



OBSERVATORY NEWS

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IP in the Digital World and Awareness



And the winners of the anti-counterfeiting Blockathon event are...

On 17 March, the European Union Intellectual Property Office (EUIPO), held an Award ceremony to announce the anti-counterfeiting Blockathon Infrastructure winner. EY Advisory S.p.a. in consortium with Eonpass S.r.l. and Jet Air Service (JAS) S.p.a. were announced the winners of the Anti-counterfeiting Blockathon Infrastructure Design Contest and were presented with their award by the Executive Director, Christian Archambeau. The winners outlined how their design would boost the fight against counterfeit goods, which pose a considerable risk to consumers and seriously damage the economy and society as a whole.

Read more [here](#).



Latest news from Out-of-Commerce Works Portal

Forgotten stories can once again become our shared history.

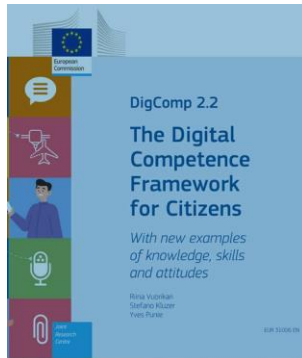
Read more [here](#)



Teachers and students in the EU get the answers to their copyright questions

New FAQs on copyright for teachers: The EUIPO Observatory has launched a new web page to guide European teachers and students on their copyright journey

Read more [here](#).



DigComp 2.2: The Digital Competence Framework for Citizens

EUIPO's IP in Education project has collaborated with JRC experts in the creation of **IP related competences** especially regarding **how copyright and licences apply to digital information and content**. As an example of good collaboration, you can find a direct link from the copyright competence to the EUIPO's [FAQs on copyright for teachers](#).

This is another important step forward for our IP communities as DigComp is an EU-wide framework for developing and measuring digital competence. It plays a central role in achieving ambitious EU objectives such as reaching a minimum of 80 % of the population with basic digital skills by 2030.

Here you can download your copy of [DigComp 2.2: The Digital Competence Framework for Citizens](#).



Update of the 2021 Awareness Grant beneficiaries

The projects awarded in the 2021 EUIPO Observatory Awareness Grants are currently underway, implementing activities across the European Union and raising awareness on intellectual property rights among the young, consumers, and teachers.

Read more [here](#).

Enforcement and SMEs



Update from Virtual Training Centre - VTC

The Observatory has developed an online course [Intellectual Property Rights for Customs Officials](#) It is composed of several separate modules, of short duration, and comprising very concrete topics. In March 2022 two new modules were added to the course:

- “It’s suspicious. What’s next?”

This module provides tips on how to take photographs and samples of suspicious goods and how to check if an **Application For Action (AFA)** has been granted for these goods in COPIS. The module also refers to the **IP Enforcement Portal (IPEP)** allowing customs officials to send details of a suspicious case to the rights holder and explaining how to determine if the goods are protected by IP Rights.

- “COPIS, the Counterfeiting And Piracy Information System”

This module describes how this database is used for managing Applications For Action (**AFAs**) and customs IPR infringement cases. It is managed by DG TAXUD and is mandatory for all EU Member States. The module includes explanatory screenshots of the **COPIS** tool.

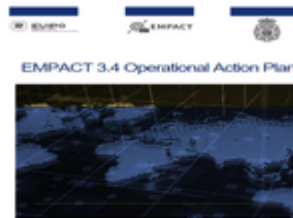
The level of the two new modules is basic and specifically designed for customs officials who are new in the field of infringement of Intellectual Property rights. Access is also available to account holders (customs officers) on **LEEd - CEPOL’s law enforcement learning portal**.



Online training course: IPEP monthly demos and Q&A sessions for rights holders and legal representatives

In 2022, the IPEP Team continues with the monthly free online training on IPEP. In January, February and March, more than 200 rights holders and legal representatives signed up for the demo and Q&A sessions on IPEP. The sessions start with a walkthrough of the tool, to explain the different features, with particular focus on the customs application for action (AFA) feature. After the new eAFA release, IPEP became the single AFA e-filing and management point for 23 Member States and the alternative system for the other 3 (DE, ES and IT). The IPEP team answers any questions that the attendees have.

The next demo will be on 21 April 2022. It will be online via ZOOM and you have until 20 April 2022 to register [here](#).



