

## Observatory News

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### Editorial

## *Welcome, dear members*

Welcome to the first edition of the Observatory's online newsletter. The Observatory is now fully integrated into OHIM and has a challenging work programme that is already delivering significant results.



In 2013, we published the first major research study, in partnership with the European Patent Office, which demonstrated the economic importance of IP rights to jobs, GDP and trade in the EU.

A second study showed that while the vast majority of citizens value the importance

of IP rights, there are sometimes contradictions in their behaviour, especially among younger people.

In 2014 we will be looking more deeply into how important IP rights are at the firm or company level – especially for SMEs – and we will be moving forward on a significant study on the economic consequences of IP infringements.

In the past, this kind of detailed research has been missing from the debate on IP, but in combination with earlier studies in some other

countries, including the United States, we are now starting to fill the knowledge gap. We need to keep on with this work and extend it where possible to other major economies.

Significant knowledge-building events for enforcers have been organised in partnership with Europol and the European Commission, and IPR enforcement-related matters (such as “dangerous counterfeiting” and “IPR infringements in Internet”) have been the subject of the two last meetings of the Judges’ network managed by the Office. These meetings were attended

by judges and prosecutors from several Member States. A pilot of a regional-based model for workshops targeting local judges, prosecutors, customs and police throughout the EU has also been held in Denmark for Nordic Countries.

*In 2014 we will be looking more deeply into how important IP rights are at the firm or company level.*



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 Editorial

Following the pilot's success, this will be extended to other regions.

In 2013 we completed the development of the Enforcement Database which allows right holders to exchange information, online and in a secure manner, with enforcement authorities. This information will help distinguish the fake from the genuine and ensure the right person is contacted should a suspicious case be detected. Thanks to the link with TMview and Designview, the Enforcement Database allows right holders to

In 2013 we completed the development of the Enforcement Database which allows right holders to exchange information

automatically generate an application for customs action (AFA). The database has been endorsed by both the European Commission (DG TAXUD) and Europol

and its use is free of charge. A pilot has been under way since October and several companies have already requested a password to start recording data in the tool.

The Observatory website is now also online. This will act as a "window" on all our activities and as a platform providing access to useful repositories of information, including awareness campaigns, studies and other relevant material.

The very good cooperation with various parts of the European Commission and agencies

has been one of the features of the Observatory's work in 2013. Obviously this is very important and it is excellent to see us working together so well. In the coming year we will be seeking to develop this further with DG Markt, DG Trade, DG TAXUD, DG Enterprise, the Joint Research Centre and Europol in particular.

The Observatory network is representative of the full range of interests including to civil society. Thanks to the help of all stakeholders it is working well and the Observatory has ambitious plans for the future.

At the last plenary meeting we were asked to provide more information and communication on the network. We listened, and this newsletter is the first result. Our aim is to produce an edition every three months.

Thank you for the work you have been doing, and remember this is "your" newsletter. Please let us know what you think and contribute ideas and information to make it better. Best wishes for the holiday season.

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*António Campinos, President, OHIM*



## Working Groups Update

# Latest news

In addition to everything discussed separately by the Working Groups, each group was consulted on the Observatory Work Programme for 2014, as well as the Observatory's Multi Annual Plan.

## Working Group: Enforcement

The Observatory presented the initiatives undertaken on knowledge building, notably the joint Europol/Observatory seminar on counterfeit medicines organised at the end of June, and announced the joint seminar on counterfeit household goods and automotive parts, scheduled for early November. The approach chosen for these knowledge building events, fully supported by the working group, is to combine expert presentations with practical workshops and bring in a strategic analyst to compile facts and information with a view to creating a detailed situation map and specific conclusions.

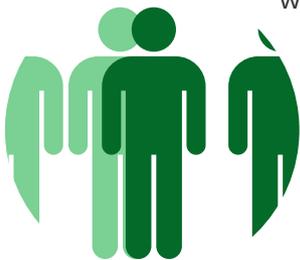
Cooperation with Europol is to be part of a strategic agreement. Future activities will cover the development of systems to detect infringements, awareness of new tools, new joint seminars and regional workshops, and the organisation of specific courses for investigators and senior police officers in cooperation with the Academy and CEPOL. Guidelines and training on Internet crime investigation, especially for prosecutors, were considered a priority.

Work will be pursued with DG TAXUD on an e-learning tool for customs and the development of a wider training plan on IPR enforcement. An update on the Enforcement Database and ACIST was also provided. The working group stressed the need

to continue to develop the databases and to ensure compatibility with existing tools, as well as avoiding duplication of efforts and over burdening enforcers. It also considers input from right holders essential as tools will rely on their cooperation.

