



Building Respect for IP

**Practical Workshop on IP for Women Entrepreneurs
from Indigenous Peoples and Local Communities**

November 12, 2019, Geneva

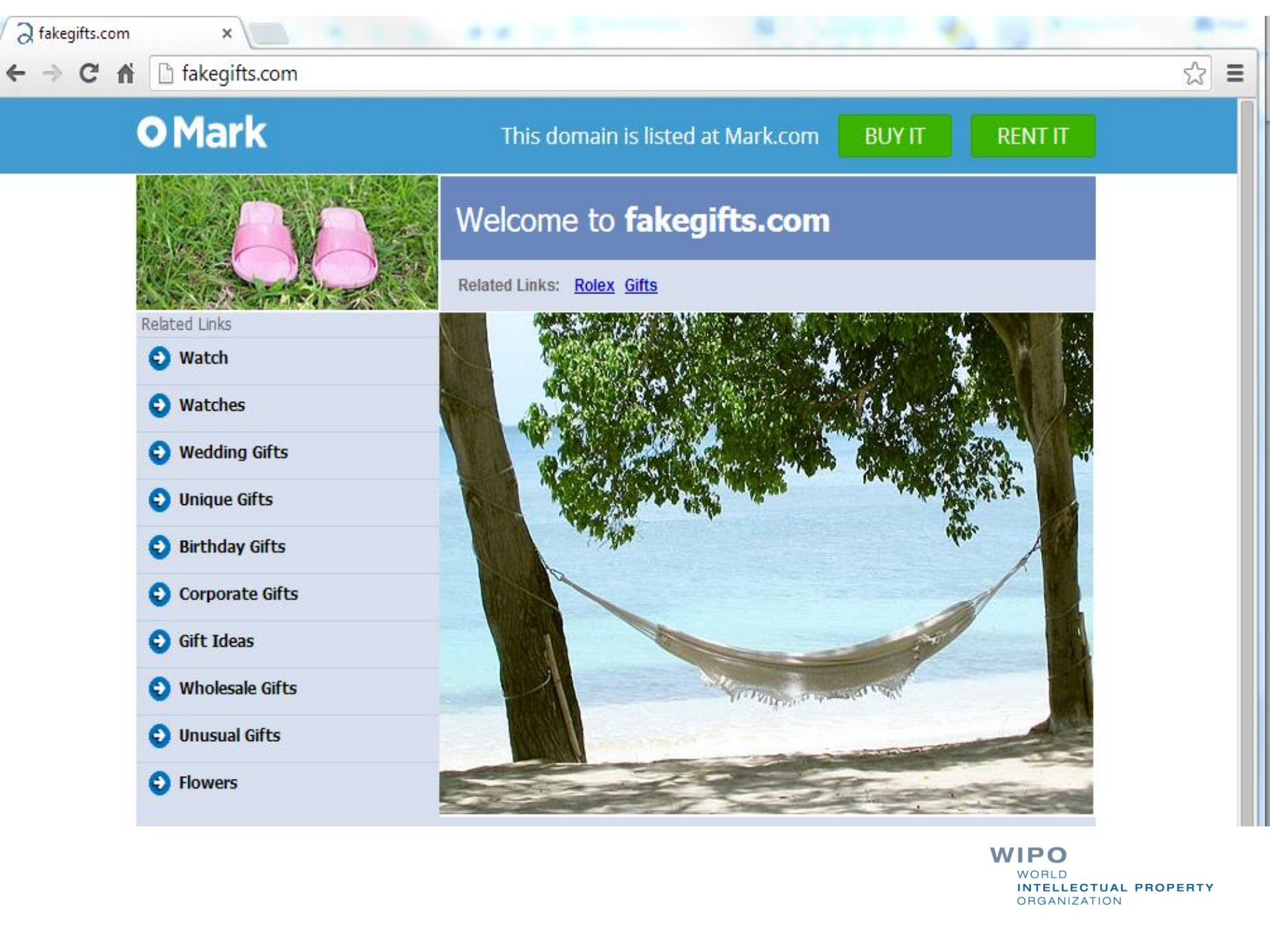
Building Respect for IP Division



Streaming – Live broadcast

The screenshot displays the Bosscast.net website interface. The background is a green football field with white yard lines. The page is divided into three main sections:

- Channels:** A vertical sidebar on the left lists various sports channels including ESPN, ESPN 2, BT Sport, EURO SPORT, EURO SPORT 2, Premier sports, FOX THD, FOX 2HD, GOLF, NBA HD, NBCSN, MLB, NHL, NFL NETWORK, FOX 2HD, FOX LIVESPORT, SPORTSNET ONE, TSN, and NETWORK. Below these are categories for TV Channels, TV Shows, and NEWS.
- Schedule:** The central area shows the current event: "Cycling: Tour de France" on "Tuesday - July 24th, 2018" at "13:00". It includes a "Change Your Time Zone From Here" dropdown menu set to "GMT -11:00" and a notification that "All events are now scheduled in GMT +02:00 Time Zone". Social sharing buttons for Pinterest, Tumblr, Reddit, LinkedIn, Facebook, and Twitter are visible at the top.
- Chat Box:** On the right, a chat window titled "BossCast Sports" is open. It features "Chat Rules" (English chat only, no bullying, no racism, no spamming, no links, breaking rules = direct ban) and a list of messages from users like "howiewowie", "Hokeyman", and "bossco1252". A "Type here to send a message" input field is at the bottom.



Welcome to fakegifts.com

Related Links: [Rolex](#) [Gifts](#)

Related Links

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Building Respect for IP “BRIP”

International Cooperation on Building Respect for Intellectual Property

- Development Agenda Recommendation 45:
 - “approach **IP enforcement** in the context of broader **societal interests** and especially **development-oriented concerns**”
 - cites Article 7 of the TRIPS Agreement

- Consequences for our work:
 - balance between private and public interests
 - punitive and preventive measures to curb infringements

Building Respect for IP – Program 17

WIPO's Role



Advisory Committee on Enforcement

Fourteenth Session – September 2-4, 2019

- Three-day meeting
- Participants (members/observers)
- Speakers and panelists from all regions
- Side events
- Exhibitions
- All documents are available on line:
<http://www.wipo.int/enforcement/en/ace/>



Respect for IP – Growing from the Tip of Africa

International Conference

Sandton, South Africa
October 23-25, 2018

Join 600 policymakers, judges and senior enforcement officials from all over the world to discuss how to create a balanced intellectual property enforcement system through international cooperation.

More details coming soon...




WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

Legislative Assistance

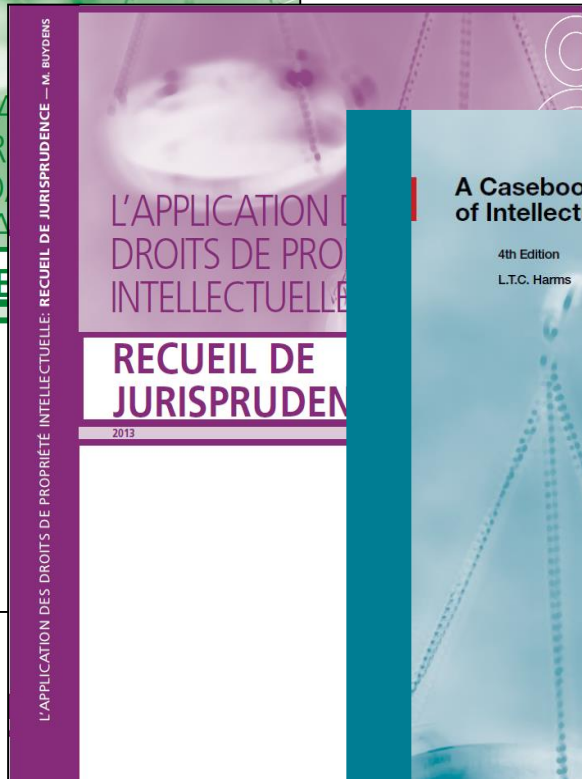
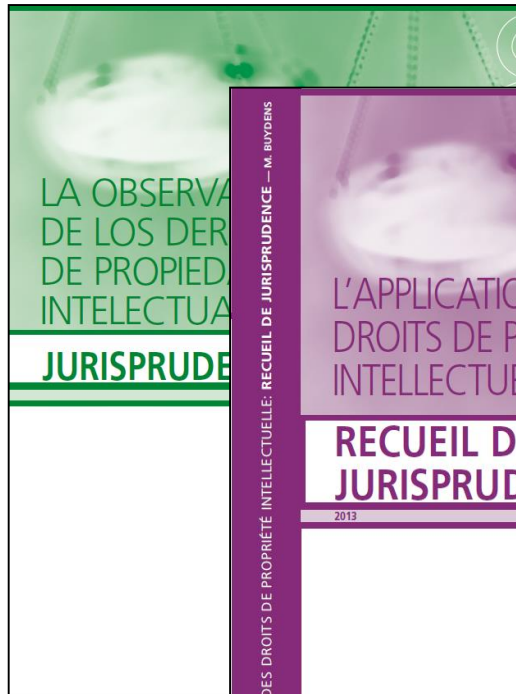
- Legislative assistance on request
- Objective: Tailored and balanced IP legislative and regulatory frameworks
- Compliance with the TRIPS Agreement