EMPACT 3.4 Operational Action Plan in Spain

On 23 and 24 March 2022, the Office, through the European Observatory on Infringements of Intellectual Property Rights hosted a meeting on the fight against counterfeit products within the European Union for law enforcement authorities, European agencies, customs authorities and the private sector.

Read more [here](#).



Online meeting: Sixth high-level meeting on a joint strategy related to IP crime

The EUIPO Executive Director, together with the Observatory, met with high-level representatives of EU agencies and European Commission Directorates-General including Eurojust, Europol, the European Anti-Fraud Office's (OLAF), representatives from the European Union Agency for Law Enforcement Training (CEPOL), DG GROW, DG HOME, DG JUST, DG TAXUD, DG TRADE and the European Border & Coast Guard Agency (FRONTEX) on 27 January 2022 to discuss and coordinate strategies to fight IP crime.

The meeting served to coordinate strategies and communication on the fight against IP crime. The bilateral agreements foreseen for this purpose were welcomed by all parties.



Online meeting: EMPACT IP Crime Investigation Handbook kick off and general presentation

Under the European multidisciplinary platform against criminal threats (EMPACT), on 16 March the EUIPO has organised a kick-off meeting and general presentation of an investigation handbook to cover relevant online and offline IP crime areas and illustrate all prevailing business models used by IP criminals.

Read more [here](#).



CEPOL-EUIPO WEBINAR Counterfeits and Pharmaceutical products

On March 8 and 9, the EUIPO, through the Observatory, and the European Union Agency for Police Training (CEPOL) have jointly organized a webinar on counterfeiting and pharmaceutical products.

Read more [here](#).



OLAF and EUIPO sign new working agreement

The European Anti-Fraud Office (OLAF) and the European Union Intellectual Property Office (EUIPO) have agreed new working arrangements aimed at increasing cooperation in combatting Intellectual Property (IP) crimes.

Read more [here](#).



Anti-Counterfeiting Technologies: Do you know about NFC Technology?

Counterfeiting poses an increasingly to supply chains and therefore the Observatory, together with members of its expert groups developed and published the [Anti-Counterfeiting Technology Guide](#). It is intended for all interested in learning more about and implementing anti-counterfeiting solutions. The anti-counterfeiting technologies are presented in five main categories: electronic, marking, chemical and physical, mechanical and technologies for digital media.

As a means to promote these technologies, we will refer to **NFC technology** (Near Field Communication). Did you know, the **NFC technology** that's used for contactless phone payments can also be used to combat counterfeiting?

NFC technology is a set of communication protocols for secure wireless communication between electronic devices less than 10 cm from each other. It derives from contactless card and RFID technologies and combines security features with the capacity to perform contactless card transactions, enabling the implementation of advanced authentication mechanisms. NFC transactions are normally concluded within seconds. NFC tags can be embedded into objects as small as payment cards and possibly even paper labels. Consequently, they can be used with a diverse range of products and materials. As many smartphones already come with NFC tag readers built in, consumers can use this technology to check the authenticity of products themselves.

For more detailed information on NFC and other technologies access the [Anti-Counterfeiting Technology Guide](#).

Reports and Studies



Dangerous fakes. Trade in counterfeit goods that pose health, safety and environmental risks - Joint OECD-EUIPO report published on 17 March

By their very nature, counterfeit products have a wide range of negative consequences, for the economy, and more importantly, the health and safety of consumers. The new report, outlining these dangers analyses data from customs seizures and other enforcement data and looks at how dangerous counterfeits can end up in the hands of consumers.

Read more [here](#).



The economic impact of COVID-19 crisis in IPR-intensive industries: December 2021 update - published 11 March 2022

The Observatory updates IPR indicators quarterly to monitor the recovery phase during 2021 and beyond, for the European Union (EU) and for the four largest Member States (MS). Recently the Observatory presented the results for the [complete year of 2021](#).

Read more [here](#).



Intellectual Property Crime Threat Assessment - Joint EUIPO-Europol report published 07 March 2022

The report reveals that the distribution of counterfeit and pirated goods, unfortunately, increased during the COVID-19 pandemic. The report is based on data gathered from across the EU and from Europol's operational information. This information confirms that piracy and counterfeiting continue to pose a serious threat to the health and wellbeing of consumers, and to the European economy.

Read more [here](#).