## Working Group: Public Awareness

Working group members attended the IP Contribution Report press conference, and then discussed communication plans at EU and national level along with the content of a supporting toolkit of materials for roll-out activities. Members also received updates on the IP Perception study, its foreseen launch, as well as how it is intended to be communicated. The communication consultancy, PAU Consortium, engaged by the Office in July 2013 introduced itself and its partners. They presented a draft strategy for Observatory external communication, along with preliminary ideas for awareness campaigns and the optimization of the materials and experiences included in the repository of campaigns provided by stakeholders, which were followed by a discussion. Members also viewed the new Observatory website.



## Working Groups Update

### Working Group IP in the Digital World

The Working Group members heard about the progress made in setting up a single EU database on Orphan works to be shared by all Member States, in accordance with the Orphan works directive. Members also discussed the draft of an online copyright infringement report, which aims at analysing the different types of infringements and techniques used by infringers in the various copyright areas.



Furthermore the WG also discussed a draft report on new business models in the copyright industry. This report aims to provide a snapshot of new business models available in the copyright industry which will provide clear indications on the availability and impact of legitimate on-line models. In particular the report will focus on the following copyright content: recorded music, films, books, press content, sport events broadcasting, commercial television broadcasting, visual arts, business and interactive software (video games). BSKyB (cyber and content protection) gave a presentation on what is being done in the UK to tackle piracy. This was followed by ENPA's presentation about legal offers and infringement regarding press content and IVF's presentation about legal offers and the current situation on infringements as regards the film industry.

### Working Group: Legal Affairs

The Office provided an overview on EU funded projects IP KEY (China) and ECAP III (ASEAN countries), including the scope, budget, duration, goal, main components and the state of play. The Office presented draft country guides for Brazil, China, India, Russia and Turkey, which will be modified following any input received from DG TRADE and working group members. Three draft reports on possible best practices (which had been subject to independent peer review) were presented.

The final reports will be adapted in the light of comments received from the working group. The areas covered by the reports were:

- Inter-agency cooperation with respect to IP enforcement
- Costs and damages in infringement actions
- Storage and destruction of infringing goods

### Working Group: Economics and Statistics

The IP Contribution study, which had been made public the preceding day, was presented and discussed at length, including plans for follow-up studies and the group's thoughts on what should be included. A presentation was made by the consultant from Copenhagen Economics on the contribution to the economy of internet intermediaries (e.g. Google, Amazon etc.), followed by a discussion. The methodology for the estimation of lost sales due to infringement was discussed, as we are working with CEFIC on a pilot.



## The IP Contribution Study

September 30, 2013 was both a small step, and a giant leap, for the EU Observatory on Infringements of Intellectual Property Rights. By 11.29 on a damp Brussels morning, everything was ready. The reports had been printed, the press releases had been sent out, and the Commissioner, the President of the EPO and the President of OHIM were standing by, ready to launch the IP Contribution Study.

At the heart of the Observatory's mission is the collection, analysis and dissemination of relevant, objective and reliable data regarding the value of IP rights and the infringements of those rights. Or, as Commissioner Barnier once memorably put it, to know, to understand and then to act.

The study had been long in the making. Teams from the Chief Economist Departments of OHIM and the EPO had worked methodically and hard for nearly two years to provide a clear picture of the contribution IPR-intensive industries make to the EU's economy, employment levels and trade.

Their results were genuinely startling. IPR-intensive industries are directly responsible for 26% of all jobs in the EU – around 56 million direct jobs. They further support 20 million indirect jobs, meaning that 1 in 3 of all EU jobs rely on IPR-intensive industries.

That's a higher figure than that quoted in the USPTO study of 2012, and it covers

IPR-intensive industries are directly responsible for 26% of all jobs in the EU

a broader base, too – the OHIM/EPO study took in not just patents and trademarks, but designs, copyright and geographical indications. In other words, the study focused on the full range of major IP rights in the EU.

But the findings went further, and deeper, than just the number of jobs provided. It found that IPR-intensive industries pay higher wages – up to 40% more – than non-IPR intensive ones.

Crucially, IPR-intensive industries are key to the EU's trade with the rest of the world. The study shows that they make up 90% of that trade; a significant figure in a globalised economy.

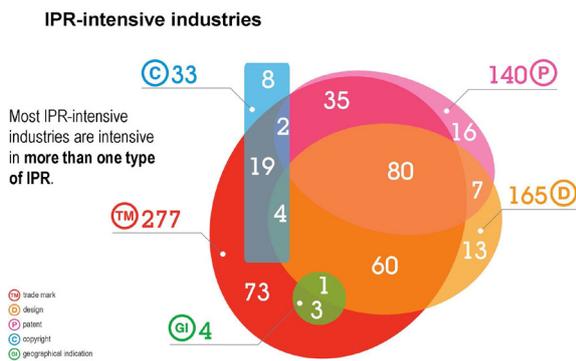


Cooperation was the driver for the study's research. The European Commission was heavily involved in its preparation, particularly the Directorate General for Internal Market and Services, the EU's statistical arm Eurostat and the Directorate General for Agriculture. The report also received input from other IP offices, the Organisation for Economic Cooperation and Development (OECD) and the United States Patent and Trademark Office.

