

Public-Private cooperation

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SNB-REACT

REACT network

- Not for profit
- Europe wide operational support 175 members
- Over 1.000 actions per month
- National representation

Network

- Offices in Amsterdam, Duren, Milan, Lisbon, Vilnius, Prague, Skopje, Madrid and Istanbul
- Agencies and partners in all other EU, FYR countries, Russia, Caribbean, Maghreb
- Continuously working on extension
- Internet Monitoring team operating worldwide

IPR Business Partnership

- Objectives;
- international cooperation, technical assistance, world wide for LEA (Law Enforcement Agents)
- Observer of WIPO ACE

- Advocating:

Simplified proceedings; costs reduction

- Responsibilities service provider/intermediary

Public – Private cooperation

- Must be improved!
- Difficult to find perfect 'mix'
- Storage issues, rights owners denying cases or not responding, customs too many formalities and liabilities, procedures too costly, lengthy ...

Customs provisions

Simple application procedure:
electronic/regional

Provide LEA with necessary powers to intervene
Including transit

Allow LEA and rightsholder to communicate swiftly

leave room for out of court settlement

Impose costs on infringer: directly or indirectly

Civil provisions

- **Injunctions**
 - Also against intermediaries
- **Disclosure supply chain**
 - Including necessary powers
- **Damages**
 - Regardless of intention infringer

Criminal provisions

- **Swift actions needed**
 - Firstly against trade as such!
- **Involve market surveillants authorities**
- **Wide scope**
 - Include goods in transit, transport

Conclusions

- Fighting counterfeiting is costly
- Frustrating for rights owners and LEA
- Seeking regress with simplified proceedings
- Each legal system find balance civil-public
- When LEA intervenes and what to manage by private parties
- What powers are needed for that
- Role service providers in future key