STANDARD SUMMARY PROJECT FICHE

1. Basic Information

1.1 CRIS Number: 2003/004-979-02-04
1.2 Twinning Number: LV/2003/IB/EC-04
1.3 Title: Protection of Intellectual and Industrial Property Rights
1.4 Sector: Company Law
1.5 Location: Latvia
   Responsible institution: Ministry of Culture
   Beneficiaries: Ministry of Justice, National Customs Board, Ministry of Interior, General Prosecutor’s Office, AKKA/LAA, LaIPA

2. Objectives

2.1 Overall Objective:
   To ensure understanding and protection of intellectual and industrial property rights.

2.2 Project purpose:
   To strengthen enforcement capacity and to raise awareness and knowledge concerning intellectual and industrial property rights within enforcement authorities, rights holders and users, academics and general public.

2.3 Accession Partnership and NPAA priority:

   Accession Partnership:
   Company law:
   “In need of particularly urgent action: strengthen enforcement of intellectual and industrial property rights, in particular in police and customs, and improve co-operation among them. Increase efforts to fight against piracy and counterfeiting; intensify training for enforcement bodies, including judges and prosecutors”.

   National Programme for Adoption of Acquis:
   LA-002 – To ensure effective protection of Intellectual and Industrial Property Rights;
   LS-002 – Modernisation of the State Revenue Service (Operational Objective 2.3.5.4-2.3.5.6);
   SI-002 – Fight against organised crime and corruption. (Operational Objective 2.1.5.2);

3. Description

3.1 Background and justification:

Despite of the numerous normative acts, protection of intellectual and industrial property rights in Latvia still is a matter of great concern, especially with a regard to ensuring an adequate implementation of pre-accession strategy to European Union in the area of Company law.

EU-Latvia Sub-Committee on Internal Market was held in Riga, June 20, 2002, and EU delegation stressed the need to solve problems in relation to copyright and neighbouring rights by the means of ensuring effective control at the border crossing points, fight against piracy, and strengthening of judicial capacity. Furthermore, 2002 Regular Report on Latvia’s progress towards the accession states that:

“As regards the enforcement of copyright legislation, and despite some positive trends, the high levels estimated by private industry of counterfeit and pirated music (64%), software (54%) and videos (85%) remain a matter of serious concern. The fight against counterfeiting and piracy must therefore continue
to be high on the agenda. Better co-operation and co-ordination among enforcement bodies remains a matter of priority.

While administrative capacity has slightly improved, border controls still require substantial strengthening. Regarding the judiciary, even though considerable efforts have been made to train judges in various aspects of national and international intellectual and industrial property rights law, the track record of convictions in criminal cases remains rather poor. To a large extent, this is due to the outdated provisions of the current criminal procedural law and still pending adoption of the new Law on Criminal Procedure.\textsuperscript{1}

Also the Government of Latvia has acknowledged importance of promotion of the intellectual and industrial property rights protection as one of the pre-conditions for the integration in the EU Internal Market. Unfortunately, although the competencies are clear in legislative acts, the real situation differs. Serious implementation problems of the legislation–in–force have been encountered, which is mainly the consequence of low administrative capacity and weak co-operation between the involved institutions, as well as the lack of information and knowledge of the rights holders and low level of public awareness.

Lack of knowledge and information about the importance of the intellectual and industrial property rights has generated the following problems:

- Demand for pirated goods that consequently distorts free and fair competition in the market;
- Inactivity and inability of the rights owners in defending of their rights;
- Weak co-operation between the enforcement authorities that results in inability to fulfil their duties of intellectual and industrial property rights protection.

Elaboration of the project in question was induced by the aforementioned problems and necessity for an effective and sustainable solution. This project attempts to increase level of public awareness, which will generate a result of decreased demand for pirated goods, as well as increased activity of the rights owners in protection of their rights. Furthermore, a large part of this project’s activities are aimed at increasing administrative and working capacity of the involved institutions as well as facilitating uniform interpretation of applicable laws within the enforcement authorities. Therefore all the involved officials – police, custom officers, judges and others – will have an opportunity to increase their knowledge so to effectively cooperate in the everyday work of protection of intellectual and industrial property rights. Part of planned seminars will be held in regions thus giving an opportunity for lecturers and experts to concentrate on specific issues that are problematic in correspondent region. The databases for Patent Office and LaIPA (Latvian Performers and Producers Association) provided for in project activities will also strengthen administrative capacity of said bodies thus making more effective and fastening their work.