The study's methodology mirrors that of the USPTO's 2012 study, in order to provide a point of comparison. In order to determine which industries were IPR-intensive, the study compared the register databases of OHIM and EPO for patents, trade marks and designs, with the commercial database ORBIS at EU level. This allowed the study team to correlate IP registrations to industries. Copyright-intensive industries were determined

Observatory Analysis and Studies — The IP Contribution Study

using another approach developed by the World Intellectual Property Organisation (WIPO). For GI-intensive industries the study used regulatory sources and information provided by the European Commission’s Directorate General for Agriculture and Rural Development (DG AGRI).



The study also uses Eurostat data on employment per industry, in order to calculate the number of designs, patents and trade marks in each industry. Approximately 240,000 companies were analysed with these parameters, along with the industry classification and various financial and economic variables. The definition of IPR-intensive industries was based on the number of IP rights per 1,000 employees in each industry, in order to control

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for the effect of industry size. Industries with an above-average number of filings per 1,000 employees were considered to be IPR-intensive.

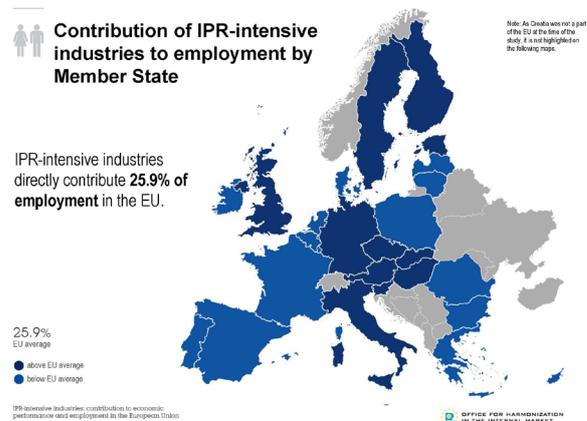
The report also detailed the extent to which IP is present in the EU’s economy. As the EU Commissioner for Internal Market and Services, Michel Barnier, pointed out: “What this study shows us is that the use of intellectual property rights in the economy is ubiquitous: from high-tech industries to manufacturers of sports goods, toys and computer games, all are making intensive use of not just one, but often several types of intellectual property rights”.

The methodology was carefully designed to be “transparent and replicable”, according to OHIM President António Campinos. “It tackles the fundamental question of the extent to which IPR-related industries matter to jobs, GDP and trade in the EU”, he said. “We now have a clear answer. They do matter, they matter a lot”. That view was echoed by EPO President Benoît Battistelli, who underlined that intangible assets have become extremely important for innovative companies. “In order to remain competitive in the global economy”, he stressed, “Europe needs to encourage even further the development and use of new technology and innovations”.

The methodology was carefully designed to be “transparent and replicable”.

Crucially, the study makes no policy recommendations. It was designed to provide hard facts and data that can be used by policymakers in their work – to “further underpin our evidence-based policy making”, according to Commissioner Barnier.

A follow up to this study, looking at the contribution of IPR-intensive industries at firm level in the EU, will be released in 2014.



## Observatory Analysis and Studies

# The IP Perception Study

“IP is important to me”, says a young man from Poland. “When I write my BA thesis, I wouldn’t want anyone copying it just like that”. A young man from the UK says “I think it is important that IP is strong and protected in Europe. There are a lot of iconic European things”. Those are just two European voices which ring out from the pages of the IP Perception Study.



This is the very first study of its kind at EU level, commissioned by the Observatory and delivered by the consultancy firm Edelman and Berland. It assesses what European citizens know and think about IP, across the 28 member states. All through its pages are the genuine views and voices of Europeans, at quantitative and qualitative level.

Qualitatively, citizens were questioned face to face in nine Member States: Croatia, France, Germany, Italy, Lithuania, Poland, Spain, Sweden and the United Kingdom. These countries represent more than 75% of the EU population, as well as covering a rich diversity of cultural, economic backgrounds.

Quantitatively, over 26,500 people were questioned via a series of telephone interviews across

every single one of the 28 Member States. And fifty reports and studies were analysed for a comprehensive literature review. The study’s methodology strictly follows that of Eurobarometer.

For the first time, at EU level, we have an insight into what the concept of IP means to the Union’s citizens, especially younger citizens – how they understand it, and how they perceive it. From the study, we know that people say that they know about IP and its various components, but in reality they don’t. And people say that they know how important IP is, but in reality, they think it’s OK to break its rules.

