1. **Basic Information**

1.1 CRIS Number: 2005/017/518.02.06
1.2 Title: **Support to Enforcement of Intellectual Property Rights**
1.3 Sector: Internal Market and Economic Criteria
1.4 Location: Czech Republic

2. **Objectives**

2.1 **Overall Objective(s):**
Performance of European commitments, in particular achieving “a functioning market economy as well as the capacity to cope with competitive pressures and market forces within the Union” in the field of the enforcement of intellectual property rights (IPR).

2.2 **Project purpose:**
To reach the high level of enforcement of intellectual property rights in the Czech Republic by
- training of the staff of enforcement bodies,
- strong support by updated and upgraded IT system.

2.3 **Justification**
The Czech Republic meets essentially all the commitments and requirements arising from the accession negotiations (according to the Comprehensive Monitoring Report (CMR) - Chapter 5 “Company Law”, November 5, 2003). The majority of commitments and requirements arising from the accession negotiations in the field of the protection of intellectual and industrial property rights has been met. Nevertheless, further legislative adjustments are required in respect of copyright and related rights and trademark rules. Although the legislation is mostly in line, enhanced efforts must be made to strengthen enforcement of intellectual and industrial property rights. Better co-ordination among enforcement bodies is required and the efficient functioning of a well-trained judiciary should be given particular attention.

Measures concerning the fulfilment of this aim are also mentioned in the Conception of the fight against the criminality in the field of intellectual property (Government Resolution No. 330/1999, of April 14, 1999).

3. **Description**

3.1 **Background and justification:**
The Czech Republic as a member of the EU has to adopt and apply under Chapter 5 of the acquis – Company Law – harmonised rules required for the proper operation of companies in the internal market. The Chapter 5 asks for taking certain measures also in the field of the enforcement of intellectual and industrial property rights. As regards protection of IPR, the majority of commitments has been met on copyright and related rights. However, with respect to the Directive on copyright in the Information society, further alignment is needed with regard to the provisions relating to the protection of technological measures and rights management information.

Since the Czech Republic has become the member of the European Patent Convention, the staff of the Industrial Property Office (IPO) has taken part in a number of seminars aimed at the enforcement of IPR which are organised within the bilateral and multilateral co-operation programmes. The representatives of the Czech Republic work in the Advisory Committee on Enforcement (ACE) of the WIPO, too. The ACE focuses on combating counterfeiting and piracy activities, co-ordination of national and regional training programmes and exchange of information on enforcement issues through establishment of the Electronic Forum. In the IPR enforcement matters the Industrial Property Office also co-operates with the UK Patent Office. The participation of the CZ IPO employees is covered partly from the means of the European Patent Office, partly from the CZ IPO resources.

Concerning the enforcement of IPR, the necessary structures are in place but need to be strengthened, in particular to combat media piracy. Video piracy has been reduced due to the enforcement measures, but software and music piracy levels remain high. Further training and better co-ordination between enforcement bodies (customs, police and judiciary) should remain a priority, as well as the control of cross-border trade in counterfeit goods and the speed and efficiency of court procedures in this area.
Implementation of the *Phare CZ01.04.04 project “Enforcement of Intellectual property rights”* (finished in October 2004) enabled creation of the IT network that associates information necessary for enforcement of intellectual property rights and creation of the training programme for employees of the state administration institutions that deal with enforcement of intellectual property rights.

The project proposed is primarily aimed at elaboration (improvement/updating of already existing) of methodology for enforcement of intellectual property rights and training employees of particular institutions. As a necessary technical complement, the existing IT network will be updated and upgraded under national co-financing whereas the information will be spread and also its accessibility for end users will be improved.

This Transition Facility project will ensure updating of the methodology for enforcement of intellectual property rights and further training of 1000 employees (asked by relevant bodies after finishing the Phare 2001 project), elaboration and improvement of procedures and co-ordination recommended by the *project CZ01.04.04 Steering Committee*. For the staff training that is subject of Technical Assistance, the Transition Facility resources of 0.7 MEUR are requested.

The second part of the proposed TF project will be the update and upgrade of current IT network under Czech co-financing, whereas the information content of the IT network will be spread and also its accessibility for end users will be improved. The IT system improvements will be guaranteed by the Industrial Property Office under the Czech co-financing (foreseen costs are 0.24 MEUR).

Implementation of this TF project will improve protection and enforcement of IPR and accelerate full-scale function of the existing IT system. The proposed total costs of the project are 0.94 MEUR.

