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EU Commission Reports On IPR-Infringing Goods Detained By Customs

By Monika Ermert for Intellectual Property Watch on 14/07/2011 @ 6:32 pm

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The European Commission today presented its annual report on customs activities related to intellectual property rights (IPR) infringing goods, finding sharp increases in some areas and leading to calls for new enforcement measures.

EU Commissioner for Taxation, Customs Anti-Fraud and Audit, Algirdas Šemeta told reporters that the statistics gave solid evidence that the trade in IPR-infringing goods is "a menace to our society." The Commission has therefore tabled additional measures to be added to the IPR enforcement directive currently under review.

From 2009 to 2010, according to figures from customs, activities in the European Union rose from 43,000 to nearly 80,000 cases, according to Šemeta. Sharp rises in cases were reported back from German and United Kingdom customs authorities (around 22,000 cases each). Also for the first time the report contains a figure about the value of goods detained, which amounted to €1 billion euro.

Despite the rise in case numbers, the report showed that the total amount of detained articles decreased during the same time from 117 million to 103 million items, with cigarettes being the top category of products detained (34 percent). The commissioner said this lower figure in goods stemmed from the increase in e-commerce activities allowing consumers to buy products by a click and have them delivered to their doorstep. This leads to more shipments with smaller numbers of items in each.

Over 95 percent of custom interventions resulted from applications of rights holders, which have risen sharply in recent years (981 in 2000 to over 18,000 in 2010). China is, according to the report, the number one source of counterfeit goods (84 percent). But a breakdown of product classes shows that detained medical products (including condoms) come nearly exclusively from India (93 percent). The value of counterfeit medical products detained is calculated at €3.2 million euro.

A fraction of around 2.5 percent of detained goods turn out to be legitimate, according to the commissioner. EU detention of legitimate generic medicines is the subject of a World Trade Organization dispute.

The full [report is here](#) ^[1] [pdf].

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http://ec.europa.eu/taxation_customs/resources/documents/customs/customs_controls/counterfeit_piracy/statistics/statistics_2010.p

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[3] Proposed EU Customs Regulation May Not Dispel Fear Of Wrongful Drug Seizures: <http://www.ip-watch.org/weblog/2011/05/31/proposed-eu-customs-regulation-may-not-dispel-fear-of-wrongful-drug-seizures/>

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