

# Enforcement of GI's and the IP Enforcement Portal

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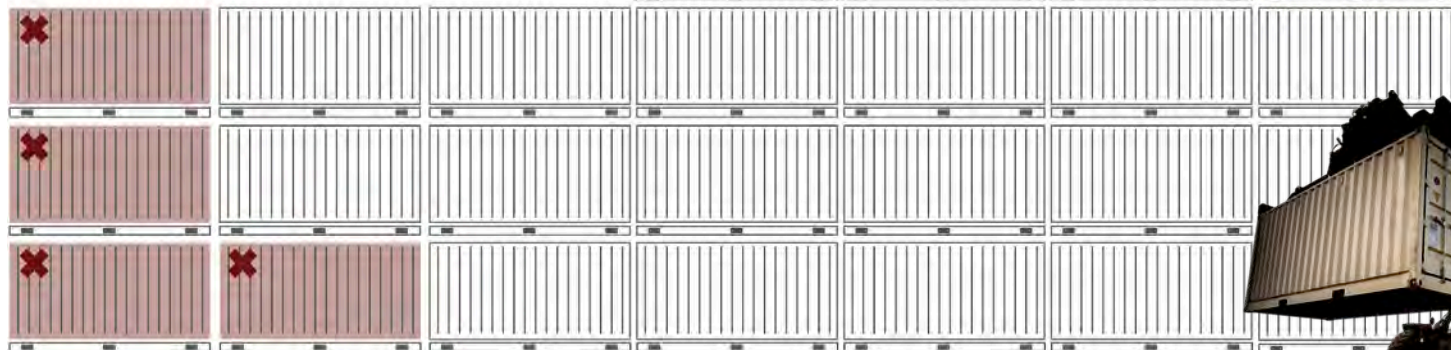
Nicole Semjevski  
25/11/2020

## EXISTING CHALLENGES IN IPR ENFORCEMENT

EU Trade:

**6.8%**

of imports from the rest of the world consist of fakes, up from 5% in the earlier study<sup>1</sup>