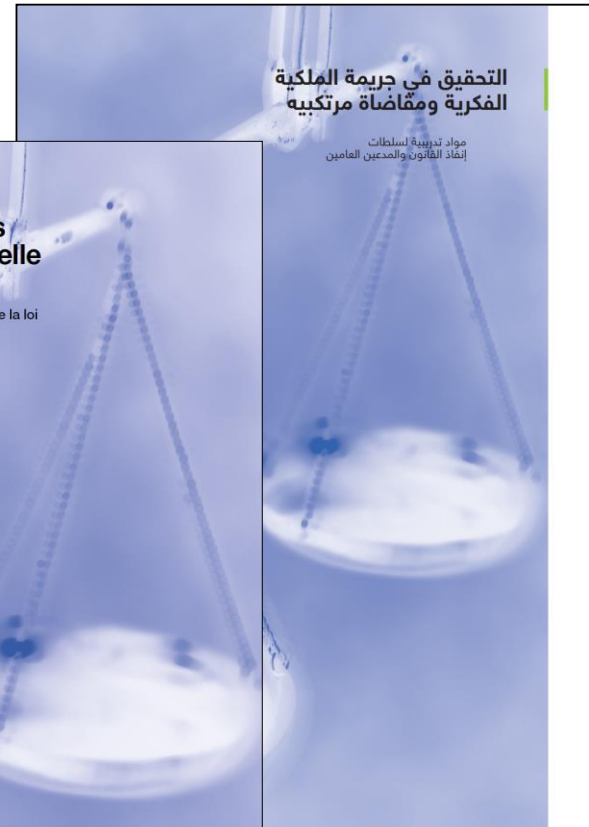
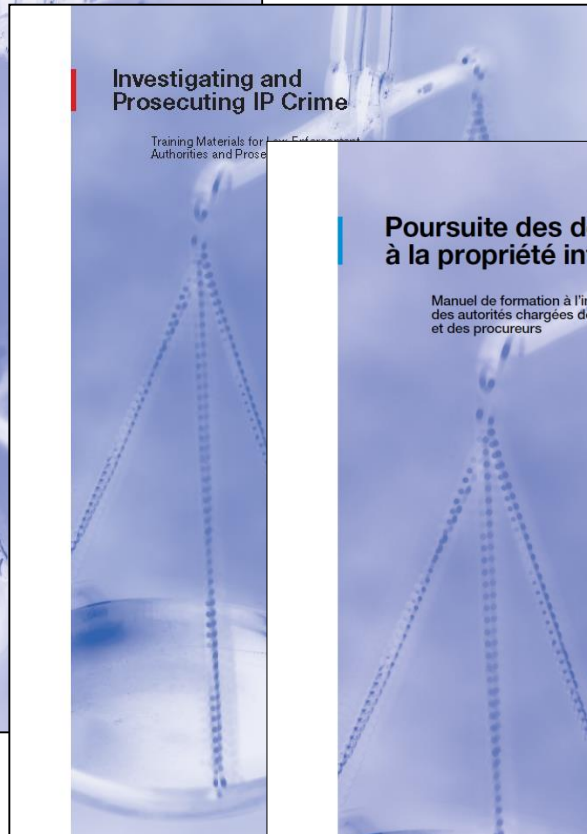
Capacity Building

- 
- Workshops for judges, law enforcement, officials
 - Balanced enforcement of IP, in accordance with TRIPS and Recommendation 45 of the WIPO DA

WIPO Enforcement Casebooks



WIPO Training Materials on IP Crime



BRIP Division

Building Respect: Enforcement – Prevention

- BRIP Division activities
 - Awareness raising



“

High School Students in
Soweto, South Africa,
learned about Citizen
Journalism and IP.

”

World IP Day

The image shows a screenshot of the Facebook page for World Intellectual Property Day. The page header includes the Facebook logo, the name 'World Intellectual Property Day', a search bar, and navigation links for 'Home', 'Find Friends', and user avatars. The main content area features a post from 'World Intellectual Property Day' dated '5 June'. The post text reads: 'Wow! This year, over 130 countries/territories celebrated World IP Day with more than 600 events. A big THANK YOU to all 🙌 we hope you'll join in again in 2019!'. Below the text is a horizontal strip of national flags from various countries. Underneath the flags is a world map with red location pins indicating where events took place. A large blue banner with the text 'THANK YOU!' is overlaid on the map. To the right of the main post, there are several sidebars: 'Learn More' and 'Send Message' buttons; a section titled 'Powering change: Women in innovation and creativity' with a brief description and a 'See more' link; a 'Community' section showing '46,751 people like this' and '47,246 people follow this'; an 'About' section with contact information (+41 22 338 91 11), website (www.wipo.int/ipday), and hours ('Always open'); and a 'Related Pages' section listing 'OECD Development C...' and 'UNODC - United Nat...'. The page also shows a 'Create a Page' button in the bottom left of the main content area.



