



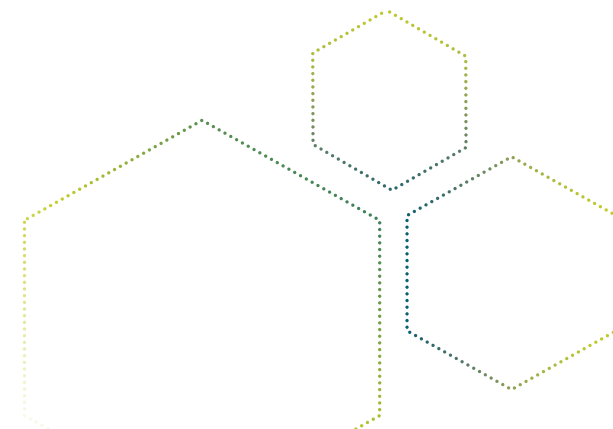
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INITIATIVE DE SOUTIEN AUX PETITES ET MOYENNES ENTREPRISES FAIRE APPLIQUER LEURS DROITS DE PROPRIÉTÉ INTELLECTUELLE

Comité ACEOMPI





La mise en place
du dispositif
France Anti-
Contrefaçon

Mission d'évaluation de la lutte contre la contrefaçon



CECV réunion du 9 décembre 2020 – examen
du rapport Contrefaçon - © Assemblée nationale

Lancement du dispositif «France Anti Contrefaçon» durant l'Assemblée générale du CNAC le 14 septembre 2022



Présentation des premiers travaux «France Anti Contrefaçon» pendant l'assemblée générale du CNAC le 8 décembre 2023





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LES PME ET LA CONTREFAÇON

LES RÉSULTATS DE L'ENQUÊTE CPME
INPI

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LES RÉSULTATS DE L'ENQUÊTE CPME

LES DÉMARCHES DE PROTECTION



ne font aucune
démarche pour
protéger les actifs
immatériels et les
innovations

LA MISE EN PLACE D'UNE VEILLE



des entreprises interrogées
déclarent avoir mis en
place une veille pour
détecter les copies de leur
produit

VICTIME DE CONTREFAÇONS



des entreprises
interrogées déclarent avoir
été victimes d'au moins
un acte de contrefaçon

LES RÉSULTATS DE L'ENQUÊTE CPME

RÉACTIONS DE DÉFENSE



des entreprises ayant subi un acte de contrefaçon ont déclaré n'avoir mis en place aucune mesure

Les entreprises qui agissent préfèrent, majoritairement, la procédure amiable (médiation) ou conciliation avec le contrefacteur

Sinon, les autres actions engagées furent :

26% ont engagé une action en justice

16% ont déposé une plainte

14% ont sensibilisé leurs collaborateurs

12% ont formulé des demandes de saisie contrefaçon

11% ont indiqué avoir procédé à un marquage commercial (solution de traçabilité)

5% ont contacté le service des douanes



Les actions à mener



CONSTATS ET PISTES D'AMELIORATION

- Renforcer la sensibilisation en travaillant avec des partenaires clés
 - Travailler sur le changement de perception de la contrefaçon
 - Mise en place d'un accompagnement dédié
- Réflexion sur le renforcement des dommages et intérêts punitifs



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Merci



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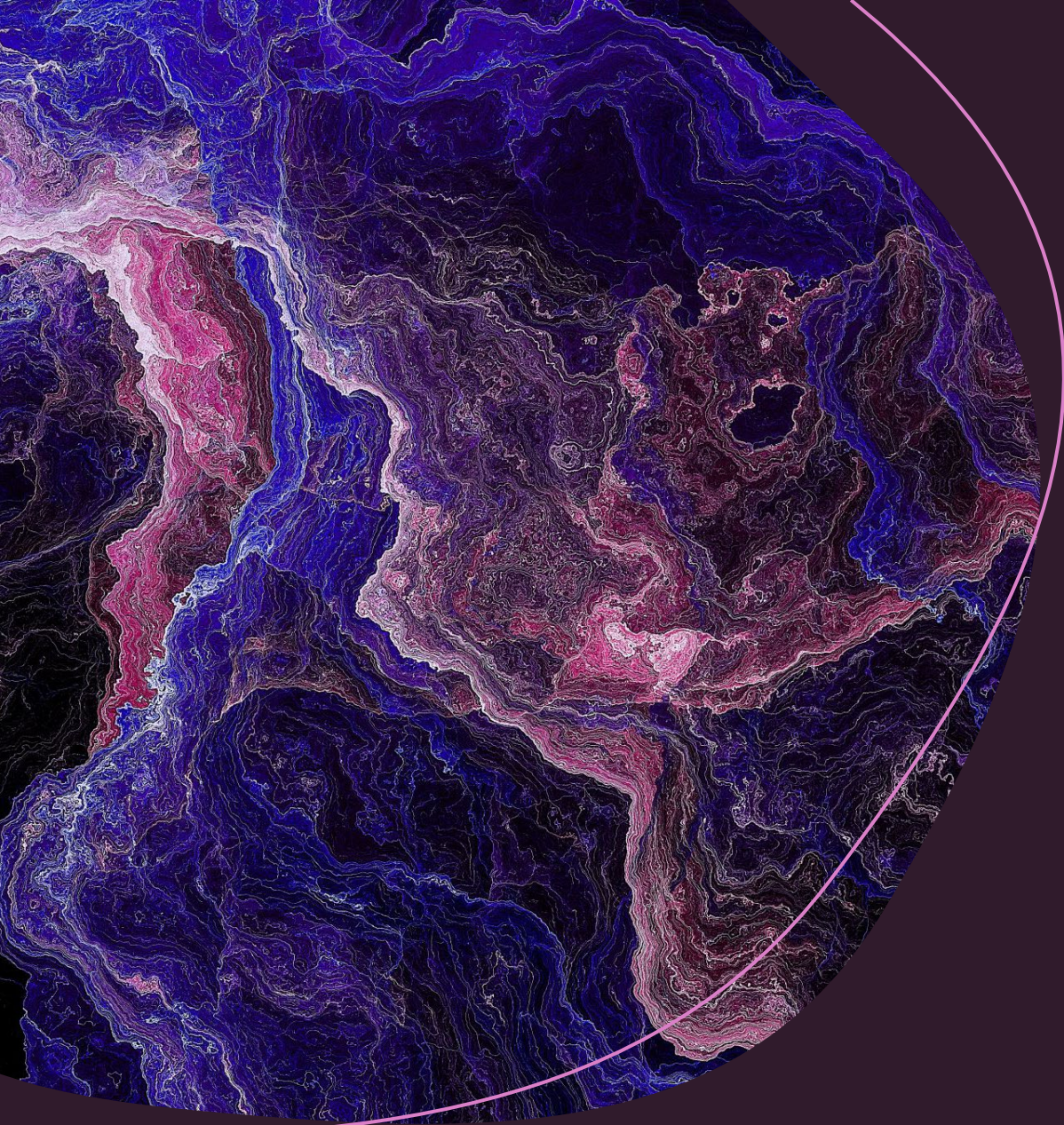