**1%**

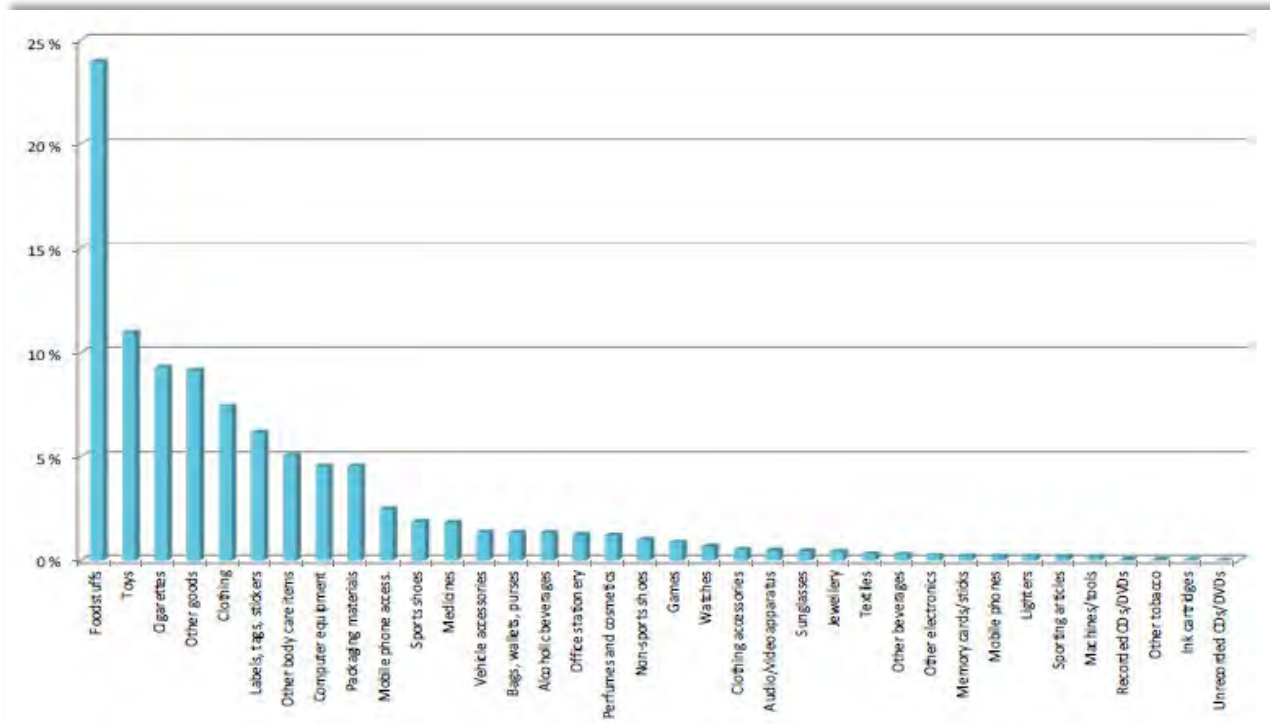
Customs authorities  
manage to inspect



1 - See: [https://euiipo.europa.eu/tunnel-web/secure/webdav/guest/document\\_library/observatory/documents/reports/trends\\_in\\_trade\\_in\\_counterfeit\\_and\\_pirated\\_goods/trends\\_in\\_trade\\_in\\_counterfeit\\_and\\_pirated\\_goods\\_en.pdf](https://euiipo.europa.eu/tunnel-web/secure/webdav/guest/document_library/observatory/documents/reports/trends_in_trade_in_counterfeit_and_pirated_goods/trends_in_trade_in_counterfeit_and_pirated_goods_en.pdf)

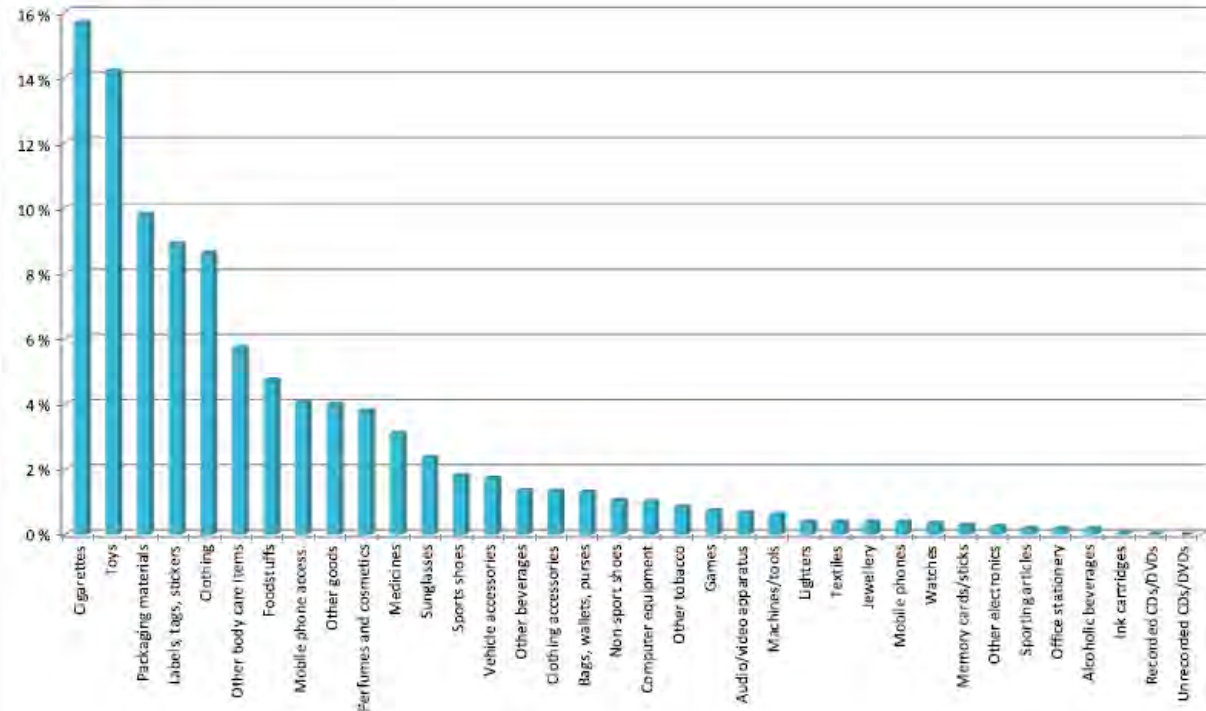
## Categories of articles infringing IPR detained at the EU border - 2017