The development of the search module for Patent Office as a program for search in the trademark database already existing in the Latvian Patent office is necessary. The possibility to select trade marks by certain kinds of criteria has to be provided (for example, number of registration, verbal sign or it’s part, graphic elements according to the Vienna Classification, the name of the proprietor, classification of goods and services according to the Nice classification, separate goods or services, country of origin, specific features and types of the mark (verbal, figurative, three-dimensional, sound and light signals), the name of the owner’s representative etc.). In the development of the search system the specific peculiarities of Latvian language has to be taken into consideration (the palatalised consonants and long vowels). In addition the module has to be compatible with the trademark database that already exists in the Latvian Patent office (based on Microsoft Fox Pro system), providing the possibility to compare the selected marks with the ones from the national database.

In order to attain the objective of efficient co-operation between the involved institutions and to strengthen administrative capacity, there is a necessity for clear guidelines— each of the involved institutions has to understand its standing and obligations in the overall system of intellectual and industrial property right

\textsuperscript{1} 2002 Regular Report on Latvia’s Progress towards Accession, pp.61-62.
protection. Furthermore, effective training system has to be prepared and carried out with a general aim of promoting general and specific knowledge about intellectual and industrial property protection, and ensuring effective implementation of EU legislation and recommendations with regard to the protection of intellectual and industrial property rights.

The most effective way of achieving the above mentioned goals is assistance and guidance provided by the long term expert, who would assess the existing situation, set the goals, elaborate methodology, prepare training activities and guidelines for the involved institutions, as well as co-ordinate first steps of overall co-operation.

The beneficiaries from this project are numerous state institutions – Ministry of Finance, Ministry of Justice, Ministry of Interior, Ministry of Culture, Patent Office and General Prosecutors Office, as well as Non-Governmental and Non-Profit Organisations AKKA/LAA (Copyright and Communication Consulting Agency/Latvian Copyright Agency) and LaIPA.

Ministry of Culture is the leading institution for this project and is responsible for intellectual property. Ministry of Justice is responsible for industrial property.

Non-Governmental organisations take important place in this project. AKKA/LAA and LaIPA are collecting societies for authors and performers and phonogram producers respectively. They are founded by rights holders and act similarly as same societies in other countries - that is on behalf of rights holders. In compliance with statutes of the societies they are non-profit organisations. Moreover, Article 66 of Copyright Law states:

(2) Organisations that administer economic rights on a collective basis shall cover, from the remuneration amounts collected in accordance with contracts entered into, the actual expenditures associated with the collection, apportionment and payment of remuneration.

These organisations are established with and aim to ensure protection and observation of copyright and related rights. Furthermore, they are under supervision of Ministry of Culture. The firm involvement of these organisations in this project helps to strengthen civil society and encourages the public to participate in decision-making processes.

3.2 Linked activities:

Phare

Phare 1999 project LE 9904.01 “Integration into the European Union: Law Approximation” - within the framework of this project basic understanding about intellectual and industrial property rights was given. Furthermore, Twinning activities within the framework of this project resulted in elaboration, publishing and distribution to enforcement authorities of a manual on protection of intellectual and industrial property rights.

3.3 Results:

Component 1 – Strengthening of administrative capacity

Twinning guaranteed results:

- Existing situation and problems with regard to co-operation of the police, customs, judges and prosecutors in intellectual and industrial property protection assessed, proposals for improvement elaborated;
- Strategy for developing a system of intellectual and industrial property rights protection in Latvia is elaborated and operational;
- Trained judges, police, custom authorities, prosecutors in the area of intellectual and industrial property right protection;
Strengthened co-operation and joint action skills and administrative capacity of judges, prosecutors, custom authorities and police;
Rights owners informed about their rights, consequently – more judicial proceedings are initiated, consequently – the fight against violations of intellectual property rights is more efficient;
Proposals to the customs authorities for enhancing efficiency in their work with intellectual and industrial property rights protection elaborated;
Raised effectiveness of enforcement, customs and judicial authorities – more counterfeited goods seized on borders and inland, more judicial proceedings initiated and raised effectiveness of the proceedings.
Capacity of LaIPA in administering related rights developed.

Results from the TA contract for elaboration of trademark and patent database and search module:

- Patent and trademark database and search module is installed and operational;
- Faster procedures for registration of trademarks and patents through search module for patents and trademarks.

Results from the TA contract for elaboration of distribution database for LaIPA:

Distribution database for LaIPA is elaborated, installed and operational.

Component 2 - Information of Society

Twinning guaranteed results:

- Communication plan for information of the society on intellectual and industrial property rights is elaborated;
- Informational and educational literature and materials on intellectual and industrial property rights protection is elaborated.

Results from Supply contract:

- 3-step booklet for school children; brochures for rights owners and users on specific issues are printed.