World Intellectual Property Day – April 26, 2019

Reach for Gold: IP and Sports

World IP Day – April 26, 2018



**Powering
change:
Women in
innovation
and creativity**

**World Intellectual
Property Day 2018**

April 26

#worldipday

wipo.int/ipday

World Intellectual Property Day

5 June

Wow! This year, over 130 countries/territories celebrated World IP Day with more than 600 events.

A big THANK YOU to all 🙌, we hope you'll join in again in 2019!

THANK YOU!

4 Comments 30 Shares

Comment Share

lations Bangladesh

ari

Powering change: Women in innovation and creativity

This year's World Intellectual Property Day celebrates the brilliance, ingenuity, curiosity and cour...

See more

Community

Invite your friends to like this Page

46,751 people like this

47,246 people follow this

Angela Mills Wade and 3 other friends like this or have checked in

About

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Away

Send message

www.wipo.int/ipday

Public & government service · Business service · Organisation

Hours

Always open

Suggest Edits

Related Pages

OECD Development C... Charity Like

UNODC - United Nat... Charity Like

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

RESPECT FOR INTELLECTUAL PROPERTY

Intellectual property or "IP" - what is that?

A kind of property in the result of human thought and creativity: a new invention, the design of a product, a trademark or a creative work, such as a book, a film, a song, or a piece of software.

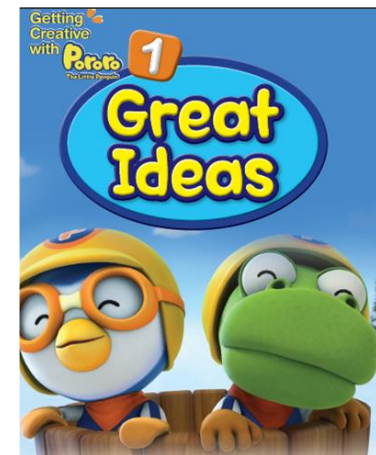
This property cannot be seen or touched, but it is valuable, it belongs to someone, and it can be damaged or taken without permission. But how do you take care of property like that? How does this kind of property help people around the world to improve lives, create jobs and protect their culture?

Respect for Copyright and **Respect for Trademarks** are educational resources created to raise young people's awareness and understanding of IP rights.



The **World Intellectual Property Organization** is the home of IP, a United Nations agency based in Geneva, Switzerland. Our mission is to make sure that IP works for everyone, now and in the future. We hope you find this site enjoyable and useful.

WIPO Outreach Tools: Pororo



WIPO Outreach Tools



BRIP Division

Building Respect: Enforcement – Prevention

- Seeking a remedy in the courts

Court action

- Criminal remedies
- Destruction and disposal
- Civil remedies
 - Injunction
 - Damages
 - Interim injunction
- Border measures (Customs)

Court action

■ Criminal remedies

- Fines, imprisonment (but higher thresholds of liability and evidence)
- Proceeds of crime legislation
- Not always possible to secure action

■ Destruction and disposal

- Infringing goods, implements and materials

Final Remedies

■ Injunctions

- Judicial Authorities shall have the authority to order a party to desist from an infringement

■ Damages

- Monetary compensation for loss
- Power to order payment of expenses, including attorneys' fees

■ Destruction/disposal of infringing goods, implements and materials

Final Remedies: Injunctions

- Judicial discretion – but presumption in practice
- Damages an inadequate remedy
 - *Repeated wrongs*
 - *Loss hard to measure*
 - *Damages hard to recover*
- Exceptionally: damages in lieu where *oppressive* to defendant

Provisional measures

- Interim injunction to prevent infringement; or
- To preserve relevant evidence in regard to alleged infringement
- May be without notice to defendant, if likely that delay will cause irreparable damage to right holder or demonstrable risk that evidence will be destroyed
- Claimant must compensate if wrongly granted

Final Remedies: Damages

- Principles: damage to the value of the right
 - Lost sales
 - Licence fee/royalty
 - «moral prejudice»
- Statutory or pre-established damages
- Punitive or aggravated damages
- Account of profits



Border Measures (Art. 51-60)

- Suspension of release of alleged infringing goods
- Against the importation of goods suspected to be “counterfeit trademark goods” or “pirated copyright goods” (TRIPS Agreement)
- Countries may go further: goods involving infringement of other IPRs (e.g., EU)

Border Measures

How does it work?