□ Foodstuffs: 25%



Source: DG Taxud 2017 Report on the EU customs enforcement of intellectual property rights at the EU border

## Categories of articles infringing IPR detained at the EU border - 2018



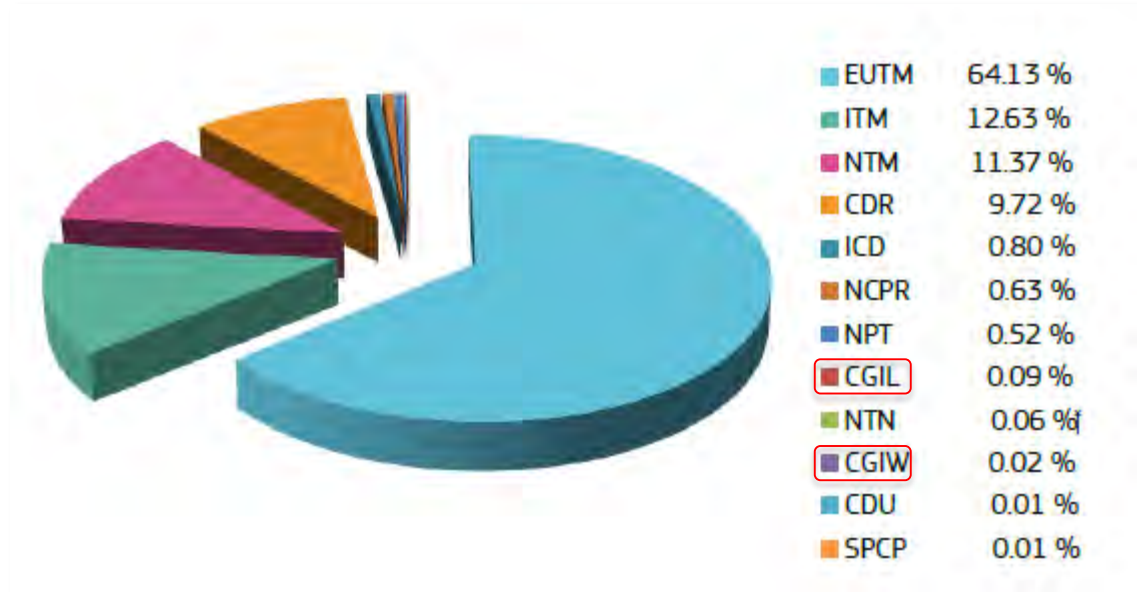
□ Foodstuff: 5%

Source: DG Taxud 2018 Report on the EU customs enforcement of intellectual property rights at the EU border

## EU Customs detentions and GIs

### Regulation (EU) 608/2013 concerning customs enforcement of intellectual property rights

- Rights holders - a proactive role: Applications for Action (AFAs)
- IPRs in % of goods detained in 2018: 0,11% of GI



Source: DG Taxud 2018 Report on the EU customs enforcement of intellectual property rights at the EU border

# THE EU PLATFORM FOR THE ENFORCEMENT OF IPRS



 *Promoting and supporting intellectual property value* 

[Home](#) [About the Observatory](#) [Intellectual property for...](#) [Facts, Figures and Case Law](#) [News & events](#)

## IP ENFORCEMENT portal

The single EU platform to deal with IPR enforcement matters  
A free, multilingual and secure tool

[LOG IN](#)

Request a [rights holder](#) or [enforcer](#) account

The IP Enforcement portal is the integration of the EDB, ACIST and ACRIS tools in a single platform