3.4 Activities:

Component 1 - Strengthening of Administrative Capacity

Twinning:

- Assessment of the current situation and problems with regard to co-operation of the involved governmental institutions in the intellectual and industrial property protection;
- Elaboration of a Strategy for developing a system of intellectual and industrial property rights protection in Latvia;
- Planning and organising of seminars and trainings for institutional building, including practical trainings and case studies:
  - 2 seminars in Riga with participation of customs, police, prosecutors and judges. Both theoretical and practical (case studies), general and specific information;
  - 4 seminars in regions for customs, police, prosecutors and judges. General information;
  - 2 practical trainings: certain number of representatives from involved institutions (police, prosecutors, courts) will analyse procedure starting by checking and seizing counterfeited products, and continuing by all the activities before the criminal action and court decision. Afterwards, the outcome will be represented and analysed in special seminar for other enforcement institutions;
  - 1 seminar for judges and prosecutors on civil cases;

2 It is planned to carry out this activity directly in places where counterfeited products are sold, thus giving a hands-on experience for the enforcement institutions.
June 2003

- 2 visits of experts to custom’s control points, practical assistance and exchange of experience.

- Organisation of study visits:
  - 4 persons from LaIPA (duration – 5 days) – study visit to joint (performers’ and producers’ collecting society) with a purpose of the exchange of experience and gathering knowledge from the collecting societies;
  - 8 persons (prosecutors) (duration – 5 days) – study visit to prosecutors’ offices gathering and exchanging of experience in EU countries;
  - 8 persons (customs officials) (duration – 5 days) – 2 study visits to customs offices and control points gathering and exchange of experience in EU countries.

- Training for LaIPA staff;
- Visits of experts to Custom’s control points, practical assistance and consulting;

*Service*:
- Elaboration of internet trademark database and search module for patents and trademarks in internet compatible with already existing trademarks database of Patents Office;
- Elaboration and installing in Internet Trademark database;
- Elaboration of distribution database for LaIPA.

*Means*:
- PAA (10 m/m);

The expert will be responsible for assessment of the current situation, elaboration of Strategy, planning and organising of the seminars, trainings and study visits for institutional building, elaboration of Communication plan, start up of the implementation of the Communication plan, follow up and evaluation of inter-institutional co-operation, as well as overall supervision and management of the project. Expert’s activities will fall under both components of the project.

*Profile*:

The expert should have a full university degree and experience at least 10 years in intellectual property law. Fluent English is essential. The experience should include work in governmental sector. The expert should be able to demonstrate good organisational and management skills.

- **Short-term Twinning expertise (4 m/m);**

Main tasks of these experts will be consulting of LaIPA staff regarding administration of performers and phonogram producers’ rights, as well as assistance with developing of necessary software and database for distribution of collected remuneration.

*Profile*:

Work experience in administration of neighbouring rights at least 5 years in joint (performers’ and phonogram producers’) collecting society. Fluent English is essential. The experts should be able to demonstrate good organisational and communication skills.

- **Short-term Twinning expertise (1 m/m);**

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3 2-3 of LaIPA team will be trained in administering of broadcasting rights including cable broadcasting, public performance use of works in internet and other kinds of uses.
Two experts will be needed. The experts will analyse the possibility and level of improvement the work of customs referring to experience in EU Member States; summarise the weaknesses of customs in protection of intellectual and industrial property rights, give proposals for solving these weaknesses.

Profile:

Work experience in customs, at least 5 years in particular with intellectual and industrial property matters, fluent English. General knowledge about situation in Latvia would be considered an advantage.

- **Service (TA) contract – IT expert (1 m/m)**

The expert will be responsible for consultations and elaboration of the search module and Internet Trademark database for Patent Office. The search module should be compatible with already existing trademark database in Patent Office and will be used for search in the trade mark data base. The search module should be developed in such a way that search according to different criteria is possible.

Profile:

Work experience in IT sector of at least 5 years is required, experience in work with data base systems (like Microsoft Fox Pro or equal) is desirable, fluent Latvian, good English skills, understanding about patents and trademarks would be considered an advantage.

- **Service (TA) contract – IT expert (1 m/m)**

The expert will be responsible for supervision and elaboration of database for LaIPA.

Profile:

Work experience in IT sector of at least 5 years is required, good English skills; understanding about administration of related rights would be considered an advantage.

Component 2 – Information of Society

**Twinning:**

- Elaboration of Communication plan based on the Strategy for developing a system of property rights protection in Latvia;
- Planning and organising of seminars, information dissemination campaigns and other activities for implementation of the Communication plan;
- 3 Seminars for intellectual property rights holders, broadcasters, Internet service providers, officials from Ministries, AKKA/LAA staff, publishers, libraries and producers.