The impact of Artificial Intelligence on the Infringement and enforcement of copyright and designs - published 02 March 2022

The report concludes that the multifaceted AI applications offer numerous opportunities, drivers, limitations and concerns for the misuse of AI in the infringement of copyright and designs while, at the same time, offering opportunities for the legal use of AI in their enforcement.

Read more [here](#).



Online advertising on IPR-Infringing Websites and Apps 2021 Study - published 28 February 2022

Internet websites and mobile applications that provide access to content, goods or services that infringe intellectual property rights (IPR) on a commercial scale use the sale of advertising space as one of their revenue sources. In addition to providing a revenue stream to IPR infringers, the presence of advertising for legitimate brands on websites and mobile applications that infringe IPR can confuse consumers.

Read more [here](#).



EUIPO Study on IPR contribution in Latin American countries - published 20 January 2022

This study ([EN](#), [ES](#)) is a compilation of the main findings of five reports dedicated to measuring the economic contribution of IPRs in different countries within the region, including Mexico, Peru, Argentina, Uruguay and Chile. The study covers trade mark, patent, design and copyright-intensive industries, along with a comparison with the EU's main results and demonstrates the importance of IPR in the region.

Read more [here](#).

Case-Law



The new edition of Recent European Case-law on the Infringement and Enforcement of IPRs is out now

The new edition of the 'recent case-law update' document reports on the latest significant European decisions related to infringing and enforcing IPRs. The document contains 205 summaries of key judgments from the national courts and preliminary rulings from the Court of Justice of the European Union (CJEU).

Read more [here](#).



Key enforcement judgments from the entire EU now available

An important milestone has been reached in the Key enforcement judgments project, as the [eSearch Case Law database](#) now includes key jurisprudence on enforcement of intellectual property rights from all EU Member States. The project has started in 2014 and is being implemented in cooperation with participating Member State IP offices. At the end of 2020, the EUIPO entered into a four-year collaboration agreement with an external provider with the purpose to consolidate and expand the collection of national key enforcement judgments accessible through the [eSearch Case Law database](#). As a result of successful collaboration, the total number of key enforcement judgments in the database has reached 1 759 covering all EU Member States.

Read more [here](#).

International Cooperation

The Coordination Group's meeting was the first rendez-vous of the year for international cooperation. On 26 January, the EUIPO Observatory met online with representatives from other European agencies (CEPOL, EUROJUST, EUROPOL, FRONTEX and CPVO), Commission services (DG Grow, DG Trade, DG Taxud and OLAF) and international organisations (OECD, UNICRI, WIPO, WCO, and WTO) to coordinate their activities and priorities for 2022. One of the priorities discussed during the meeting was IP crime, following its inclusion in the EU Policy Cycle for the fight against serious and organised crime, EMPACT, for the 2022-2025 period. The coordinator of this priority participated in the meeting as a special guest.

The EUIPO Observatory has also been involved in the update of the European Commission's Counterfeit and Piracy Watch List report, providing key data on the studies to DG Trade.

Furthermore, the EUIPO Observatory, together with DG Trade, has been busy working with the OECD Task Force Countering Illicit Trade on the certification scheme for clean free trade zones.

The Expert Group International Cooperation met on 14 March (*more details in the section "Update on Observatory Expert Groups"*).

The EUIPO Observatory participated in the consultative roundtable on the enforcement of IPR for North African countries (organised by the AfrIPI project), where it presented the joint EUIPO/OECD report *Global Trade in Fakes: A Worrying Threat*.

Stakeholder news

Observatory welcomes two new civil society stakeholders

The Observatory has recently welcomed two new civil society stakeholders, the **Romanian consumer association InfoCons** and the **Croatian Centre for Consumer Education and Information (CEIP)**.

InfoCons was founded in 2003 to protect consumers' rights of and to raise awareness. It actively participates in developing non-formal educational materials and has considerable experience in this area.

The **CEIP** is a non-governmental organisation which helps to protect consumers and their families by helping them change from being passive to active consumers and encouraging Croatian legislation to adopt the highest standards of consumer protection.