### **Sharing your information with enforcers in the IP Enforcement Portal - Application for Action or Alert?**

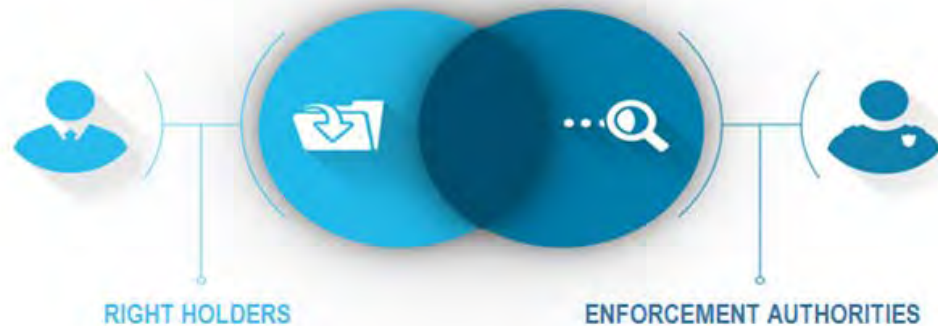
05 February 2020

An EU Council regulation (Regulation (EU) No 608/2013 of the European Parliament and

## The *Exchange Information* function

The tool is a free of charge, secure platform enabling real-time exchange of information between right holders and enforcement authorities

**BUILT UPON TMview AND DesignView**



Right holders enter information on their products, such as contact data, logistics, identifiers, packaging, prior cases, etc. and upload their IPRs

Enforcers can easily access the information with one search and have the assurance that the information is based on a valid IP right and the user behind has been authenticated



## View of enforcement authorities

One search, multiple results

### Global Search

Search supplementary information of those companies, products and IP rights that could suffer any kind of IPR infringements.

Filter by Member State

euiipo

Products (8)

Companies (1)

Trade Marks (6)

Designs (4)

Geographical Indications (1)

Patents (4)

Copyrights (5)

Plant Variety (8)

Other IPRs (3)

AFAs (4)

Search in the results:

← Previous 1 Next →

COMPANY / OWNER	APPLICANT	TM NAME	TM REFERENCE	OFFICE	GRAPHIC
	European Union Intellectual Property Office / Office de l'Union européenne pour la propriété intellectuelle	EUIPO	973491-00	CA	
	European Union Intellectual Property Office	EUIPO	89002045	US	
	European Union Intellectual Property Office	R EUIPO EUROPEAN UNION INTELLECTUAL PROPERTY OFFICE	89002020	US	
Euiipo 1	The European Union, represented by the European Commission	OPEN HORIZON	017868102	EM	



## Contact Points

- Who is the contact person of a given producer group for MS of the enforcer. Who speaks their language...?
- Is it a technical or a legal person...?
- Who is the main contact of the producer group – always copied in to any notification form the authorities

## Contact Points

Search in the results:

SELECT	NAME	TYPE	PHONE	EMAIL
	Legal Contact 2	Secondary in a country, Main in a country	00491321321321	LegalCotr
	Contact A	Secondary in the company	0044132154654	Nicole.Se
	Legal Contact1	Secondary in the company	00342123123133	lega@test
	Main contact	Secondary in the company	123456789	observato
	BLA	Main enforcement contact in the company	34965139111	123POLIZ

## IPR portfolio

The trade mark and design information is uploaded directly from TMview and Designview. The information is refreshed nightly, so enforcers always know if there is a valid right they can enforce. **GI's are uploaded from the databases of DG AGRI** (soon from Glview).

### Add IPR

Trade Mark
Design
Geographical Indication
Patent
Copyright
Plant Variety
Other IPRs

Denomination

Name of Rightholder

Type of Right Holder

Type of Geographical Indication \*

Registration number

Search Geographical Indications
Add Geographical Indication

Select All (On this page)

Search in the results:








SELECT	DENOMINATION	AGREEMENT DESCRIPTION	TYPE
<input type="checkbox"/>	Carmignano	Council Regulation (EC) No 1234/2007 of 22 October 2007	PDO
<input type="checkbox"/>	Parmigiano Reggiano	Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012	PDO