**Supply:**

- Printing of materials on intellectual property protection – printing of 3-step booklet for school children; brochures for rights owners and users on specific issues; special literature for legal academics, professionals and students.

**Means:**

- **Short-term Twinning expertise (4 m/m);**

Expert in collaboration with PAA will be responsible for preparation and elaboration of informative materials provided for in this project. If needed, expert should intellectually contribute to preparation of informative materials.
Profile:

Expert should have knowledge in intellectual and industrial property and experience in public relations issues. Fluent English is essential.

- **Supply contract**

This contract will be concluded for publication of the information materials.

3.5 *Lessons learned*:

- The experience with previous Phare project shows that in the case of many involved institutions, a separate project coordination committee and project steering committee is necessary;
- There is a need to increase “ownership” of the project – there should be a strong involvement of the beneficiary and responsible institutions in the management of the project activities and overall coordination and monitoring of the project;
- In order to receive qualified and efficient training according to work specifics of each of the involved institutions, several experts will be needed. Previous experience shows that the best result can be achieved through invitation of experts not only from governmental institutions, but also from non-governmental organisations, which are dealing with the practical aspects of intellectual and industrial property rights protection problems on the everyday basis. In addition, it is desirable to involve experts from different legal systems, which will enable not only to identify the most suitable example of copyright and neighbouring right and industrial property protection for Latvia, but also to learn and adopt experience of the other countries.

4. **Institutional Framework**

The responsible institution for the implementation of this project is the Ministry of Culture. At the moment there are several institutions involved in protection and monitoring of intellectual property rights. Each of the institutions has different tasks and specifics of work.

- Ministry of Culture – responsible for administration of intellectual property rights. Responsibilities under this project are the following:
  - Overall coordination of the project
  - Assessment of current situation and problems of cooperation
  - Elaboration and implementation of Strategic plan on information of society
  - Elaboration and publication of 3-step booklet for school children
  - Translation and publication of special literature for academics, law professionals, students of law as well as for general public in field of IPR

- Ministry of Justice – Supervises judiciary and Patent Office, the latter being responsible for administration of industrial property rights. Responsibilities under this project:
  - Planning and organising seminars and trainings for judges;
  - Providing for participation of judges in seminars and trainings.

- Patent Office (Ministry of Justice) – administrates industrial property rights – registers patents and trademarks; participates in dissemination of knowledge and information about industrial property protection. Responsibilities under this project:
  - Elaboration of Search Module;
  - Elaboration and installing Trademark database in Internet.

- AKKA/LAA (Copyright and Communications Consultation Agency/ Latvian Copyright Agency) - carries out the task of collective administration of copyrights. Responsibilities under this project:
- Planning and organising seminars for rights holders, broadcasters, Internet service providers, enforcement authorities, AKKA/LAA team, publishers, librarians and producers.
- Preparation and publication of brochures for rights owners and users.

- **LaIPA (Latvian Performers’ and Producers’ Association)** – carries out the task of collective administration of neighbouring rights. Responsibilities under this project:
  - Planning and organising study visit to selected MS;
  - Planning and organising expert’s visit to LaIPA – special consultations;
  - Organising and supervising elaboration of distribution database.

- **State Police** – acts as a protector of intellectual and industrial property rights in inland. Responsibilities under this project:
  - Planning and organising seminars and trainings for police authorities;
  - Providing for participation of police authorities in seminars and trainings.

- **National Customs Board** – ensures protection of intellectual and industrial property rights by the border control. Responsibilities under this project:
  - Planning and organising seminars and trainings for customs officials;
  - Providing for participation of customs officials in seminars and trainings;
  - Planning and organising study visit for customs officials;
  - Planning and organising special consultations for customs officials.

- **General Prosecutor’s Office** – operates within the framework of correspondent legislative acts. Responsibilities under this project:
  - Planning and organising seminars and trainings for prosecutors;
  - Providing for participation of prosecutors in seminars and trainings;
  - Planning and organising study visit for prosecutors.