Crucially we now know what younger people think. That means our children, our grandchildren, our younger siblings and their friends. From the study, we can clearly see that the so called “Generation Y”, those aged between 14 and 25, showed much greater willingness to circumvent IP rules and norms than those who are older. This is an important piece of information for policy makers, civil society and business. Generation Y is growing up, and unless we act now to better adapt the system to their expectations, they might take their habits with them into middle age and beyond. Time is running out to convince them of the value of IP for them.

**76% of EU citizens agree that innovation and IP go hand in hand.**

So what did our respondents tell us? We now know that 76% of EU citizens agree that innovation and IP go hand in hand and the one cannot really exist without the other. We know that 69% agree that companies that create a lot IP contribute significantly more to the creation of jobs and economic growth than others, and that 77 % of EU citizens condemn IP infringements.

Observatory Analysis and Studies — The IP Perception Study

But 9% of EU citizens declare to have accessed / downloaded or streamed illegal content from the Internet intentionally over the last 12 months, while 4% of EU citizens said they'd purchased counterfeit goods intentionally.

When we get to the notion of justifying IP infringements, however, the viewpoint changes. Over a third – 38% - of EU citizens surveyed agree with the statement “buying counterfeit products is an act of protest and a way to resist to the market driven economy and the large premium brands”. This figure rises to 49% for EU citizens between 15 and 24 years old. Again, over a third of EU citizens surveyed agree with the statement “buying counterfeit products allows making a smart purchase that enables you to have the items that you wanted while preserving your purchasing power”. This figure rises to 52% for EU citizens between 15 and 24 years old. And 43% of Europeans consider that big companies are the primary beneficiaries of IP, with only 11% saying that consumers like themselves are the primary beneficiaries of IP.

We know that EU citizens find IP confusing; 19% said they have wondered whether a site where one could download music or videos was legal or not, 12% actually researched to find out if a downloading site was legal or not. These figures rise to 42% and 26% for the younger generation.

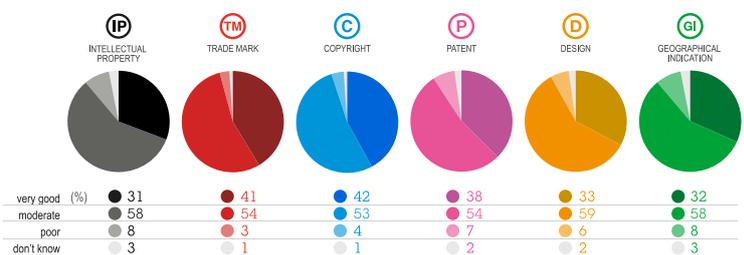
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And for the first time we have pan-European figures on when EU citizens think it's actually acceptable to download copyright-protected material. 22% think this can be done when there is no legal

alternative in their country. This is 20 points higher amongst citizens from 15 to 24 years old (42%). 42% of Europeans consider it is acceptable to download or access copyright protected content illegally when it is for personal use.

This number rises from 15 points to 57% amongst citizens from 15 to 24 years old. Moreover one third of young Europeans believe illegal content to be of better quality, and nearly four out of ten young Europeans declare that illegal content on the Internet is more diverse than legally available content.

Self-evaluation of IP knowledge by Europeans



So now that we know what we know, where do we go from here? Europeans have told us what they think about IP, now we have to listen to them, and incorporate their views into our work. And through the study, they have told us how to do that.