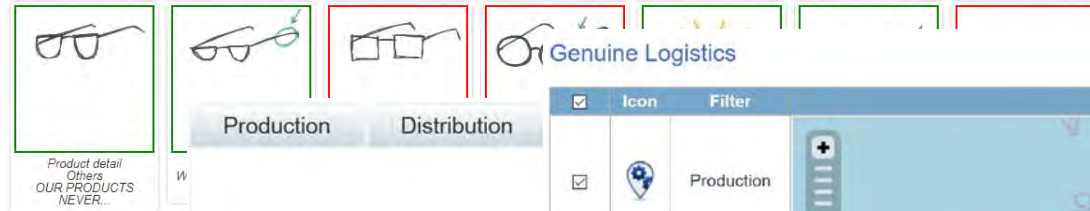
## Product information

General Info

Product Images/Videos

+ Add File

Genuine  Genuine  Fake  Fake  Genuine  Genuine  Fake 



Production Distribution

Entire production in EU

View IPR related to this

Genuine Logistics

Packages

Goods Clearance Detail

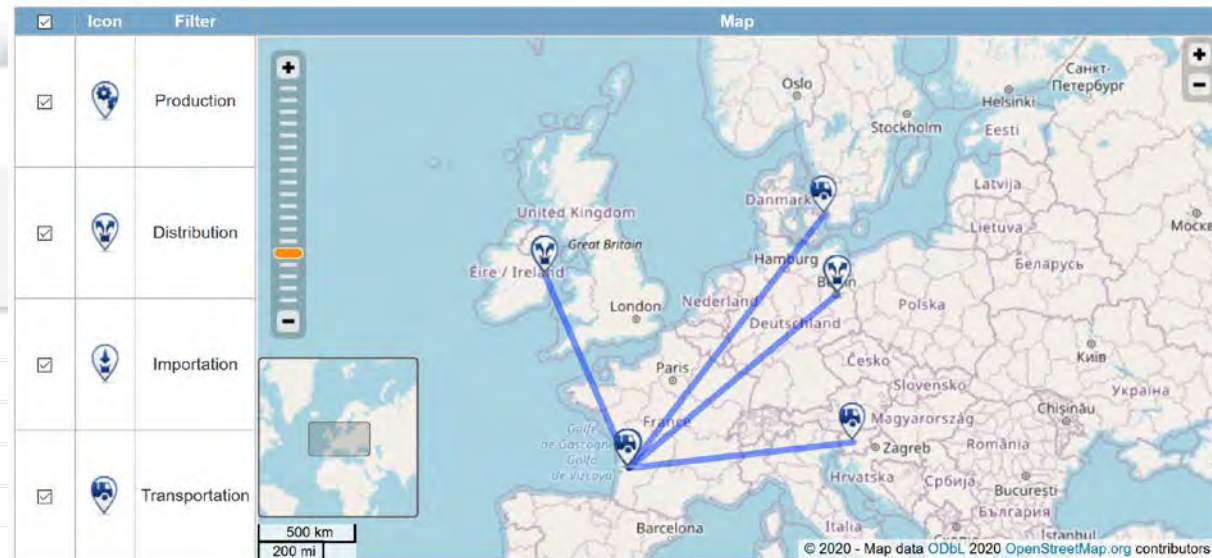
Past Cases

Companies Involved

Market Value (EU)

Traders






Accompanying Documents



- Information that will help enforcers to detect counterfeits

## Product Portfolio

### Product Portfolio

SELECT	MAIN IMAGE	PRODUCT NAME	CATEGORY	PRODUCT SPECIFICATION
		Sun Cream (demo)	Category	Creams for tanning t Sunscreen; Suntan .
		Sun clothing (demo)		Dresses; Scarfs; Tee
		Sun furniture (demo)		Parasols; Sun loung
		Sun hats (demo)		Sun hats; Sun visors
		Sun glasses (demo)		Sunglasses

- Rights holders decide which enforcement authority can view their product information

### Sharing Criteria

55(64)

SHARE

Name
<input checked="" type="checkbox"/> Zollamt Klagenfurt Villach - Competence Center Gewerblicher Rechtsschutz - Austria Monsieur l'Administrateur - Service Public Fédéral Finances - Belgium
<input checked="" type="checkbox"/> National Customs Agency - Central Customs Directorate - Bulgaria Department of Customs & Excise of the Republic of Cyprus
Generální ředitelství cel - odd. Ochrany práv duševního vlastnictví Generalzolldirektion, Direktion VI, Zentralstelle Gewerblicher Rechtsschutz
Tax Centre Copenhagen - Task Force Counterfeiting - Denmark
Estonian Tax and Customs Board
Subdirección General de Gestión Aduanera de España

## Customs Application for Action (AFAs) – electronic filing and extension

### Application for Action (AFA)

Protect your rights on the border providing the custom authorities with the necessary information about your rights, contacts and products.