### 3.2 Linked activities:

As the initial activity, the *CZ01.04.04 project “Enforcement of Intellectual property rights”* was successfully implemented within the *Phare 2001 programme* (finished in 2004). Results of the project include the IT network that associates information necessary for enforcement of intellectual property rights, and the training programme for employees of state administration institutions dealing with enforcement of intellectual property rights. The total amount of EUR 1.163.910 was contributed by the Phare 2001 programme and co-financed from the state budget of the Czech Republic in amount of EUR 631.892,41 (Chapter 344 – Industrial Property Office).

The IT system was created - server to the information centre purchased, accessible 24 hours a day with adequate technical reliability, database storage area, data archive. Special SW and conversion modules was developed, safety of information system ensured, SW licences bought, administration of the information system organised, high speed Internet connection obtained, etc. Within this *Phare 2001 project* the total number of 557 employees was trained whereas the interest of particular bodies was at least twice as high.

In the *Phare project CZ01.04.04* first line activities have been implemented. Nevertheless, continuation of the training in IPR enforcement procedures and better co-ordination between administrative enforcement bodies remains still recommended. According to the final report of the *Phare 2001 project* and the Steering Committee recommendation as well as the recommendation of Comprehensive Monitoring Report, the training phase should continue.

### 3.3 Results:

**Technical Assistance**

0.700 M €

1. Training programmes including methodology and procedures for the enforcement of IPR and co-ordination among enforcement bodies (see Chapter 4 – Institutional Framework) approved by the Steering Committee. On this basis training materials elaborated and training of staff prepared.

2. Training materials elaborated.

Brochures, methodologies, CD-ROMs, videocassettes and DVD-ROMs prepared for all the 1000 persons who are to be trained.

3. Staff of enforcement bodies trained.

1000 persons of the following enforcement bodies trained: General Directorate of Customs, Police of the Czech Republic, Czech Commercial Inspection, Czech Agriculture and Food Inspection.
Supply of equipment – under Czech co-financing

4.1 Updated the existing IT system (located at and administered by the IPO and its suppliers) especially by methodology and procedures for the enforcement of IPR and co-ordination among enforcement bodies in use – fully covered by Czech co-financing. Improved communication among enforcement bodies.

4.2 Upgraded existing IT system (HW, SW) in use – fully covered by Czech co-financing. Speed of work with IT system and its reliability enhanced.

4.3 Technically supported existing IT system in use – fully covered by Czech co-financing. The net/server and SW administrators ensured the uninterruptible operation of the IT system.

4.4 Spread information content of IT network in use – fully covered by Czech co-financing. Thanks to more detailed information needed the efficiency of the enforcement of IPR enhanced.

Number of searches carried out in the existing IT system after the termination of the TF project will be at least 10,000 per year.

3.4 Activities:
(I) Technical Assistance - Training programmes for staff of the enforcement bodies (0.700 M€)

Development of methodology and procedures of the enforcement of IPR and the methodology of co-ordination among enforcement bodies

Training activities should ensure that the employees of project participants listed above are trained to the required education level in the field of the effective enforcement of intellectual property rights; ensure fast and effective exchange of information between co-operating institutions (governmental as well as non-governmental enforcement organisations) and thereby improve conditions for their activities.

Analyses of the situation in the field of infringing intellectual property rights and analyses of mutual possibilities and requirements for ensuring information flow among subjects active in protecting intellectual property rights are carried out (in the framework of the Phare project). But specific evaluation criteria and regular evaluations of institutes participating in the fight against illegal activities should be updated. This project should assist the creation of:

(1) methodology for uncovering and investigating criminal acts, offences and other crimes used by all relevant bodies,

(2) as well as a consistent methodology for the punishment of proven cases of criminal acts and offences.

It should assist in co-ordinating the activities of the Czech Commercial Inspection and Trade Licensing Offices and other interested subjects, and monitor and publish all uncovered cases of illegal acts against intellectual property rights and thus help to increase the effectiveness of the government institutions fight against this sort of crime.

Statistics of criminal acts, offences and other administrative delinquencies in this sphere as a basis for consistent methodology for detection and investigation of illegal acts should be prepared.

From the Technical Assistance tendering a contractor in training will arise, well skilled in the field of intellectual property rights, who will deliver:

1. methodology and procedures of the enforcement of IPR,
2. methodology of the co-ordination among enforcement bodies,
3. training materials,
4. training seminars.

