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REPORT ON THE ADVISORY COMMITTEE ON ENFORCEMENT (ACE)

prepared by the Secretariat

1. During the period under consideration, the Advisory Committee on Enforcement (ACE) held its thirteenth session from September 3 to 5, 2018. The session was chaired by Mr. Héctor Manuel Balmaceda Godoy (Paraguay).
2. The thirteenth session addressed the following work program:
 - exchange of information on national experiences on awareness building activities and strategic campaigns as a means for building respect for intellectual property (IP) among general public, especially the youth, in accordance with Member States' educational or any other priorities;
 - exchange of information on national experiences relating to institutional arrangements concerning IP enforcement policies and regimes, including mechanism to resolve IP disputes in a balanced, holistic and effective manner;
 - exchange of information on national experiences in respect of the World Intellectual Property Organization (WIPO) legislative assistance, with a focus on drafting national laws of enforcement that take into account the flexibilities, the level of development, the difference in legal tradition and the possible abuse of enforcement procedures, bearing in mind the broader societal interest and in accordance with Member States' priorities; and

- exchange of success stories on capacity building and support from WIPO for training activities at national and regional levels for Agencies and national officials in line with relevant Development Agenda Recommendations and the ACE mandate.

3. The work program was addressed on the basis of 30 expert presentations and four panel discussions¹. In addition, the Secretariat showed a video documenting a recent WIPO activity on the use of teaching materials on respect for copyright in Malawi.
4. Under the work program item “exchange of information on national experiences on awareness building activities and strategic campaigns as a means for building respect for IP among general public, especially the youth, in accordance with Member States’ educational or any other priorities”, experiences were shared by the State Intellectual Property Office of the Republic of Croatia (SIPO), the Department for Intellectual Property Rights, Ministry of Justice, Kazakhstan, the Department of Intellectual Property (DIP), Ministry of Commerce, Thailand, the United States Patent and Trademark Office (USPTO), the Spanish Association for the Defense of Trademarks (ANDEMA) and the Cooperative Society of Music Authors and Publishers in Switzerland (SUISA). A panel discussion took place, moderated by Ms. Elizabeth Jones, IP Enforcement Policy Advisor, Copyright and IP Enforcement Directorate, United Kingdom Intellectual Property Office (UKIPO).
5. Under the work program item “exchange of information on national experiences relating to institutional arrangements concerning IP enforcement policies and regimes, including mechanism to resolve IP disputes in a balanced, holistic and effective manner”, presentations were grouped into four topics.
6. Under the topic “The Interface of IP Enforcement and Competition Law”, experiences were shared by the Administrative Council for Economic Defense (CADE), Brazil, and the National Institute for the Defense of Competition and Protection of Intellectual Property (INDECOPI), Peru. A panel discussion took place, moderated by Mr. Giovanni Napolitano, Deputy Director, Department for Transition and Developed Countries, WIPO.
7. Under the topic “IP Enforcement Coordination”, experiences were shared by the National Center of Intellectual Property (NCIP), Belarus, the Zhongshan Municipal Bureau of Intellectual Property, China, the National Copyright Administration of China, the Department of Culture and Art Policy, Ministry of Education and Culture, Finland, the Mexican Institute of Industrial Property (IMPI), INDECOPI, the Korean Intellectual Property Office (KIPO), the Ministry of Justice, Republic of Korea, the Ministry of Culture, Russian Federation and the Uganda Registration Services Bureau (URSB).
8. Under the topic “Arrangements to Address Online IP Infringements”, experiences were shared by the Intellectual Property Law Division, Ministry of Justice, Israel, the UKIPO and the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, European Commission. A panel discussion took place, moderated by Ms. Barbara Suhr-Jessen, Head, Enforcement and Anti-counterfeiting, Danish Patent and Trademark Office (DKPTO).
9. Under the topic “Balanced, Holistic and Effective IP Dispute Resolution”, one presentation was made on “Intellectual Property and the Judiciary” by the Center for International Intellectual Property Studies (CEIPI), University of Strasbourg, France. In addition, experiences with “The Quantification of Damages in Cases of IP Infringements” were shared by the Superintendency of Industry and Commerce, Colombia, the Honorable Justice Dr. Al-Husban, Jordan, the Honorable Justice Mr. El Amrani, Morocco, the Honorable Justice Mr. Johns, United Kingdom and the International Association for the Protection of Intellectual Property (AIPPI). A panel

¹ Documents WIPO/ACE/13/3 to WIPO/ACE/13/10.

discussion took place, moderated by Mr. Xavier Seuba, Associate Professor, Judicial Trainings Manager and Director of Diploma on Patent Litigation in Europe, CEIPI.

10. Under the work program item “exchange of information on national experiences in respect of WIPO’s legislative assistance, with a focus on drafting national laws of enforcement that take into account the flexibilities, the level of development, the difference in legal tradition and the possible abuse of enforcement procedures, bearing in mind the broader societal interest and in accordance with Member States’ priorities”, the Committee heard an intervention from the Delegation of Indonesia.

11. Under the work program item “exchange of success stories on capacity building and support from WIPO for training activities at national and regional levels for Agencies and national officials in line with relevant Development Agenda Recommendations and the ACE mandate”, national and regional experiences with the adaptation of WIPO’s training materials *Investigating and Prosecuting IP Crime* were shared by the Companies and Intellectual Property Commission (CIPC), South Africa, the Honorable Justice Dr. Nehad Al-Husban, Jordan and the African Regional Intellectual Property Organization (ARIPO).

12. The Committee took note of the presentation by the Secretariat on recent activities of WIPO in the field of building respect for IP, guided by the Program and Budget, Development Agenda Recommendation 45, and WIPO Strategic Goal VI “International Cooperation on Building Respect for IP”².

13. With regard to the Committee’s future work, the Committee agreed to continue to consider, at its fourteenth session, the current work program, as listed in paragraph 2 above.

14. The WIPO General Assembly is invited to take note of the “Report on the Advisory Committee on Enforcement (ACE)” (document WO/GA/50/9).

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² Document WIPO/ACE/13/2 Rev.