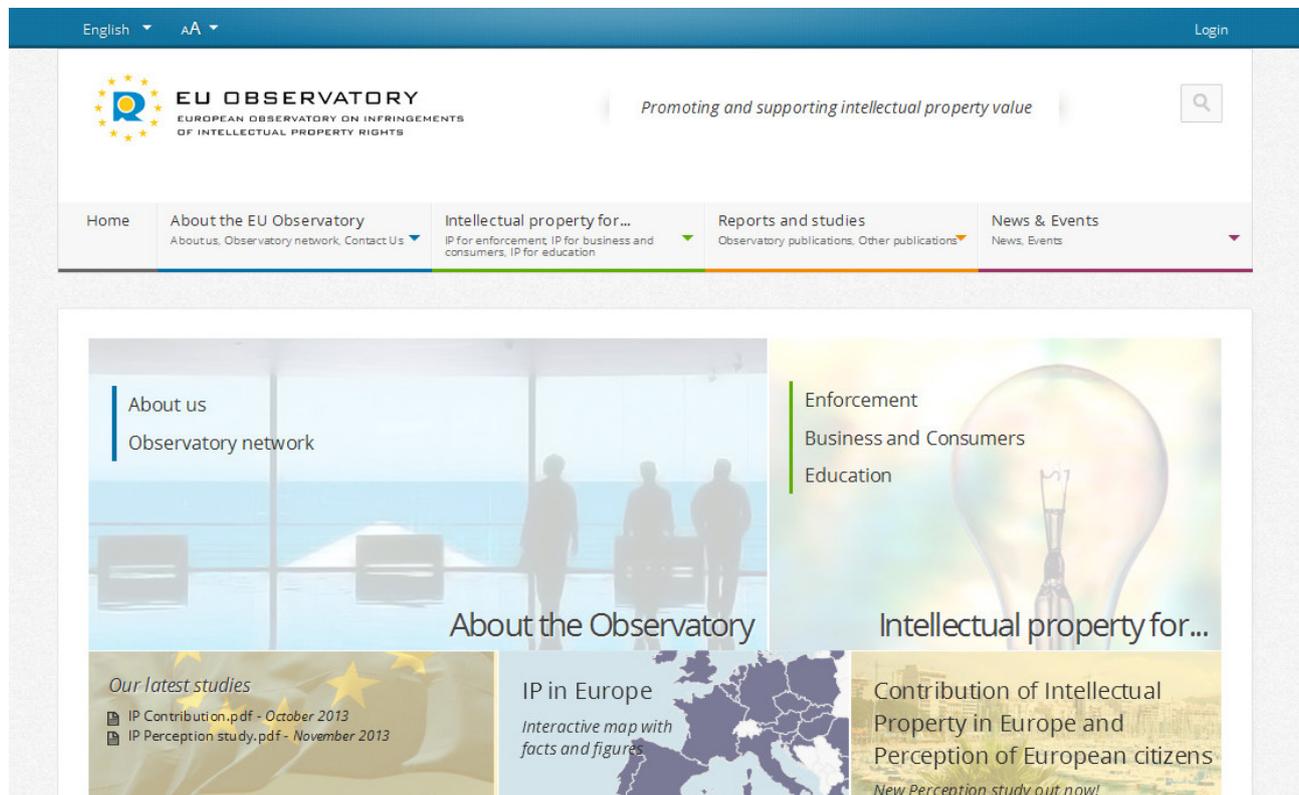
A woman from Sweden told us that we need to gather “proof points for the message that IP supports the economy and jobs to be credible... tell us how much exactly they are contributing to the Swedish economy; tell us how many billions we are talking about”. A young Italian believes “it’s important to show the negative consequences that IP infringement could bring” in terms of jobs and employment.

This study is only a first step, but an important one. And IP Perception forms a useful complement to the IP Contribution study – the one researched IP in the context of jobs and employment, the other researched, in part, how Europeans make that link between IP, jobs and employment. Now the challenge is to build new, evidence-based narratives to shape public awareness initiatives, to address key groups identified in the study. At the same time, the Observatory will continue carrying out research and studies to help policy makers across the EU.



## Operations Update

## New Website Launch



On December 2, 2013, the Observatory's new website went live. Its launch means that OHIM – and the Observatory – will have a new online home. For the Observatory it means greater online resources, more news and information, dedicated areas for business and consumers and enforcers and sections which allow users to access information campaigns and other resources on IP and enforcement.

The common repository of public awareness campaigns carried out in the last year is also a part of the new web. At the moment, material from 130 IP awareness campaigns is available and searchable in the database.

All the Observatory studies and reports are also available through the new website.

## Operations Update

# Enforcement Database

There's a great deal of buzz around the Enforcement Database. Its progress is being followed by enforcement professionals, business people and journalists alike, and it's gearing up for a very busy few months indeed.



At the moment, OHIM is receiving applications from companies wanting to participate in the database, which is currently being piloted by a group of specially invited businesses representatives. So far the enforcement and business communities have given a warm welcome to the tool, which aims to support right holders and enforcement professionals by allowing them to exchange detailed information about their IP protected products to help customs and police to detect IP infringements in a safe, secure and confidential way.

The Enforcement Database has been developed by OHIM's Cooperation Fund, which is a €50 million project dedicated to building specialised IT tools and solutions for EU national and regional IP offices and users. The Enforcement Database is available through the Common Gateway, the online "home" of the European Trade Mark and Design Network at [www.tmdn.org](http://www.tmdn.org)) and of course the Observatory website ([www.observatory.oami.europa.eu](http://www.observatory.oami.europa.eu)).

The Enforcement Database was created and developed in very close collaboration with IP owners, EU national and regional IP offices and the Taxation and Customs Union Directorate-General (DG TAXUD) in the European Commission. In fact, representatives from owners, IP offices and DG TAXUD sat on the working group which gave expert advice and feedback on the Enforcement Database's development.

Moreover, the Enforcement Database is recognised by both DG TAXUD and Europol, and will be integrated in DG TAXUD's secure system.