The Application for Action allows the applicant to request the customs authorities to take action with respect to goods suspected of infringing an intellectual property right.

Further details can be found in the [Manual for Application for Action](#) provided by DG TAXUD.

**1** Select countries and languages

**2** Select your IP Rights

**3** Select your product

**4** Review and send preAFA to COPIS

- File e-AFAs in all EU languages
- AFAs can include only GIs
- Pre-admissibility check on mandatory information following Customs Regulation(EU) no. 608/2013

EUROPEAN UNION – APPLICATION FOR ACTION		PREAFA ID: IE20201120091241000011 (en)
<b>1</b> PATENT CUSTOMS DEPARTMENT	<b>1. Applicant</b>	
	Name*: SEMJEVSKI SYLVIA NICOLE SUSANNE	
	EORI-No*: ESX0561763B	
	Address*: Avenida de Europa 4	
	Town*: Alicante	
	Postal Code: E-03008	
	Country*: Spain	
	TIN No:	
	National registration No. VAT: VATestEUIPO	
	Telephone: (+) +965139100	
Mobile: (+)		
Fax: (+) +5465456465465465465465465465465465465		
Email: IPEnforcementPortal@euipo.europa.eu		
Website: https://euipo.europa.eu		
3*. Status of applicant		For official use
<input type="checkbox"/> Right-holder		Date of receipt
<input type="checkbox"/> Person or entity authorized to use the IP right		Registration number of application
		INTELLECTUAL PROPERTY RIGHTS
		APPLICATION FOR ACTION BY CUSTOMS AUTHORITIES
		under Article 8 of Regulation (EU) No 608/2013
		2*. Union application <input checked="" type="checkbox"/>
		National application <input type="checkbox"/>
		National application (cf. Article 5(3)) <input type="checkbox"/>
		<input checked="" type="checkbox"/> Group of producers of products with a Geographical Indication or representative of such group
		<input type="checkbox"/> Operator entitled to use a Geographical Indication

## IP Enforcement Portal

# IP ENFORCEMENT portal



**FREE**  
supported by **EUIPO**



### **SECURE**

Access through customs **secure** network CCN and other secure tunnels as guaranteed by the **security audit (SOC2)**

Certified by:



### **MULTILINGUAL**

Information available in  
**23 languages**

## Producer groups & national authorities – request an account

A **producer group** or **national authority** can request an account based on a GI

To request an account contact  
[ipenforcementportal@euipo.europa.eu](mailto:ipenforcementportal@euipo.europa.eu)

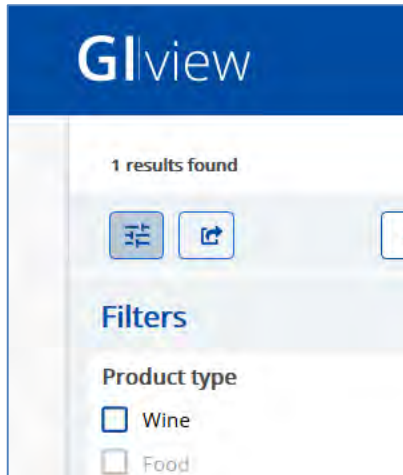
or

- Producer groups and/or national authorities can have an account or manage the accounts of their members.
- National authorities authenticate producer groups



## Producer groups & national authorities – request an account – in Glview

Soon to come!