Project Steering Committee will be established to monitor project implementation. The Steering Committee will comprise representatives from competent authorities and competent institutions – Ministry of Culture, Ministry of Justice, Ministry of Interior, Ministry of Finance (National Customs Board), Ministry of Justice, Patent Office, General Prosecutors Office, Ministry of Interior, AKKA/LAA and LaIPA. The Steering Committee will be led by Senior Project Officer and it will review and approve the project reports and make recommendations in regard to the project activities for the following period. Representative from NAC office will also participate in the Steering Committee.
5. Detailed Budget (in EURO)

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<th>Phare Support</th>
<th>National Cofinancing</th>
<th>TOTAL eligible costs</th>
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<td><strong>Eligible</strong></td>
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<td><strong>Non-eligible</strong></td>
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<tr>
<td><strong>TOTAL</strong></td>
<td>eligible</td>
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| Contract I     | Twinning Covenant | 424 000 | 424 000 | 61 000* | 485 000 |
| Contract II    | Framework Contract (service) for search module | 127 500 | 127 500 | 42 500** | 7 650 | 170 000 |
| Contract III   | Framework Contract (service) for distribution database | 11 250 | 11 250 | 3 750** | 675 | 15 000 |
| Contract IV    | Supply       | 21 000 | 21 000 | 7 000** | 1 260 | 28 000 |
| Total          |              | 159 750 | 424 000 | 583 750 | 114 250 | 9 585 | 698 000 |

* Parallel co-financing. Parallel co-financing will be applied for covering of office costs for experts, infrastructure facilities, travel costs for national counterparts.
**Joint co-financing, excluding all taxes and duties.

6. Implementation Arrangements

6.1. Implementing Agency:

Central Financing and Contracting Unit (CFCU),
Director - Mr. Armands Eberhards
Address: Smilsu str.1, Riga LV – 1919, Latvia
Tel. +371 7094344, Fax. +371 7094348

PAO – Ms. Valentina Andrejeva, State Secretary, Ministry of Finance,
Address: Smilsu Str. 1, Riga, LV-1919, Latvia.
Tel.: +371 7212726, fax: +371 7095413

The overall responsibility on technical implementation is under the Ministry of Culture:
SPO – Mr. D.Pavluts - State Secretary of the Ministry of Culture
Ministry of Culture
Address: Kr. Valdemara Str.11a, Riga, LV-1364, Latvia
Tel. +371 7078121, Fax. +371 7078106

6.2. Twinning:

The counterpart for the PAA will be:
Head of the Copyright and Related Rights Division
Ministry of Culture
Address: Kr. Valdemara Str.11a, Riga, LV-1364, Latvia
Tel. +371 7212771, Fax. +371 7078106

6.3. Non-standard aspects:
There will be no non-standard aspects regarding the implementation of the project. Standard procedures of the Commission in accordance with Practical Guide to PHARE, ISPA and SAPARD contract procedures will be followed under Extended Decentralised Implementation System (EDIS). Prior to EDIS accreditation, DIS will be followed. EDIS will apply from the date of accession at latest.

Ratio: if during project implementation the project cost for some reasons will decrease, the Phare financing will also decrease proportionally.

6.4. Contracts:

**Contract I** – Twinning Covenant: 424 000 EUR (parallel co-financing);

**Contract II** – Framework contract for elaboration of the Search module: 170 000 EUR (joint co-financing, excluding all taxes and duties)

**Contract III** – Framework contract for elaboration of distribution database: 15 000 EUR (joint co-financing, excluding all taxes and duties)

**Contract IV** – Supply contract for publication of materials: 28 000 EUR (joint co-financing, excluding all taxes and duties).

7. Implementation Schedule

<table>
<thead>
<tr>
<th>Contract</th>
<th>Start of tendering/call for proposals</th>
<th>Start of project activity</th>
<th>Project completion</th>
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<tbody>
<tr>
<td>Twinning covenant</td>
<td>IV Quarter, 2003</td>
<td>I Quarter, 2004</td>
<td>I Quarter, 2005</td>
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<tr>
<td>Services (FWC) contract</td>
<td>IV Quarter, 2003</td>
<td>I Quarter, 2004</td>
<td>II Quarter, 2005</td>
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<tr>
<td>Search module and trademark database</td>
<td>IV Quarter, 2003</td>
<td>I Quarter, 2004</td>
<td>II Quarter, 2005</td>
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<tr>
<td>Services (FWC) contract</td>
<td>IV Quarter, 2003</td>
<td>I Quarter, 2004</td>
<td>III Quarter, 2004</td>
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<tr>
<td>Distribution database</td>
<td>I Quarter, 2004</td>
<td>IV Quarter, 2004</td>
<td>I Quarter, 2005</td>
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<tr>
<td>Supply</td>
<td>II Quarter, 2004</td>
<td>IV Quarter, 2004</td>
<td>I Quarter, 2005</td>
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8. Equal opportunity

Equal opportunity for men and women in participation in this project will be ensured.

9. Environment

N/A

10. Rates of Return

N/A

11. Investment Criteria

11.1. Catalytic effect:
Increase in the information and knowledge level of the society, strengthened administrative and working capacity of the involved institutions, decreased demand for pirated and counterfeited goods, and more efficient system of intellectual and industrial property rights protection.

