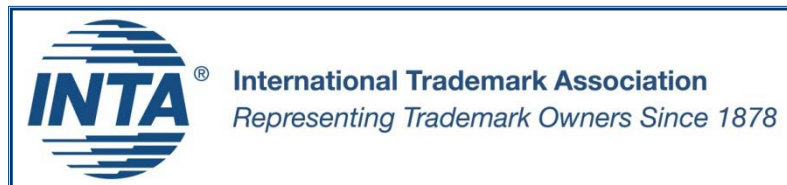


Industrial Property Rights in the Internal Market

***Enforcement: Economic Stakes and Implications for Competitiveness
and Innovation***

Richard D. Heath
Strasbourg, October 16-17, 2008



INTERNATIONAL TRADEMARK ASSOCIATION

International Trademark Association

- Founded in 1878
- *Dedicated to the support and advancement of trademarks and related intellectual property as elements of fair and effective national and international commerce.*
- Currently representing over 5,600 trademark owners, service providers and academics (students and professors of IP law) from more than 190 countries



INTERNATIONAL TRADEMARK ASSOCIATION

Unilever - An Overview

A Selection of some of our Main Brands

• Foods

- CALVE, HELLMANNS, KNORR, BECEL/FLORA, LIPTON, SLIMFAST, MAGNUM, SOLERO, BEN & JERRYS



• Home & Personal Care

- AXE/LYNX, DOVE, LUX, POND'S, REXONA/SURE, SUNSILK, CLEAR, LIFEBUOY, VASELINE, FAIR & LOVELY, OMO, SIGNAL, CLOSE-UP



INTERNATIONAL TRADEMARK ASSOCIATION

The Cost of Counterfeiting

- some main economic indicators

- Decrease of investment in R&D
- Impact on employment
- Loss of consumer confidence
- Cost to business

Developing Public-Private Partnerships – unresolved challenges

- Working with business to tackle the growing problem of counterfeits sold on the Internet
- Developing more accountability for the transport sector
- Tackling the problem of Free Trade Zones and Free Ports
- Providing assistance to SMEs involved in combating counterfeiting
- Tackling demand - raising awareness without damaging brand confidence

Key EU Developments

- DG MARKT: new unit (D3) dedicated to the enforcement of IPR & the new Observatory
- DG TAXUD: practical tools, e.g. statistics, Customs Notification Forms, etc.
- DG TRADE's commitment to IPR on trade agreements
- DG ENTR initiatives with IPR protection for SMEs
- DG SANCO consumer protection initiatives
- Council Resolution on a Comprehensive anti-counterfeiting and anti-piracy plan
- Progress on ACTA negotiations

Acting at EU level

- Stronger customs regimes
- Efficient and quick access to remedies
- Harmonisation of criminal sanctions

Making counterfeiting a less lucrative and attractive business

Conclusions:

Turning commitments into actions

- **For Consumers** - Raise awareness without damaging brand confidence
- **For Politicians** - Maintain awareness and lobby for a stronger, more punitive and binding framework
- **For Business** - Invest in supply chain security and engage in education, training and capacity building through Public Private Partnerships
- **For Customs** – Develop new standards to exercise more control over Free Trade Zones and better understand and respond to the on-line trading threat.

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Thank you



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