- Application to Competent Authorities (CA) by the right holder with sufficient evidence of a *prima facie* infringement in the country of importation
- CA decide to accept the application or not, and inform the applicant
- CA may require a security or equivalent assurance: protection against abuse of right

Border Measures

- Effective suspension of release of goods by Customs - notification to the applicant and the importer
- Effective suspension of release of goods for a period of time: 10 (+ 10) working days for applicant to initiate a procedure on the merits or for the duly empowered authority to take provisional measures
- If not, release of the goods
- Power to permit inspection to substantiate or contest claim

Border Measures

TOP CATEGORIES BY NUMBER OF DETAINED ARTICLES:



Cigarettes

15%



Toys

14%



Packaging material

9%



Labels, tags & stickers

9%



Clothing

8%

TOP COUNTRIES OF PROVENANCE BY ARTICLES:



50.55%	China
9.66%	Bosnia and Herzegovina
9.43%	Hong Kong, China
8.77%	Cambodia
7.02%	Turkey
3.01%	Georgia
2.36%	Vietnam
9.19%	All other countries

Source: Report on EU customs enforcement of intellectual property rights
Results at the EU border 2018

BRIP Division

Building Respect: Enforcement – Prevention

- Alternative Dispute Resolution (ADR)

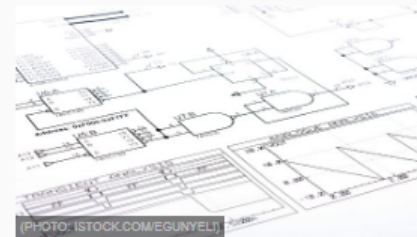
Home › IP Services › [Alternative Dispute Resolution](#)

WIPO | ADR

Alternative Dispute Resolution

The [WIPO Arbitration and Mediation Center](#) is a neutral, international and non-profit dispute resolution provider that offers time- and cost-efficient alternative dispute resolution (ADR) options. WIPO [mediation](#), [arbitration](#), [expedited arbitration](#), and [expert determination](#) enable private parties to efficiently settle their domestic or cross-border IP and technology disputes out of court. The WIPO Center is also the global leader in the provision of [domain name dispute resolution services](#) under the WIPO-designed UDRP.

- [IP ADR Advantages](#)
- [Frequently Asked Questions](#)
- [Role of the Center](#)
- [WIPO Neutrals](#)
- [Domain Name Disputes](#)
- [About the Center](#)



Alternative Dispute Resolution

- Arbitration
- Mediation/Conciliation
- *UDRP* – for cybersquatting

Routes to ADR



- ADR contract clauses
- Submission agreement, e.g. in non-contractual disputes
- By direction of the court
- May be administered by arbitral body or by parties

Arbitration

- Parties submit their dispute to one or more arbitrators, for a binding decision (the award)
- Agreement to arbitrate may be made before or after dispute arises – treated as separate contract
- Stay of court proceedings on request
- Limited grounds for judicial review
- Award binding in contract, but registrable as judgment
- International enforcement often possible