11.2. Co-financing:

Co-financing will be ensured by the beneficiary institutions under the overall co-ordination of the Ministry of Culture. Availability of finances is a pre-condition for the start of this project.

11.3. Additionality:

Phare grant will not displace other financiers.

11.4. Project readiness and size:

Project will be ready for tendering process after the signature of Financing Memorandum. The technical specifications and terms of reference will be drafted till IV Quarter of 2003.

11.5. Sustainability:

The equipment provided to the responsible institutions will be maintained by their own means, the necessary costs will be envisaged in each institution’s yearly budget. Furthermore, sustainability of the project’s activities will be attained by transfer of knowledge within the involved institutions, decreased demand for pirated and counterfeited goods, as well as increased activity from the side of rights owners, and more qualified judicial protection of the intellectual and industrial property rights.

11.6. Compliance with state aids provisions:

The project is in accordance with the Europe Agreement.

11.7. Contribution to NDP and/or Structural Funds Development Plan/SPD

N/A

12. Conditionality and sequencing

- Project Coordination Committee must be established before the project can start.
- National co-financing from the state budget is ensured.

Annexes to project Fiche

1. Logical framework matrix in standard form;
2. Detailed implementation chart;
3. Contracting and disbursement schedule by quarter for full duration of programme;
4. List of relevant Laws and Regulations;
5. Reference to relevant Government Strategic plans and studies.
ANNEX 1 Phare log frame

<table>
<thead>
<tr>
<th>LOGFRAME PLANNING MATRIX FOR</th>
<th>Programme name and number</th>
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<tbody>
<tr>
<td>Project <strong>Protection of Intellectual and Industrial Property Rights</strong></td>
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<tr>
<td>Contracting period expires</td>
<td>Disbursement period expires</td>
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<tr>
<td>Total budget: <strong>698 000</strong></td>
<td>Phare budget: <strong>583 750</strong></td>
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<tr>
<th>Overall objective</th>
<th>Indicators of Achievement</th>
<th>Sources of Information</th>
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<tbody>
<tr>
<td>To ensure understanding and protection of intellectual and industrial property rights.</td>
<td>1. Level of counterfeiting and piracy decreased comparing with 2003; 2. Public awareness of intellectual and industrial property rights increased.</td>
<td>1. Project reports 2. Statistics from enforcement authorities 3. Reports from involved institutions 4. Statistics from industry associations</td>
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<table>
<thead>
<tr>
<th>Project purpose</th>
<th>Indicators of Achievement</th>
<th>Sources of Information</th>
<th>Assumptions</th>
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<tbody>
<tr>
<td>To strengthen enforcement capacity and to raise awareness and knowledge concerning intellectual and industrial property rights within enforcement authorities, rights holders and users, academics and general public.</td>
<td>1. Rights owners are more active in defending their rights; 2. Work of enforcement authorities is more efficient; 3. Demand for pirated and counterfeited products decreased comparing to 2003.</td>
<td>1. Project reports 2. Reports from involved institutions 3. Statistics from industry associations.</td>
<td>Involved institutions have the necessary information resources Participating institutions stay motivated to reach the overall objective</td>
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<tr>
<th>Results</th>
<th>Indicators of Achievement</th>
<th>Sources of Information</th>
<th>Assumptions</th>
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### Component 1 – Strengthening of administrative capacity

**Twinning guaranteed results:**

- Existing situation and problems with regard to co-operation of the police, customs, judges and prosecutors in intellectual and industrial property protection assessed, proposals for improvement elaborated;
- Strategy for developing a system of intellectual and industrial property rights protection in Latvia is elaborated and operational;
- Trained judges, police, customs authorities, prosecutors in the area of intellectual and industrial property right protection;
- Gained experience from practices of Member States and strengthened international co-operative skills for prosecutors and customs authorities;
- Rights owners informed about their rights, consequently more judicial proceedings are initiated, consequently the fight against violations of intellectual property rights is more efficient;
- Proposals to the customs authorities for enhancing efficiency in their work with intellectual and industrial property rights protection elaborated;
- Improved capacity of LaIPA in administering related rights.

**TA contract for elaboration of trademark and patent database and search module:**

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<th>Means</th>
<th>Assumptions</th>
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<td>Patent and trademark database and search module is installed and operational;</td>
<td>Good cooperation among involved institutions;</td>
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<tr>
<td>Faster procedures for registration of trademarks and patents through search module for patents and trademarks.</td>
<td>Trained staff retains their positions.</td>
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**Component 2 - Information of Society**

**Twinning guaranteed results:**

- Communication plan for information of the society on intellectual and industrial property rights is elaborated;
- Information and awareness of society on intellectual and industrial property protection increased;
- Informational and educational literature and materials on intellectual and industrial property rights protection is elaborated;
- Number of applications for patent and trademark registration increased.