INPI Law Journal

The [INPI LAW JOURNAL](#) is a newsletter published in English by the Institut national de la propriété industrielle (**INPI**) for a non-French-speaking readership. It covers changes in French law and court rulings on intellectual property in France, the INPI's new missions pursuant to the French PACTE Law, its work with regard to the examination of applications for intellectual property rights, its decisions further to the newly deployed procedures to invalidate and revoke trademarks and oppose patents, and technological upgrades made to its services (digitisation, open data, artificial intelligence, and more).

To subscribe to the INPI LAW JOURNAL or for further information: pibd@inpi.fr

Creation of Arcom and Anti-Piracy International Survey

On January 01 2022 **Hadopi** became the «**Autorité de régulation de la communication audiovisuelle et numérique**» - **Arcom**. Created by the merger of Hadopi and the Conseil supérieur de l'audiovisuel (the French audiovisual regulator), Arcom was established by the law of 25 October 2021 on the regulation and protection of access to cultural works in the digital era.

Please find the link to the French and English versions of the 2019/2020 international anti-piracy survey:

[FR – full report](#)

[FR – Synthesis](#)

[EN – full report](#)

[EN – Synthesis](#)

ECIPE – European Centre for International Political Economy published the following report on 11 January 2022 **The Benefits of Intellectual Property Rights in EU Free Trade Agreements** which demonstrates that stronger Intellectual Property Rights in EU Free Trade Agreements can boost GDP, productivity, investments and exports in Europe.

Read more [here](#).

Meetings



Observatory Working Group Meetings

The European Observatory on Infringements of Intellectual Property Rights held its hybrid Working Group meetings from 29 to 31 March at the EUIPO premises in Alicante and online. During these meetings, participants explored the themes of enforcement, public awareness, IP in the digital world, legal and international matters, and economics and statistics. The meetings involved Observatory public and private sector representatives as well as representatives from civil society.



Observatory private sector representatives meeting

The European Observatory on Infringements of Intellectual Property Rights held its annual Private Sector Representatives meeting on 24 February. Due to the ongoing COVID-19 pandemic, the event was held as a virtual meeting.

Read more [here](#).

Update on Observatory Expert Groups

The **Impact of Technology Expert Group**, in collaboration with the Niels Bohr Institute, will hold a face-to-face workshop on quantum computing on 21 and 22 April in Copenhagen. During this meeting the expert group (EG) will visit the Niels Bohr Institute's research facilities and will discuss the impact of this technology on the infringement and enforcement of IP. The outcome of the meeting will be reflected in the 2022 edition of the [Intellectual Property Infringement and Enforcement Tech Watch Discussion Paper](#).

The EG also contributed to a study on the impact of [artificial intelligence on the infringement and enforcement of copyrights and designs](#), which has been published earlier this month and is available on the Observatory website.

The **Cooperation with Intermediaries EG** is working on its fourth discussion paper on transport and logistics, exploring the challenges and good practices of different operators in the sector to prevent the misuse of their services for IP infringing activities. The discussion paper should be released in April 2022, and as with previous papers from the group it will serve as a basis for a thematic stakeholder dialogue to be co-organised with the European Commission in the context of the forthcoming EU Toolbox against counterfeiting. The EG is also working on three new topics and related draft scoping documents, one on live-streaming piracy, search engines, and apps and app stores.

The **Outreach EG** will consider the possibility of developing guidelines to work with influencers, as well as potential collaboration with think tanks and consumer associations to raise awareness on IP infringement. The EG has also been discussing and providing relevant input to raising awareness on counterfeit products in public procurement. EG members will also get involved in the provision of ideas for the 2022 edition of the Spring Campaign and relevant strategies to implement it.

The **Legal EG** will be involved in improvements to the case-law collection of key enforcement judgments and the promotion of this process. The EG is also involved in the identification of litigation trends in different jurisdictions and the recent national case-law in relation to the implementation of the Trade Secrets Directive.

The **International Cooperation EG** met on 14 March. The subject of the meeting was the recently published IP Crime [Threat Assessment joint report EUIPO/EUROPOL](#). The presentation of the main findings of the report was made by speakers from EUROPOL and the EUIPO. As part of the cooperation in knowledge exchange activities between the EUIPO and DG Trade, DG Trade delegates were invited to attend. Given the global nature of IP Crime, invitations were also sent to IP attachés of like-minded IP Offices such as the USPTO, INPI France and the JPO.

The Observatory Expert Groups guide the implementation of Observatory projects in specialist areas. Experts give their own personal opinions – they do not represent any organisation or institution.

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