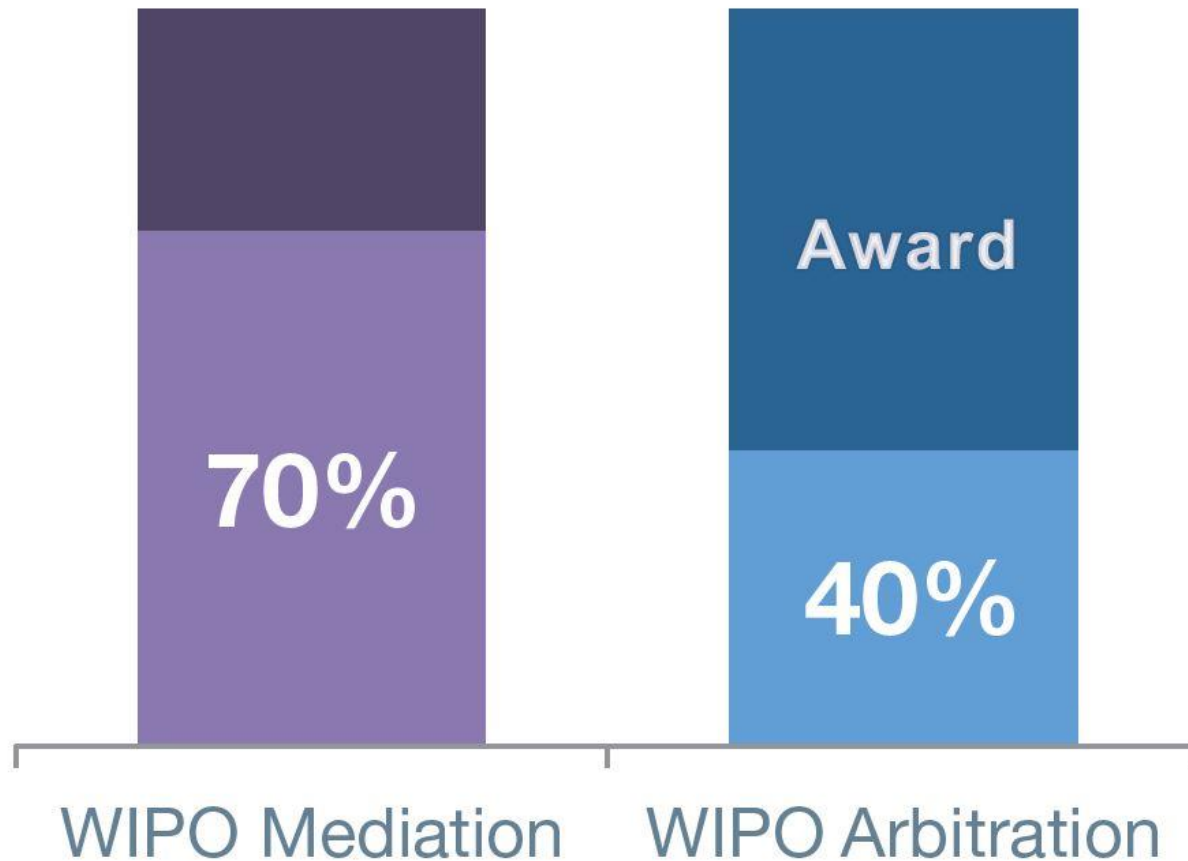
Mediation/Conciliation

- Informal procedure in which neutral intermediary assists parties to settle their dispute, based on the parties' respective interests
- Mediation agreement
- Joint meeting, «caucusing», final meeting
- Settlement agreement
- Mandinka saying: 'Kumo mim be kono nii maa foo a kanfa buka bo'
 - *If you do not say what is in you, the anger will not go*

Uniform Domain Name Dispute Resolution Policy

- WIPO ADR process to resolve disputes between trademark owners and registrants
- WIPO panelist can order transfer to complainant if:
 - Domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights
 - Respondent domain holder has no rights or legitimate interests in respect of the domain name
 - The domain name was registered and is being used in bad faith.
- More than 42,500 cases since 1999
- In 2018, 3,447 filings, parties from 109 countries

Settlement in WIPO-Administered Cases



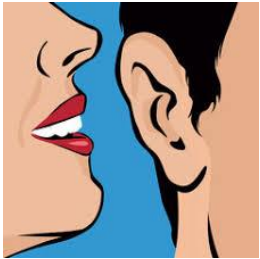
BRIP Division

Building Respect: Enforcement – Prevention

- Voluntary measures – WIPO ALERT



Building Respect: Enforcement – Small/micro business



Word of Mouth (WOM):

from *traditional* to new social marketing



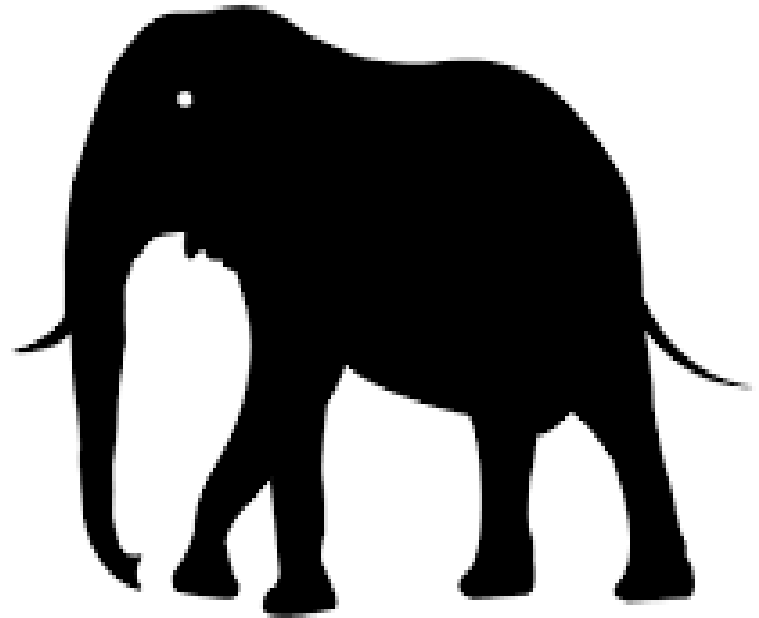
Digital Ecosystem - equal opportunities, equal space for diversity, for growth....