For the Technical Assistance services the special knowledge of the Office for Harmonisation in the Internal Market (OHIM), European Patent Office (EPO) and the Advisory Committee on Enforcement (ACE) of the WIPO should be used.
The contractor should:

1. create an educational system on the use of the information system and in particular on the practical instruction guides pertaining to the enforcement of intellectual property rights. Total number of 1000 staff of following bodies: General Directorate of Customs, Police of the Czech Republic, Czech Commercial Inspection, Czech Agriculture and Food Inspection Authority, Ministry of Interior, Ministry of Justice, Ministry of Industry and Trade, Ministry of Finance - Central Directorate of Revenue and Taxes, Ministry of Culture, Industrial Property Office will be trained.

In this TF project the existing methodology will be deepened and updated especially in the following matters:
- developed methodology on application of experience obtained in the past (after detection, what is next, who does what),
- enforcement is to be driven by right holders (in certain cases),
- case studies for different spheres – implementation of the last project investigated this necessity,
- identifying / update of the key points to be included into the National Action Plan for IP protection improvement

2. carry out the analysis and deliver methodology of the educational programmes in the field of enforcement of intellectual property rights within the conditions prevailing in the Czech Republic. The delivery should also include the supply of licences for the use of the delivered methodology to the required extent. The methodology should be delivered in both printed and electronic form. The electronic form should be saved and presented in the information system.

The methodology and procedures of the enforcement of IPR and the methodology of co-ordination among enforcement bodies should be carried out in Czech and English language. The English version will enable collaboration in the field of enforcement of IPR within Europe, should be placed in the respective existing IT system and could be offered to the Enforcement web site of the WIPO (specific web sites by national authorities dedicated to IP enforcement issues).

The methodology will be approved by the Steering Committee (SC) of TF project. The presented specification should contain the definition of the purpose, content, scope and form of the methodology and the framework description of its implementation under the conditions of the project. As a part of the project’s implementation the contractor should verify (verification and validation) the delivered methodology and procedures for the enforcement of IPR and the methodology of the co-ordination among enforcement bodies.

3. Elaboration of materials for training (delivery of teaching / training materials)

The contractor should arrange the delivery of teaching (training) materials. Brochures, methodologies, CD-ROMs, videocassettes and DVD-ROMs will be prepared for all the 1000 persons that are to be trained. The materials should be delivered in both printed and electronic form. The electronic form should be saved and presented in the existing information system. The delivery should include the supply of licences for the use of the teaching materials, too.

4. Training of the staff

The contractor should provide the comprehensive technical and material organisation of the training according to the delivered methodology. The participants of the training should be nominated by the Steering Committee. Training should comprise of four one-day training sessions, which should be held once a month. Individual training sessions should be organised by the contractor for not more than 50 participants. The contractor should provide the comprehensive technical equipment and premises needed for the training.

II Supply of Equipment (Czech co-financing 0,240 M€)

Updating and upgrading of the existing IT system

The current IT system is located in the IPO building. Its updating and upgrading will be guaranteed by the Industrial Property Office (IPO).
• **Update of the IT system by the methodology and procedures for the enforcement of Intellectual Property Rights and the methodology of co-ordination among enforcement bodies**

The activities will be provided by the current contractor (winner of the Phare 2001 tender) who has developed and installed the present system, is still responsible for its maintenance and who has the respective copyright as well as the best knowledge for implementation of the system update. IT system will be updated by materials / documentation developed by the foreseen TA contractor under this TF project (see activities above).

• **Upgrade of the application server and data server, of the disk array, of 4 PCs and 4 printers for administration of the IT system and of current licences**

These deliverables will be provided on the basis of contract/s with the Industrial Property Office, fully financed by the national budget. Contractors will be tendered according to the valid law on public procurement.

• **Technical support of the IT system**

These activities will be carried out by current net/server and SW administrators of the Industrial Property Office who ensure the administration of all information systems conducted in the premises of the IPO and who are able to ensure all the security and efficiency. Work on the IT system will be done under separated contracts. The scope of obligations resulting from this Transition Facility project will be specified in the contracts with net/server and SW administrators of the Industrial Property Office signed according to the valid law on public procurement.