The database provides a central repository of information on products, uploaded by rights holders. This could be pictures of products which are protected by trademark or design rights, or any other relevant information about the products in question, like details about the company, contact persons for enforcement matters, logistics, prior cases, identifiers, packaging or any information that the rights holders in question believe would be useful for enforcement authorities to separate the fake from the genuine.

Crucially, the Enforcement Database is set up to allow rights holders to enter the information that they believe to be the most relevant and useful. Since its launch, the project team has been working with companies across the EU to integrate their details into the database, including offering training sessions on how to input data, and incorporating user feedback.

The Enforcement Database has clear advantages for rights holders. With relatively little effort, they can help customs and police to protect their products against counterfeiting and

OHIM is receiving applications from companies wanting to participate in the database.

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## Operations Update — Enforcement Database

piracy, by recording relevant information about the products into the tool. Owners also have the reassurance of knowing that their information is safe and secure, as the Enforcement Database has been developed according to the most stringent safety standards, and independent security audits will be carried out on a regular basis.

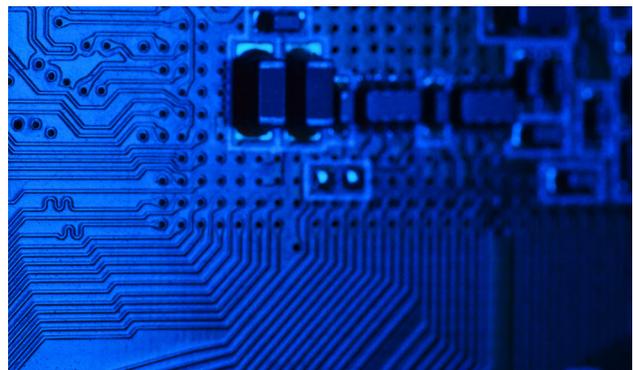
Since its launch, the project team has been working with companies across the EU.

Furthermore the tool allows rights holders to automatically generate an application for action (AFA) with data stored in the

database and, thanks to the link with TMview and Designview and we are working hard to enable the possibility of sending the AFA electronically in the future.

Work is continuing to incorporate the Enforcement Database into the secure EU customs network (CCN/CSI) which will enable customs officers within the EU to have an easy and direct access to the database. As a result of a cooperation agreement recently signed between OHIM and Europol, work is beginning to grant police at Member State level secure access to the database.

The use of the Enforcement Database is free of charge, and any rights holders wanting to apply for an account need only to have a valid registered trademark or design within the EU (a CTM, a RCD or a national level registration). Rights holders who want to participate in the tool should email: [Observatory.edb@oami.europa.eu](mailto:Observatory.edb@oami.europa.eu).



## Events and Knowledge Building

# A busy whirl of events

It's been a busy whirl of events for the Observatory during the past few months. The Observatory partnered with Europol to build a joint knowledge and competences programme, covering issues identified in Europol's EU Serious and Organised Threat Assessment report.

So far in 2013, four events have been held for enforcement-related authorities, in conjunction with Europol and other EU partners. November saw OHIM welcome the business and enforcement community, along with Member State representatives, to a conference on counterfeit domestic appliances and automotive parts.

[\(Watch the video\)](#)



Earlier in the year, the Observatory also held conferences on training on small consignments of counterfeit products, and building more effective cooperation, awareness-raising on counterfeit and illicit pesticides and knowledge building on 'Pharmacrine' or counterfeit medicines.

Following each of the events a comprehensive report was produced, which included conclusions and proposals. These reports were widely distributed through the Europol Expert Platform and will be followed up on.

The Observatory held its Plenary Meeting in Alicante in September, and welcomed an additional 22 new associations from a variety of sectors, including five civil society representatives, to its stakeholder ranks.

[\(Watch the video\)](#)



The network now numbers more than 100: as well as representatives of the 28 Member States, we now have 56 representatives from the private sector, six organisations representing the main groups in civil society, 10 international organisations, and 10 MEPs designated by the European Parliament.

Meanwhile, OHIM and EUROPOL have signed a strategic cooperation agreement to further expand their existing collaboration to mutually protect businesses and consumers against counterfeiting and piracy. Rob Wainwright, EUROPOL's director, spoke about the importance of this enhanced collaboration.

[\(Watch the video\)](#)



# Comments from Observatory's Stakeholders

## European Digital Rights Initiative

For more than 10 years, EDRI has been promoting and defending fundamental rights in the digital environment.

For most of the history of the Internet, discussions surrounding copyright have focussed on enforcement or deepening of pre-existing legal norms. Efforts to adapt the new world to the old structures has led repeatedly to failure. Progress has been impeded by ever-more inventive but unsuccessful ways of holding back the tide, such as privatisation of enforcement in the hands of online intermediaries or criminalisation of the everyday activities of citizens. This consistent failure has led to the IP system becoming increasingly seen as deeply flawed and lacking in legitimacy in the eyes of citizens.