Building Respect: Enforcement – Small/micro business

MICRO - SMALL - BIG

Doesn't make a difference

Online piracy can affect anyone



Why Online Advertising plays an important role for your business and....attract online piracy?

- **573** Product-focused commerce business all over the world worth **USD 1.9 Billion**
- **By 2021** Global retail e-commerce sale is estimated to reach **USD 4.5 Trillion**
- **87%** Small and Micro Business advertise online
- **86%** Small and Micro Business promote their product on Facebook
- **51%** on YouTube, **47%** on Instagram etc.

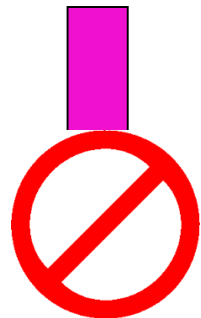
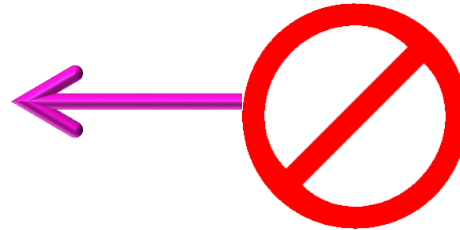
.....Digital advertising landing on illicit websites generates **Euro5.3 Million** each year....

Pirate Business Model

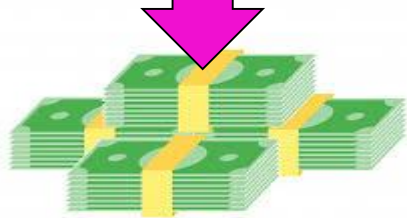


Advertising

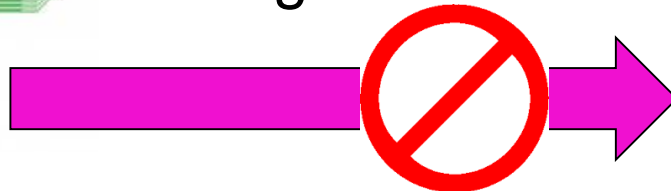
View the Ad.



Generates Revenue




Pay for
Hosting/content



© CanStockPhoto.com - csp67084290

Example

← → × ⌂ <https://gomovies.pet/film/blade-of-the-immortal-22646/> 📺 ⭐ ⋮



Blade of the Immortal [Trailer](#) **8.0** RATING (29) ★ ★ ★ ★ ★ NOT RATED

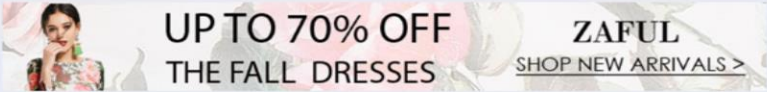
[Like 2](#) [Share 2](#) [Send](#) [Tweet](#) [G+](#) [Share](#)

Blade of the Immortal is a 2017 samurai film based on the eponymous manga series by Hiroaki Samura. In this, Manji is a samurai who apparently cannot be killed by any injury. He crosses paths with Rin Asano, whose parents were killed by a group of master swordsmen, and promises to avenge their deaths.

Genre: Action, Drama
Actor: Takuya Kimura, Hana Sugisaki, Sôta Fukushi
Director: Takashi Miike
Country: Japan, United Kingdom

Duration: 140 min
Quality: HD
Release: 2017
IMDb: 7.3

Keywords: #Blade of the Immortal #Takashi Miike #Takuya Kimura #Hana Sugisaki #Sôta Fukushi



Sponsored News

Waiting for de20.zopim.com...

[Leave a Message](#)

Example

ASSISTIR GRÁTIS

CLIQUE EM UM DOS ANUNCIOS ABAIXO PARA LIBERAR SEU FILME OU SERIE

LANÇAMENTO
25 DE MAIO

FALE COM UM ESPECIALISTA

VISITE DECORADOS | RUA CHILON, 184

WN MILLENNIUM
FARIA LIMA

DELL

STREAMING SEM
INTERRUPÇÕES.

intel
CORE i7
8th Gen

O novo decola aqui,
em um novo Jira

Teste grátis

ATLASSIAN
Jira

Não hospedamos nenhum video em nossos servidores, apenas o Indexamos.

Infringing Websites Lists

Different countries offer different remedies against a pirate website:

- Court injunction
- Administrative Blocking Decision
- Voluntary Measures



Each country has its model.....