• **Information content of IT network spread**

Wide data dissemination provided by the involved institutions according to the identified needs for more efficient enforcement of intellectual property rights:

- General Directorate of Customs, Police of the Czech Republic, Czech Commercial Inspection, Czech Agriculture and Food Inspection Authority, Ministry of Interior, Ministry of Justice, Ministry of Industry and Trade, Ministry of Finance - Central Directorate of Revenue and Taxes, Ministry of Culture, Industrial Property Office. Data for information systems of involved institutions are acquired by specialised companies tendered according to the public procurement law and that dispose of particular copyrights. The scope of obligations resulting from this Transition Facility project will be specified in the contracts. All works will be done under separated contracts.

### 3.5 Lessons learned:

At the moment of admission to the European Union the European law became directly applicable in the Czech Republic too; modification of the Article 102 of the Czech Republic Constitution opened a way thereto. Hence, if a conflict in the relation between the European and national law arises, administrative authorities are, in some cases, competent to judge such a dispute themselves. This fact is reflected also in the proposed measures of the Conception of the fight against the criminality in the intellectual property field (Government Resolution No. 330/1999).

The measures are divided into seven spheres:

1. media influence,
2. education,
3. analytic,
4. organizational and technical,
5. legislative,
6. interdepartmental cooperation,
7. international cooperation.

The submitted TF project contents responses to measures required by the Czech Republic Government Resolution in some of the above spheres.

Representatives of nearly all the authorities participating in suppression of intellectual property right infringement took part in training courses realized within the framework of the Phare project CZ01.04.04 (finished in 2004). This made it possible to set up a sufficient sample of practical problems, opinions and suggestions for more effective enforcement of rights in this field.
Knowledge and suggestions raised from discussions of the individual working groups and solutions of the actual situation in the field of intellectual property protection can be generalized in the below-indicated items, as stated in the final project report:

- **Trading from Stalls (source of lesson learned: annual reports of the Czech Commercial Inspection)**
  Many cases of intellectual property rights infringement are connected with the actual state of trading from stalls in the Czech Republic. Efficiency of repression within the trading from stalls is insufficient. Basic precondition for carrying out any inspections in the trading from stalls is exact identification of a vendor.

- **Trade Licensing Offices (source of lesson learned: annual reports of the Ministry of Industry and Trade)**
  Here it is necessary to solve problems of organizational inclusion of the Trade Licensing Offices under local authorities where a conflict of interests can occur in real-life working. Further it is necessary to consolidate also the form of suggestions for suspension of the trade license (for instance by virtue of arrangements with individual supervisory bodies).

- **Transfer of Goods for Humanitarian Purposes (source of lesson learned: annual reports of the Czech Commercial Inspection and General Directorate of Customs)**
  The existing procedure of transfer of goods, which infringe rights to trademarks, for humanitarian purposes, is not systematic and quite complicated. Regulation of providing things for humanitarian purposes within the custom administration is not identical with that for the Czech Commercial Inspection.

- **Inter-institutional Co-operation (source of lesson learned: annual reports of all involved enforcement bodies)**
  It is necessary that the state administration bodies employ all their existing competencies in full and in their entire intensity. Important is also development of mutual co-operation of appropriate authorities. To this end, formation of working groups in the training courses will be arranged so that representatives of each state administration body, engaged in enforcement of intellectual property rights, will be present in each working group.

- **Confidentiality (source of lesson learned: annual reports of all involved enforcement bodies)**
  In order to promote good and efficient cooperation among all subjects involved, it is necessary to further improve mutual exchange if information.

In order to react to the conclusions of the Phare 2001 project, it is still necessary to continue the training in Industrial Property Rights (IPR) enforcement procedures and to improve co-ordination among administrative enforcement bodies. According to the final report of the Phare 2001 project and the Steering Committee recommendation as well as the recommendation of the Comprehensive Monitoring Report, the training phase should continue.

4. **Institutional Framework**

The beneficiary of the TF project is the Industrial Property Office (IPO) of the Czech Republic. The senior program officer (SPO) Mr Ludek Churácek is in charge of the technical management of the TF project. For the discharge of the SPO office, he is endowed with relevant material and personnel resources and powers. Upgrade and update of the IT system will be carried out by external contractors (fully covered by Czech co-financing).

As a Technical Assistance contractor a reliable training company skilled in the IPR is foreseen. The contractor will dispose with sufficient personnel and material sources to deliver the methodology and training in the desired quality, scope and time schedule.