**Results from Supply contract:**

- 3-step booklet for school children; brochures for rights owners and users on specific issues are printed.

### Activities

<table>
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<th>Component 1 - Strengthening of administrative capacity</th>
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<tr>
<td>Assessment of the current situation and problems with regard to co-operation of the involved governmental institutions in the intellectual and industrial property protection;</td>
</tr>
<tr>
<td>Elaboration of a Strategy for developing a system of property rights protection in Latvia;</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Component 1 Twinning</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAA 12 m/m</td>
</tr>
<tr>
<td>Short-term expert 4 m/m for training of LaIPA staff;</td>
</tr>
<tr>
<td>Short-term expertise 2 m/m</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Component 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trained staff continues to work;</td>
</tr>
<tr>
<td>Effectiveness of project coordination committee ensured;</td>
</tr>
<tr>
<td>Trained staff</td>
</tr>
</tbody>
</table>
Planning and organising of seminars and trainings for institutional building, including practical trainings and case studies:

- 2 seminars in Riga with participation of customs, police, prosecutors and judges. Both theoretical and practical (case studies), general and specific information;
- 4 seminars in regions for customs, police, prosecutors and judges. General information;
- 2 practical trainings: certain number of representatives from involved institutions (police, prosecutors, courts) will analyse procedure starting by checking and seizing counterfeited products, and continuing by all the activities before the criminal action and court decision. Afterwards, the outcome will be represented and analysed in special seminar for other enforcement institutions;
- 2 visits of experts to custom’s control points, practical assistance and exchange of experience;

Organisation of study visits:

- 4 persons from LaIPA (duration – 5 days) – study visit to joint collecting societies with a purpose of the exchange of experience and gathering knowledge from the collecting societies;
- 8 persons (prosecutors) (duration – 5 days) – study visit to prosecutors’ offices gathering and exchanging of experience in EU countries;
- 8 persons (customs officials) (duration – 5 days) – 2 study visits to customs control points and offices gathering and exchanging of experience in EU countries;

Training for LaIPA staff;

- Visits of experts to Custom’s control points, practical assistance and consulting;
- Elaboration of the Search module for patent and trademark databases in Internet.
- Elaboration and installing in Internet Trademark database;
- Elaboration of distribution database for LaIPA.

**Component 2 - Information of society**

- Elaboration of Communication plan based on the Strategy for developing a system of property rights protection in Latvia;
- Planning and organising of seminars, information dissemination campaigns and other activities for implementation of the Communication plan;
- 3 Seminars for intellectual and industrial property rights holders, broadcasters, Internet service providers, officials from Ministries, AKKA/LAA staff, publishers, libraries and producers;
- Printing of materials on intellectual property protection – printing of 3-step booklet for school children; brochures for rights owners and users on specific issues.

**Technical Assistance:**

- Service (TA) expert (1 m/m) for preparation of the search module; internet trademark database;
- Service (TA) expert (1m/m) for elaboration of distribution database for LaIPA.

**Pre-conditions**

- National co-financing is ensured;
- Project coordination committee established with all involved institutions
## ANNEX 2 Detailed implementation chart

<table>
<thead>
<tr>
<th>Institutional Building</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Long term expert PAA (12 m/m)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessment of the current situation and problems with regard to co-operation of the involved governmental institutions in the intellectual property protection;</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Assistance in the development of effective co-operation mechanism, making recommendations;</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Elaboration of a Strategy for developing a system of property rights protection in Latvia;</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Planning and organising of seminars and trainings for institutional building, including practical trainings and case studies;</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Elaboration of Communication plan based on the Strategy for developing a system of property rights protection in Latvia;</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Planning and organising of seminars, information dissemination campaigns and other activities for implementation of the Communication plan;</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Start up of implementation of the Communication plan;</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Organisation of study visits;</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Follow-up and evaluation of inter-institutional co-operation;</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Supervision of the project.</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td><strong>Short term Twinning expertise (4 m/m)</strong></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Training of LalPA staff</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td><strong>Short term Twinning expertise (4 m/m)</strong></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Assistance in preparation and elaboration of informative materials.</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td><strong>Short term Twinning expertise (1 m/m)</strong></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Visits of experts to Custom’s control points, practical assistance and consulting.</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td><strong>Service (FWC) (1m/m)</strong></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Elaboration of distribution database</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td><strong>Service (FWC) (1 m/m)</strong></td>
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<td></td>
</tr>
<tr>
<td>Elaboration of the search module.</td>
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</tr>
<tr>
<td><strong>Supply</strong></td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td><strong>Publication of the informational materials.</strong></td>
<td>X</td>
<td>X</td>
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## ANNEX 3 CUMULATIVE CONTRACTING AND DISBURSEMENT SCHEDULE (EUR)