In some countries infringing websites are collected in lists.

BRIP Division

Enforcement – Prevention

- WIPO ALERT is a database of Infringing Website Lists from various countries
- Italy, Republic of Korea, Brazil first contributors
- Advertising industry players signing as users
- Work continuing to expand and promote...

WIPO Alert database

CONTRIBUTORS
National IP enforcement
Agencies/authorized entities

Letter of Understanding

USERS
Brand Holders/Advertising Agencies
(Members of Trade Association)

User Agreement

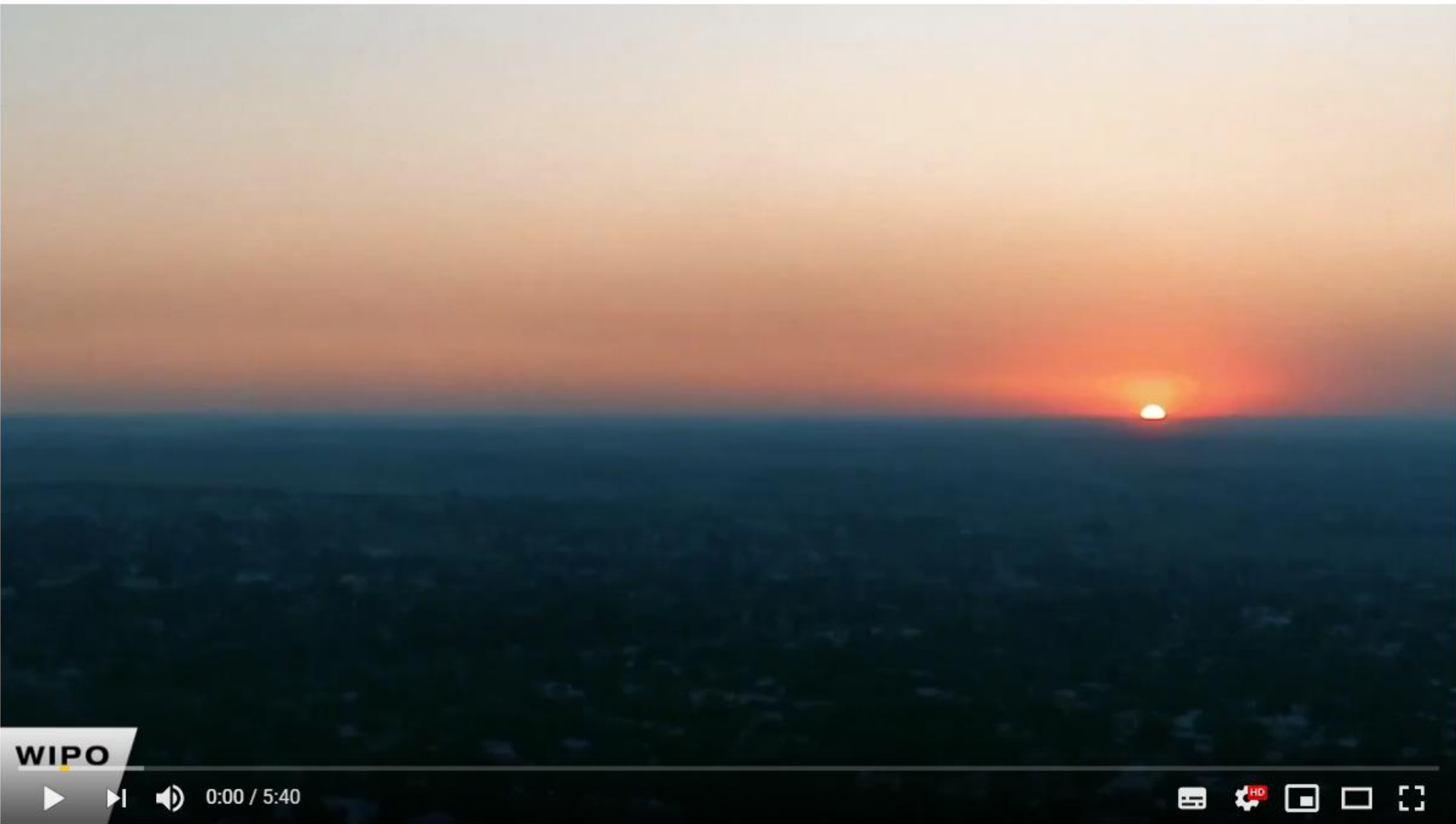
**WIPO
Alert**



BRIP Division

Building Respect: Enforcement – Prevention

- Discussion



IP in school : Awareness raising in Malawi