The roles and responsibilities of other institutions involved in the TF project are given by the Government Resolution No. 330 of April 14, 1999 on the Conception of the Fight against the Criminal Acts in the Field of Intellectual Property.

Final beneficiaries of the Project deliverables are the employees of following institutions who are to be trained:

- General Directorate of Customs,
- Police of the Czech Republic,
- Czech Commercial Inspection,
- Czech Agriculture and Food Inspection Authority,
- Ministry of Interior,
The Steering Committee will be established in the course of the implementation of the project. It will consist of high-ranked managers of all the institutions involved and of a representative of CFA. The Steering Committee will be headed by Mr. Josef Kratochvíl, Deputy President of the Industrial Property Office, Antonín Cermáka 2a, 160 68 Praha 6, Czech Republic, phone: +420-2-20383272, fax: +420-2-20383229, e-mail: jkratochvil@upv.cz.

Results of this TF project have to lead to better co-operation among all respective bodies.

5. Detailed Budget (in M€)

<table>
<thead>
<tr>
<th>€M</th>
<th>Transition Facility support</th>
<th>Co-financing***</th>
<th>Total cost (TF plus co financing)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Investment Support</td>
<td>Institution Building</td>
<td>Total Transition Facility (=I+IIB)</td>
</tr>
<tr>
<td>year 2005</td>
<td>Technical Assistance</td>
<td>0.700</td>
<td>0.700</td>
</tr>
<tr>
<td></td>
<td>Supply -Update and upgrade of the IT system</td>
<td></td>
<td>0.240</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>0.700</td>
<td>0.700</td>
</tr>
</tbody>
</table>

*financing will be parallel; from the state budget (chapter 344); used for updating and upgrading of the existing IT system; financial means will be used in 2006 - 2008.

6. Implementation Arrangements

6.1. Implementing Agency
The Central Finance and Contracts Unit of MF CR (CFCU, Letenská 15, 11 8 10 Praha 1) is the Implementing Agency responsible for tendering, contracting and accounting. The Contact Person and PAO is Mr. Jan Slavícek, phone +420 2 5704 4551, fax +420 2 5704 4550, e-mail: jan.slavicek@mfcr.cz.

The beneficiary (IPO) is responsible for technical preparation and control. The Contact Person for this project is Mr. Ludek Churácek, Director of Economic Department of the Industrial Property Office, Antonín Cermáka 2a, 160 68 Praha 6, Czech Republic, phone: +420-2-20383522, fax: +420-2-24324718, e-mail: lchuracek@upv.cz.

The Steering Committee mentioned above is involved in control activities. The CFA (CFA, Letenská 15, 118 10 Praha 1) is fully responsible for overall monitoring and evaluation of project implementation. Main Contact – Ms Jana Hendrichova – director of CFA, phone +420 257 044 559, e-mail: jana.hendrichova@mfcr.cz.

6.2. Twinning
N/A

6.3. Non-standard aspects
N/A

6.4. Contracts:
(1) Technical Assistance 0,700 M €.
(2) Supply of equipment 0,240 M € (under the Czech co-financing)

7. Implementation Schedule
(7.1) Start of tendering/call for proposals
Technical Assistance 1Q/2006

(7.2) Start of project activity
Technical Assistance 3Q/2006

(7.3) Project Completion
8. Sustainability

Involved institutions will use created methodologies of the enforcement of intellectual property rights during their daily work. The adjusted system of co-operation and exchange of information will contribute to the improvement of enforcement of intangible rights.

The IT system, created by the Phare project, updated and upgraded by this TF project, draws on selected information from relevant organisations and Public Administration Information System and utilises the communication infrastructure, directory services, and public key infrastructure, set up as part of the projects of the Office of the Public Information System (ÚVIS) and incorporated into the Action Plan for the Implementation of State Information Policy (approved by the Government Resolution No. 527 of May 31, 2000, applicable from 2002).

Information content of the IT network is being spread, its accessibility for end users will be improved. As better co-ordination among enforcement bodies is the constant task, the efficient functioning of a well-trained judiciary and all other partners in this field is the necessity; full scale function of the existing IT system will be given particular attention.

The Industrial Property Office will ensure systematic functioning of the IS system in line with the project No. 244 011 0002 that is registered under the programme No. 244 010 “Development and renewal of the material-technical basis of the Industrial Property Office” according to the regulation of the Ministry of Finance No. 40/2001 Coll., on the participation of the state budget in the financing of reproduction of the property.