This outcome was shown very clearly in the recent study of the Observatory on "Europe Citizens and Intellectual Property: Perception, Awareness and Behaviour". It is hard, if not impossible, to believe that citizens will be convinced of the need to respect legislation in theory if they see it as absurd, outdated, restricted and excessive in practice. IPR is not about abstract legal concepts, it is ultimately about the interaction of citizens with their own culture.

Reform of the current legal framework is therefore important to EDRI from two perspectives. On the one hand, it is important to have legal structures which permit flexible use of cultural works. On the other, a modern framework will also create new opportunities, business models and services, helping to move away from

coercive, excessive and inevitably counterproductive enforcement measures.

We took the decision to participate actively in the Observatory because good policy can only be based on credible, well-targeted analysis and evidence.

*EDRI, European Digital Rights Initiative*

## Where next for the Observatory?

Even for observers not involved in the daily battle against intellectual property infringements, the question of whether the Observatory would be useful has now been answered.

Leading the work on practicality are its two detailed reports on the importance of IP to our economy and growth and the perception by Europe's citizens of what IP actually is, and does. In a time of economic crisis, little could be more convincing of the need to protect our innovators and creators than this independent empirical data. Industries reliant on IP contribute not just 26% of Europe's (good-quality jobs) and support 20 million more, we account for almost 39% of the EU's total economic activity (some €4.7 trillion) and the vast majority of our external trade. IP-intensive industries are in the forefront of Europe's growth prospects.

The perception study shows us where we need to concentrate our awareness efforts. While the above may be obvious to those of us in the industry, the need not just to own IP but to protect it – like the need to lock your front door – still hasn't made the leap from theory to reality in many citizens' minds.



## Stakeholder News

Our job going forward is to show why IP matters in our daily lives and the reality of its abuse, from loss of jobs and governmental revenues through to proven dangers for consumers' health and safety and the funding of organised crime. Yes, illegal downloading and counterfeiting DO matter.

Continuing the practical theme, the Enforcement Database is shaping up to be the best in class one-stop-site for law enforcement, providing access not just to the essential information in applications for customs action but also to vital supplementary details to help officers spot suspicious products.

While it's too early to predict what the Member States and Parliament will agree in the ongoing revision of our trade mark systems, we are heartened that our legislators appreciate that Europe's laws work well overall. Solid and harmonised trade mark administration is the bedrock on which our brands are built. As the only EU Agency fully funded by industry, OHIM - and the Observatory - play a unique role in bringing together Europe's creators, or "users" of those systems in the jargon, with national offices, law enforcement and civil society. The success of the Cooperation Fund, with its transparent goals and measurable Key Performance Indicators, is being replicated in the Convergence Programme: by defining together what users and Members States need, and what is feasible to implement, we can only improve both practices and understanding.

So what next? Building awareness, be that within the judiciary or the upcoming technically-savvy, employment-challenged generation, is vital. The frankly terrifying drop in seizures at our borders of IP-infringing goods by 65% last year is also clear proof of our need to continue our support for



IPR-expert customs officers. Resources are tight everywhere; the link between the contribution of brands and creativity to the EU's stability and growth must be stressed.

Above all, it's time to explain why we need to turn those keys; enforcement, otherwise known as protection, is the only way to ensure that Europe's job market and competitiveness continue to grow. AIM and its membership stand ready to work with the entire network of the Observatory, and other stakeholders, to this end.

*AIM the European Brands Association,  
December 2013*

## Fighting against counterfeiting in Hungary

The National Board Against Counterfeiting (NBAC) in Hungary had an eventful year in 2013.

Our largest public awareness campaign called 'Real? Fake?' was dedicated to acting against counterfeit medicine. The message of the campaign was: 'if you purchase your medicine online, buy from safe, legal websites only!' In Hungary, every legal website selling medicines online is operated by active pharmacies and is registered by the National Public Health and Medical Officer Service. A video spot formed the basis of the campaign which was licensed from the Austrian Finance Ministry and the Austrian Chamber of Pharmacists in the framework of cooperation. Two famous Hungarian actors from popular recent Hungarian hospital-series – one of them plays a doctor, the other one a gangster – provided voices for the dubbed [Hungarian version](#). [Posters](#) were put out in pharmacies and the NBAC's website against counterfeit medicine was



## Stakeholder News

renewed by the start of the campaign with lots of useful information about what to know when buying medicine, facts to be aware of, methods to recognize counterfeit medicine and who to contact.

As usually, the NBAC **conducted surveys** this year as well. '[Counterfeiting in Hungary](#)', the **consumer survey** of the NBAC that has been conducted yearly from 2009; is about the awareness and attitudes of consumers in relation to counterfeiting.

