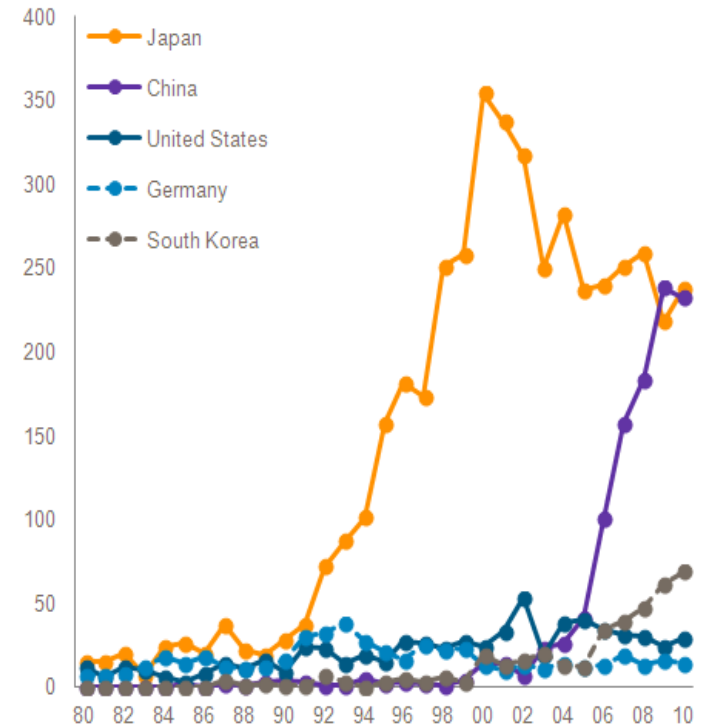
- Patent based trends and technologies for e-waste recycling and material recovery to -
 - support information to the *Partnership for Action on Computing Equipment under the Basel Convention* and to complement
 - the *Guidelines on Material Recovery and Recycling of End-of-Life Mobile Phones*, as well as
 - the *Guidelines on Environmentally Sound Material Recovery and Recycling of End-of-Life Computing Equipment*

General: commoditization of e-waste

- China – patent application rates have increased seven-fold in just 6 years – mainly the dismantling of electronic items
- E-waste management is a source of high value materials, such as rare earth and noble metals
- Asia dominates e-waste recycling technologies – mostly locally filed (1 430 inventions in China – only 15 filed in other jurisdictions)
- Patents filed in multiple jurisdictions originate predominantly from Japan, the US and Germany

Other key findings of the e-waste recycling report

- Patent activity mainly after 2000
- Asian dominance in the E-waste recycling technologies landscape
- Emergence of China in the last 5 years, predominantly national patent filings
- Overall highest patent activity from Japan, with a decrease in the last years
- Growth in patenting in the areas of noble metals and rare earth materials
- Major applicants: electronic, metal extraction, and chemical corporations



Timeline of patent activity - Top 5 Offices of First Filing

Commercial findings

- Japanese also strongly associated with plastic recycling
- Just 9% of activity comes from not-for-profit entities such as Academic or Research Institutions (however, academic patent activity is growing)
- The top 30 research institutes are all based in Asia
- Chinese dominance, mainly due the heavy usage of Chinese utility models
- However, the largest not-for-profit entity is the Japanese AIST organization
- An institute of particular interest is KIGAM in Korea

Technology findings

- The landscape can be divide into three key concepts:
 - *Materials* recovered + recycled – plastics and metals
 - *Sources and processing* of e-waste – batteries, displays, cabling and printed circuit boards
 - *Processes and logistics* involved – magnetic sorting and IT related management
- Materials: most patents for non-ferrous metals, plastics, ferrous metals and hazardous material, e.g. arsenic and lead. Also ceramics or rubbers, and rare earth metals
- Growth in the areas of rare earth and noble metals

Continue ...

- Primary noble metal extracted appears to be silver, which is likely due to solder regulations in Europe –
 - European Union Waste Electrical and Electronic Equipment Directive (WEEE) 2012/19/EU
 - Restriction of Hazardous Substances Directive (RoHS) 2011/165/EU
- E-waste innovation focused on mobile devices aims at the *components within the device*, rather than the device itself, like displays, batteries and printed circuit boards

Thank you!