9. Conditionality and sequencing

The following assumptions are made:

- The project is linked to the project Phare CZ01.04.04 “Enforcement of Intellectual Property Rights”;
- The IPO implements the information system resulted from the Phare CZ01.04.04;
- Continuation in fulfilment of the Czech Government Resolution No. 330 of April 14, 1999 on the Conception of the fight against the criminality in the field of intellectual property;
- Legislative adjustments in respect of copyright and related rights, and industrial property;
- Continuation of international co-operation in this field;
- Enforcement bodies provide key data to the existing IT system;
- Qualified staff of enforcement bodies has access to Internet;
- Statistical data available;
- Continued commitment of the Government towards the struggle against the criminal acts in the field of intellectual property;
- Well-functioning co-operation between the CFCU, Industrial Property Office and the Steering Committee;
- Actions supported through this IT system are co-ordinated by the CFCU with the actions supported through the corresponding Czech and/or other programmes in support struggle against the crime in this field.

The most important milestone is the finishing of the training cycle for the staff of enforcement bodies (December 2007).

ANNEXES TO PROJECT FICHE

1. Logframe planning matrix
2. Detailed implementation chart
3. Contracting and disbursement schedule
4. List of relevant Laws and Regulations
### LOGFRAME PLANNING MATRIX

#### Project: Support to Enforcement of Intellectual Property Rights

<table>
<thead>
<tr>
<th>Overall Objective</th>
<th>Objectively verifiable indicators</th>
<th>Sources of verification</th>
</tr>
</thead>
</table>
| Performance of European commitments, in particular achieving “a functioning market economy as well as the capacity to cope with competitive pressures and market forces within the Union” in the field of the enforcement of intellectual property rights (IPR). | • Acknowledgement by the European Commission. | • EC Reports.  
• Annual reports of enforcement bodies.  
• Quarterly reports.  
• ISR to be submitted by NAC twice a year.  
Monitoring reports to be submitted for discussion in SMSC every 6 months. |

<table>
<thead>
<tr>
<th>Project Purpose</th>
<th>Objectively verifiable indicators</th>
<th>Sources of verification</th>
<th>Assumptions</th>
</tr>
</thead>
</table>
| • High level of enforcement of intellectual property rights by:  
- training of the staff of enforcement bodies.  
- strong support by updated and upgraded IT system. | • Better co-ordination among enforcement bodies (customs, police, judiciary etc.).  
• The efficient functioning of a well-trained judiciary.  
• Increased speed and efficiency of court procedures in this area by at least 15% within three years after the end of the project compared to the basis of the year 2003.  
• Reduction of the media piracy by 20% within three years after the end of the project compared to the basis of the year 2003.  
• Increase of number of accused and convicted offenders by at least 15% within three years after the end of the project compared to the basis of the year 2003.  
• Reduction of number of software and | • Annual reports of enforcement bodies.  
• Annual reports of non-governmental organizations dealing with the area of copyright and relative rights protection.  
• Quarterly reports.  
• ISR to be submitted by NAC twice a year.  
• Monitoring reports to be submitted for discussion in SMSC every 6 months.  
• National reports.  
• National statistics.  
• Statistics of international organizations.  
• International business reports.  
• Existing IT system. | • Continuation in fulfilment of the Czech Government Resolution No. 330, of April 14,1999 on the Conception of the fight against the criminality in the field of intellectual property.  
• Legislative adjustments in respect of copyright and related rights, and trademark rules. |
### Results

<table>
<thead>
<tr>
<th>Objective verifiable indicators</th>
<th>Sources of verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 1000 persons of the enforcement bodies staff trained by the end of 4Q/2007.</td>
<td>Reports on project course.</td>
<td>• Qualified trainers are available.</td>
</tr>
<tr>
<td>• Increase of professional level and efficiency of personnel inspecting “outdoor” legitimacy in protection of intellectual property rights by the end of 1Q/2008.</td>
<td>Feed-back questionnaires filled in by the participants of the training.</td>
<td>• Qualified staff of enforcement bodies is available.</td>
</tr>
<tr>
<td>• Positive assessment of the training by trainees by the end of April 2008.</td>
<td>Annual reports of enforcement bodies.</td>
<td>• There is demand for the training.</td>
</tr>
<tr>
<td>• Restriction of illegal sales at least by 20% by the third year after completion of the project.</td>
<td>Annual reports of non-governmental organizations dealing with the area of copyright and relative rights protection.</td>
<td>• Continuation of international co-operation in this field.</td>
</tr>
<tr>
<td>• Upgraded application server and data server by the end of 4Q/2007</td>
<td>Quarterly reports.</td>
<td>• Enforcement bodies provide key data to the existing IT system.</td>
</tr>
<tr>
<td>• Upgraded disk array at least by 1 TB by the end of 4Q/2007</td>
<td>ISR to be submitted by NAC twice a year.</td>
<td>• Qualified staff of enforcement bodies has access to Internet.</td>
</tr>
<tr>
<td>• 4 PCs and 4 printers upgraded by the end of 4Q/2007</td>
<td>Monitoring reports to be submitted for discussion in SMSC every 6 months.</td>
<td>• Statistical data available.</td>
</tr>
<tr>
<td>• Number of accesses into existing IT system will be after the termination of the project at least 10000 per year</td>
<td>National reports.</td>
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</table>