In its survey called '[Corporate Experiences on Counterfeiting in Hungary](#)', the NBAC asked corporate decision makers in Hungary for the first time on their experiences and opinions regarding counterfeiting. In this context, over 450 business leaders were approached from every region of the country.

**Raising the awareness of students and teachers** on IPR protection and infringements was an important issue amongst the NBAC's activities. In February, the NBAC took part in a **competition for students** in cooperation with Microsoft, Nokia, Vodafone and other non-governmental stakeholders. The issue of the '*Only the real ones!*' competition was to draw students' attention to copyright issues and teach them how to use the Internet in a safer way. They were asked to form groups and fill out tests and be creative: design flags, create campaign poems

or power point presentation about the topic.

Another competition was launched by the NBAC in October, this time **for teachers only**. The task was to draft and outline lessons for students to demonstrate the way and content of teaching about the various aspects of IPR protection. This competition is still ongoing; the awards ceremony will be on the 17th December.

Besides the outstanding programs and events in 2013, the homepage of the NBAC was renewed in November: it became more dynamic, transparent and enriched in multimedia content. Moreover, besides the website against medicine counterfeiting, a blog and a facebook profile is operated and the NBAC sends out weekly newsletters with the latest news about counterfeiting, reports of actions, seizures, surveys, conferences, exhibitions, government initiatives as well.

We believe that 2014 will be another prosperous year for the National Board Against Counterfeiting in Hungary. With the help of the OHIM and the Observatory, we are looking forward to new campaigns for students, entrepreneurs, exhibitions, trainings for law enforcement bodies and other awareness raising events, too.

*National Board Against Counterfeiting in Hungary*



From The EU To You

## Licences for Europe

The Licences for Europe stakeholder dialogue, which ran from February to November 2013, brought tougher players in the field of digital content in a process managed by the European Commission. Its objective was to foster practical industry-led solutions to get more copyright-protected content online, following up on the Decem-

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ber 2012 Commission Communication, "Content in the Digital Single Market". Work focussed on four areas, namely cross-border access

and portability of services, user-generated content, audiovisual cultural heritage and text and data mining.

Stakeholders invited to the dialogue comprised the audiovisual sector, music, publishing, the video game industries (authors, producers, publishers, performers, distributors, broadcasters, etc.), internet service providers, technology companies, cultural institutions, web users, consumers, and other interested parties that could contribute their expertise to this matter.

Presenting the results of the dialogue in Brussels on 13 November, Commissioners Michel Barnier (Internal Market and Services), Neelie Kroes (Digital Agenda) and Androulla Vassiliou (Education, Culture, Multilingualism and Youth) welcomed the commitments being made by participants to overcome problems that citizens face.

The specific pledges made by stakeholders include:

- Multi-territory "one-click micro-licences" offered by record companies and authors' collecting societies for small scale use of music online. This will, for example, make it much easier for those who wish to use music to do so with legal

certainty on their own websites or when posting videos to other sites.

- An agreement by film producers, authors and film heritage institutions on principles and procedures for the digitisation and dissemination of heritage films. This will ensure that many old films which are currently not available online or might otherwise disappear are saved for the future and made available to wider audiences.
- A joint statement by the audiovisual industry to continue working to gradually offer cross-border portability of audiovisual services. This would make it easier for consumers to legally access films and TV programmes from their home Member State when travelling abroad on holidays or business trips.
- Solutions to facilitate non-commercial text and data mining of scientific publications presented by STM (Science Technical and Medical) Publishers (a model clause accompanied by a web-based "mining hub").

The full list of initiatives presented as an outcome to Licences for Europe is presented in the document "ten pledges to bring more content online" available at <http://ec.europa.eu/licences-for-europe-dialogue/en/content/final-plenary-meeting>.

Licences for Europe was one of the two parallel tracks of action the Commission undertook in 2012 to address the need for further modernisation of the EU copyright framework. The other track involves an on-going review of the legal framework, with a view to a decision in Spring 2014 on whether to table legislative reform proposals, which is also the subject a public consultation launched on 6 December.

For further information, please contact Markt-D1@ec.europa.eu.

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## Event Calendar

- ▶ Working group:  
Enforcement  
24 February 2014 Brussels
- ▶ Working group:  
IP in a Digital World  
25 February 2014 Brussels
- ▶ Working group:  
Legal and International  
26 February 2014 Brussels
- ▶ Working group:  
Public Awareness  
27 February 2014 Brussels
- ▶ Working group:  
Statistics and Economics  
28 February 2014 Brussels
- ▶ Observatory  
Advisory Board  
5 March 2014 Brussels
- ▶ Public Sector  
Stakeholders  
2-3 April 2014 Greece
- ▶ Private Sector  
Stakeholders  
11 April 2014 Brussels