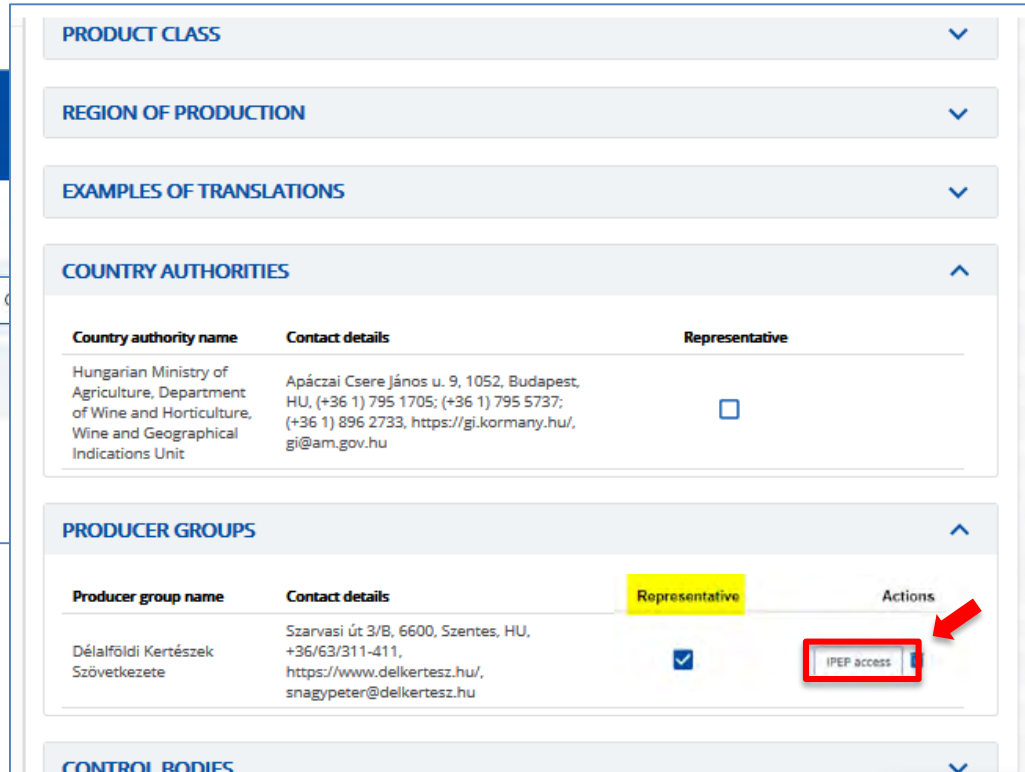
**Glview**

1 results found

Filters

Product type

- Wine
- Food



PRODUCT CLASS

REGION OF PRODUCTION

EXAMPLES OF TRANSLATIONS

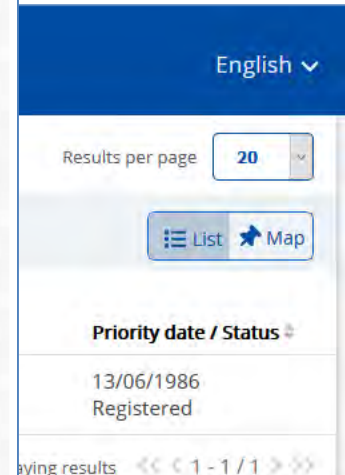
COUNTRY AUTHORITIES

Country authority name	Contact details	Representative
Hungarian Ministry of Agriculture, Department of Wine and Horticulture, Wine and Geographical Indications Unit	Apáczai Csere János u. 9, 1052, Budapest, HU, (+36 1) 795 1705; (+36 1) 795 5737; (+36 1) 896 2733, https://gi.kormany.hu/, gi@am.gov.hu	<input type="checkbox"/>

PRODUCER GROUPS

Producer group name	Contact details	Representative	Actions
Déalföldi Kertészek Szövetkezete	Szarvasi út 3/B, 6600, Szentes, HU, +36/63/311-411, https://www.delkerteszt.hu/, snagypeter@delkerteszt.hu	<input checked="" type="checkbox"/>	IPEP access

CONTROL BODIES



English

Results per page 20

List Map

Priority date / Status

13/06/1986  
Registered

Showing results << < 1 - 1 / 1 >>

- Authentication done through Glview



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Thank you