### Activities

<table>
<thead>
<tr>
<th>Means</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Training programmes for staff of the enforcement bodies: 1. Development of the methodology and procedures for the enforcement of IPR and of the methodology of the co-ordination among enforcement</td>
<td>• Competent training firm is available.</td>
</tr>
<tr>
<td>• Contract for the Technical Assistance that will provide a training firm in the field of intellectual property rights, who will supply methodology of the enforcement of IPR, methodology of the co-ordination</td>
<td>• Co-financing from State budget for update and upgrade of existing IT system.</td>
</tr>
</tbody>
</table>
bodies.
2.- Elaboration of materials for training.
3.- Training of enforcement bodies staff (1000 persons: General Directorate of Customs, Police of the Czech Republic, Czech Commercial Inspection, Czech Agriculture and Food Inspection Authority, Ministry of Interior, Ministry of Justice, Ministry of Industry and Trade, Ministry of Finance – Central Directorate of Revenue and Taxes, Ministry of Culture and Industrial Property Office).

- **Update and upgrade of the existing IT system:**
  4.1- Update of the IT system by methodology and procedures for the enforcement of IPR and co-ordination among enforcement bodies and new training materials.
  4.2- Upgrade of the application server and data server, of the disk array, of 4 PCs and 4 printers for administration of the IT system and current licences.
  4.3.-Technical support of the IT system.
  4.4- Information content of IT network spread.

**PRECONDITIONS**
The system of co-operation among the state authorities and non-governmental organisations dealing with the area of copyright and related rights protection is being developed (e.g. Intergram – Independent Society of Effective Artists and Producers of Audio and Audio-Video Records, International Federation of Phonographic Industry (IFPI), Czech Anti-Piracy Union (CPU), Business Software Alliance (BSA)).
### DETAILED IMPLEMENTATION CHART

**Project Title: Support to Enforcement of Intellectual Property Rights**

<table>
<thead>
<tr>
<th>Year</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Action</td>
<td>Jan</td>
<td>Feb</td>
<td>Mar</td>
<td>Apr</td>
</tr>
<tr>
<td><strong>TA Contract (1) - training programmes</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Start of tendering</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Start of project activity</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Project completion</strong></td>
<td></td>
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</tr>
</tbody>
</table>


## CONTRACTING AND DISBURSEMENT SCHEDULE

### Cumulative Quarterly Contracting Schedule (mil.€)

<table>
<thead>
<tr>
<th>Project</th>
<th>1Q/05</th>
<th>2Q/05</th>
<th>3Q/05</th>
<th>4Q/05</th>
<th>1Q/06</th>
<th>2Q/06</th>
<th>3Q/06</th>
<th>4Q/06</th>
<th>1Q/07</th>
<th>2Q/07</th>
<th>3Q/07</th>
<th>4Q/07</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Support to Enforcement of Intellectual Property Rights</td>
<td></td>
<td></td>
<td></td>
<td>0.700</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>0.700</td>
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</tbody>
</table>

### Cumulative Quarterly Disbursement Schedule (mil.€)

<table>
<thead>
<tr>
<th>Project</th>
<th>1Q/06</th>
<th>2Q/06</th>
<th>3Q/06</th>
<th>4Q/06</th>
<th>1Q/07</th>
<th>2Q/07</th>
<th>3Q/07</th>
<th>4Q/07</th>
<th>1Q/08</th>
<th>2Q/08</th>
<th>3Q/08</th>
<th>4Q/08</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Support to Enforcement of Intellectual Property Rights</td>
<td>0.250</td>
<td>0.400</td>
<td>0.500</td>
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<td>0.630</td>
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<td>0.700</td>
</tr>
</tbody>
</table>
INDUSTRIAL RIGHTS

