



PATENT- OG VAREMÆRKESTYRELSEN

Danish Inter-agency Cooperation

WIPO ACE meeting 23-25 November 2015

- Panel Discussion

By
Barbara Suhr-Jessen (bej@dkpto.dk)
Chief Legal Adviser
Policy and Legal Affairs



DANISH MINISTERIAL NETWORK
AGAINST IPR INFRINGEMENTS

STOPFAKES.DK

The Danish Ministerial Network against IPR Infringements

- established in 2008

Participants;

- State Prosecutor for Serious Economic and International Crime
- National Commissioner of Police
- Ministry of Culture
- Danish Customs
- Danish Safety Technology Authority
- National Competition and Consumer Authority
- Danish Veterinary and Food Administration
- Danish Health and Medicines Authority
- Ministry of Foreign Affairs
- Danish Business Authority
- Danish Patent and Trademark Office
(secretariat – responsible for taking the lead)



The Danish Ministerial Network against IPR Infringements

The Network was established to;

- Improve coordination and knowledge sharing between public authorities
- Ensure drive in the fight against counterfeiting and piracy
- Awareness raising; consumers and businesses
- Continuous dialogue with the industry
- Implement initiatives from the 2008 cross-ministerial report (eg higher penal sanctions => 6 years imprisonment)





DANISH PATENT AND TRADEMARK OFFICE

DANISH INTELLECTUAL NETWORK AGAINST IP INFRINGEMENT

Network against counterfeiting and piracy

Whether you are shopping on the Internet, abroad or locally, you can become part of the trade in counterfeit or pirated goods.

Fake goods are everywhere and it is a wise move to take some precautions, whether you are a consumer or represent a company or authority.

On this website you can find information on protection against and the fight against counterfeiting and piracy.

Consumer

Fake goods are everywhere.

- See how you can safeguard yourself against fake goods and what to do if you have bought a fake product.

[See content for Consumers](#)

Business

Fake goods can affect your business.

- See how to prevent others from copying your products and how to avoid copying others.

[See content for Businesses](#)

Authorities

Fake goods are a threat to the society.

- Access reports, case law database and get information on initiatives against fake goods.

[See content for Authorities](#)

Relevant right now

Guide for Temporary Markets
[Read the guide here](#)

Ten Tips for Minimizing IP Dispute Settlement Costs
[Read the tips here](#)

Who are we?

- See who is behind the website

Network established website;

www.stopfakes.dk (English) and
www.stoppiratkopiering.dk (Danish)

- Guides for consumers and businesses
- [Case Law database](#) (all criminal cases!)
- [News \(in Danish\)](#)
- [Reports/statistics](#)
- [Legislation](#)

The Danish Ministerial Network against IPR Infringements

How we work - I



The Plenary meetings;

- Two annual plenary meeting on pre-established dates (March and September)
- The 11 authorities take turns in hosting the meetings (1 day)
- All Network members must participate each time or find a substitute

The Danish Ministerial Network against IPR Infringements

How we work - II

- No legal basis for the Network in legislation (but could be established in the future)
- Established with basis in a [cross-ministerial report](#) on fighting counterfeiting and piracy (from 2008) + [Terms of Reference](#)
- No rules on decision-making processes
 - so in principle unanimity
 - but so far not a problem in practice

The Danish Ministerial Network against IPR Infringements

How we work - III

- Recurring agenda points as well as ad hoc topics
- All authorities contribute to the dialogue
- Main advantage; The Network has fostered close working relationships and coordination between the authorities
- Also cooperation on international enforcement actions



Cooperation on international enforcement actions

Recurring actions;

- Operation **Opson** (counterfeit food)
- Operation **In Our Sites** (to shut down commercial websites engaged in sale of counterfeit goods or copyrighted works)
- Operation **Pangea** (falsified medicine)



Structured dialogue meetings with industry

- 2 pre-established annual meetings on recurring dates between the Network and the industry representatives (May and November)
- The topic changes (and also the participants)
- The Network and the industry representatives decide on the topics together

Flexible set-up!

...and not least; informal dialogues and exchange of information on ad hoc issues.



DANISH PATENT AND TRADEMARK OFFICE

Capacity building for enforcement authorities

- 3-day course in Denmark (both in 2013 and 2014)
- Participants from Denmark, Sweden, Norway, Finland, Estonia, Latvia, Lithuania, Iceland, Poland, and Serbia.
 - police, prosecutors, customs authorities
 - and from Denmark also the Danish Health and Medicines Authority, the Danish Veterinary and Food Administration and the Danish Patent and Trademark Office
- Tailor-made for the purpose (arranged by the DKPTO/Danish State Prosecutor for Serious Economic and International Crime/The Observatory/Europol)
- Cases and workshops
- Financed by the Observatory



EU OBSERVATORY

EUROPEAN OBSERVATORY ON INFRINGEMENTS
OF INTELLECTUAL PROPERTY RIGHTS

Selected results

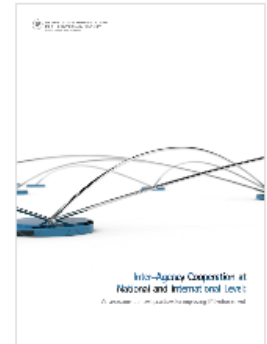
- Increased criminal penalties (up to 6 years of imprisonment)
- Information website (www.stopfakes.dk)
- Cooperation on enforcement actions
- Case Law database (criminal IPR judgments)
- Developed standard form for reporting IPR crimes to the police
- Contributing to IPR guidelines for police and prosecutors
- Organizing training seminars for public enforcement authorities



DANISH PATENT AND TRADEMARK OFFICE

Report on “Inter-Agency Cooperation at National and International Level”

by The European Observatory on Infringements of Intellectual Property Rights



Inspiration? (Not “one size fits all”)

- **Describes inter-agency cooperation in 25 European countries** (90 pages)
- **Best practices;**
 - All EU Member States should consider establishing an inter-agency cooperation structure (where they do not already have one)
 - Desirable to have only one agency lead the cooperation effort
 - Should explore how to involve the judiciary
 - Private stakeholders should be given the opportunity of participating
 - The possibility of cross border cooperation should be part of Member States’ inter-agency cooperation



DANISH PATENT AND TRADEMARK OFFICE

Questions?

Barbara Suhr-Jessen (bej@DKPTO.DK)
Chief Legal Adviser, Policy and Legal Affairs