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td></td>
<td>I</td>
<td>II</td>
<td>III</td>
<td>IV</td>
</tr>
<tr>
<td><strong>Contract I – Twinning Covenant</strong>*</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contracted total:</td>
<td>424 000</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Phare:</td>
<td>424 000</td>
<td></td>
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</tr>
<tr>
<td>Disbursed total:</td>
<td>339 200</td>
<td>381 600</td>
<td>424 000</td>
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</tr>
<tr>
<td>Phare:</td>
<td>339 200</td>
<td>381 600</td>
<td>424 000</td>
<td></td>
</tr>
<tr>
<td>National:</td>
<td>30 500</td>
<td>54 900</td>
<td>61 000</td>
<td></td>
</tr>
<tr>
<td><strong>Contract II – Framework Contract</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Contracted total:</td>
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<tr>
<td>Phare:</td>
<td>127 500</td>
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<td></td>
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</tr>
<tr>
<td>National:</td>
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<td></td>
<td></td>
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<tr>
<td>Disbursed total:</td>
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<td>127 500</td>
<td>170 000</td>
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</tr>
<tr>
<td>Phare:</td>
<td>76 500</td>
<td>95 625</td>
<td>127 500</td>
<td></td>
</tr>
<tr>
<td>National:</td>
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<td>31 875</td>
<td>42 500</td>
<td></td>
</tr>
<tr>
<td><strong>Contract III – Framework Contract</strong></td>
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<td></td>
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<tr>
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<td>15 000</td>
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<tr>
<td>Phare:</td>
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<tr>
<td>National:</td>
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<tr>
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<td>9 000</td>
<td>11 250</td>
<td>15 000</td>
<td></td>
</tr>
<tr>
<td>Phare:</td>
<td>6 750</td>
<td>8 437</td>
<td>11 250</td>
<td></td>
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<tr>
<td>National:</td>
<td>2 250</td>
<td>2 813</td>
<td>3 750</td>
<td></td>
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<tr>
<td><strong>Contract IV – Supply</strong></td>
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<tr>
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<td>28 000</td>
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<tr>
<td>Phare:</td>
<td>21 000</td>
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</tr>
<tr>
<td>National:</td>
<td>7 000</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Disbursed total:</td>
<td>16 800</td>
<td>25 200</td>
<td>28 000</td>
<td></td>
</tr>
<tr>
<td>Phare:</td>
<td>12 600</td>
<td>18 900</td>
<td>21 000</td>
<td></td>
</tr>
<tr>
<td>National:</td>
<td>4 200</td>
<td>6 300</td>
<td>7 000</td>
<td></td>
</tr>
</tbody>
</table>

* Parallel co-financing
** Joint co-financing, excluding all taxes and duties
ANNEX 4

List of relevant Laws and Regulations

3. Administrative Offences Code (Adopted on December 7, 1984, in force from July 1, 1985)
8. Law on Customs Taxes (Tariffs) (Adopted on September 29, 1994, in force from December 1, 1994)

Regulations of European Community

1. Commission Regulation (EC) No 2246/2002 of 16 December 2002 on the fees payable to the Office for Harmonization in the Internal Market (Trade Marks and Designs) in respect of the registration of Community designs


ANNEX 5 Reference to relevant Government Strategic plans and studies

Intellectual property protection capacity development strategy was adopted by the Cabinet of Ministers on August 14, 2001. This programme for years 2001-2005 was prepared taking into account the economic and social development tendencies in Latvia and remarking the prognoses of economy. It aims at further implementation of national legislation in sphere of intellectual property as well as implementation of international Treaties and Conventions. The Strategy is concentrated on strategic and political trends, particularly:

- Highlight IT as a moving force in modernising and strengthening systems of intellectual and industrial property;

- Improvement of international cooperation in sphere of intellectual and industrial property;

- Involving and facilitating involvement of civil society in improvement of systems of intellectual and industrial property so that it meets the specific needs of society;

- Sustaining the existing and found new organisations that help in demystification of intellectual and industrial property ideas and conceptions both to heighten the importance of intellectual and industrial property protection and to improve wider use of systems of intellectual and industrial property;

- Further the use of E-commerce in intellectual and industrial property fields;

- Promoting the expansion of knowledge of involved people to ensure the modernity of structure of organisations and implementation of Strategy.