- Law No. 116/2000 Coll., amending some Acts on the Protection of Industrial Property,
- Law No. 452/2001 Coll., on the Protection of Designations of Origin and Geographical Indications and on Amendment to the Act on the Consumer Protection,
- Law No. 408/2000 Coll., on Legal Protection of New Plant Varieties,
- Law No. 207/2000 Coll., of the Protection of Industrial Designs and the Amendment to Act No. 527/1990 of Coll., on Inventions, Industrial Designs and Rationalization Proposals, as amended,
- Law No. 417/2004 Coll., on Patent Agents and on Amendments to the Act on Measures concerning the Industrial Property Protection,
- Law No. 529/1991 Coll., on the Protection of Topographies of Semiconductor Products,
- Law No. 368/1992 Coll., concerning management of charges collected by the administrative authorities of the Czech Republic as amended by regulations modifying an amending thereof,
- Law No. 478/1992 Coll., on Utility Models,
- Law No. 14/1993 Coll., on Measures concerning Industrial Property Protection,
- Law No. 21/1993 Coll., modifying the Law No. 2/1969 Coll., concerning establishment of ministries and other central bodies of the public service of the Czech Republic,
- Law No. 441/2003 Coll., on Trademarks,
- Law No. 513/1991 Coll., Commercial Code as amended by later regulations,
- Law No. 634/2004 Coll., on Administrative Fees,
- Decree of the Federal Office for Inventions No. 550/1990 Coll., on the Procedure in Matters of Inventions and Industrial Designs,
- Paris Convention for the Protection of Industrial Property (Decree No. 64/1975 in the wording of the Decree No. 81/1986),
- Madrid Agreement Concerning the International Registration of Marks (Decree No. 65/1975 in the wording of the Decree No. 78/1985),
- Madrid Agreement for the Repression of False of Deceptive Indications of Source on Goods (Degree No. 68/1975),
- Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks (Decree No. 118/1979 in the wording of the Decree No. 77/1985),
- Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (Decree No. 67/1975 in the wording of the Decree No. 79/1988),
- Locarno Agreement Establishing an International Classification for Industrial Designs (Decree No. 28/1981 in the wording of the Decree No. 85/1985),
- Strasbourg Agreement Concerning the International Patent Classification (Decree No. 110/1978 in the wording of the Decree No. 86/1985),
- Patent Co-operation Treaty (PCT) (Notification of the Ministry of Foreign Affairs No. 296/1991),

COPYRIGHT

- Act No. 121/2000 Coll., on Copyright, Rights Relating to Copyright and Amendments to Other Acts (Copyright Act),
- Decree No. 237/1995 Coll., on on the Collective Administration of Copyright,
PENAL LAW SPHERE
- Law No. 140/1961 Coll., Penal Code,
- Law No. 283/1991 Coll., on Police,
- Law No. 200/1990 Coll., on Offences
- Law No. 13/1993 Coll., Tax Law,
- Law No. 102/1992 Coll., on Communities,
- Law No. 455/91 Coll., Commercial Code,
- Law No. 303/97 Coll., on Consumption Taxes as amended by later regulations,
- Decree No. 337/93 Coll., on periods determined for selection and naturalisation of the Czech Republic to citizens of the Slovak Republic,
- Law No. 563/91 Coll., on Accountancy,
- Law No. 141/61 Coll., Criminal Procedure Code,
- Law No. 64/1986 Coll., on Czech Trade Inspection,
- Law No. 634/1992 Coll., on Consumer Protection as amended by late regulations,
- Law No. 22/1997 Coll., on Technical Product Requirements,
- Law No. 136/1994 Coll., on Dyeing and Marking some Hydrocarbon Fuels and Lubricants and of measures connected therewith,
- Decree No. 174/1992 Coll., on pyrotechnical articles,
- Law No. 505/1990 Coll., on Metrology,
- Law No. 37/1989 Coll., on Struggle against Alcoholism and Addiction,
- Decree No. 92/1999 Coll., on Marking of Textile Articles,
- Law No. 110/1997 Coll., on Foodstuffs,
- Law No. 337/1992 Coll., on Tax and Fee Administration,