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Intellectual Property Enforcement and Small and Medium-sized Enterprises in the United Kingdom Design Sector – Challenges and Solutions

Anti Copying in Design (ACID)

Nick Kounoupas, ACID Chief Legal
Counsel and Founder, Kounoupas IP

- David & Goliath



IP Education &
Awareness,
Prevention,
Deterrence,
Support and
Campaigning



- Hierarchy of IP rights





- UK Designs in an International Framework



- Discrepancy in UK Design Laws

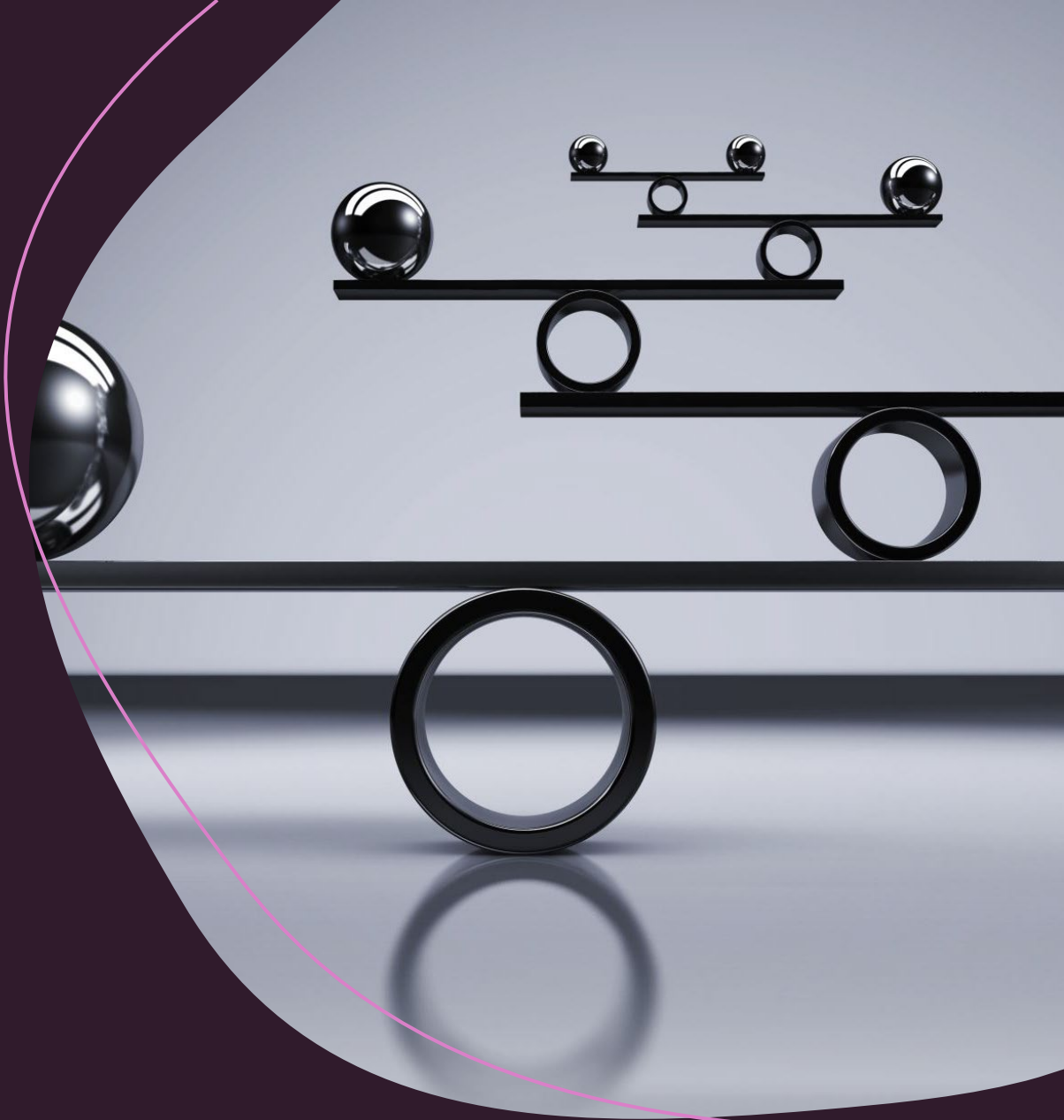


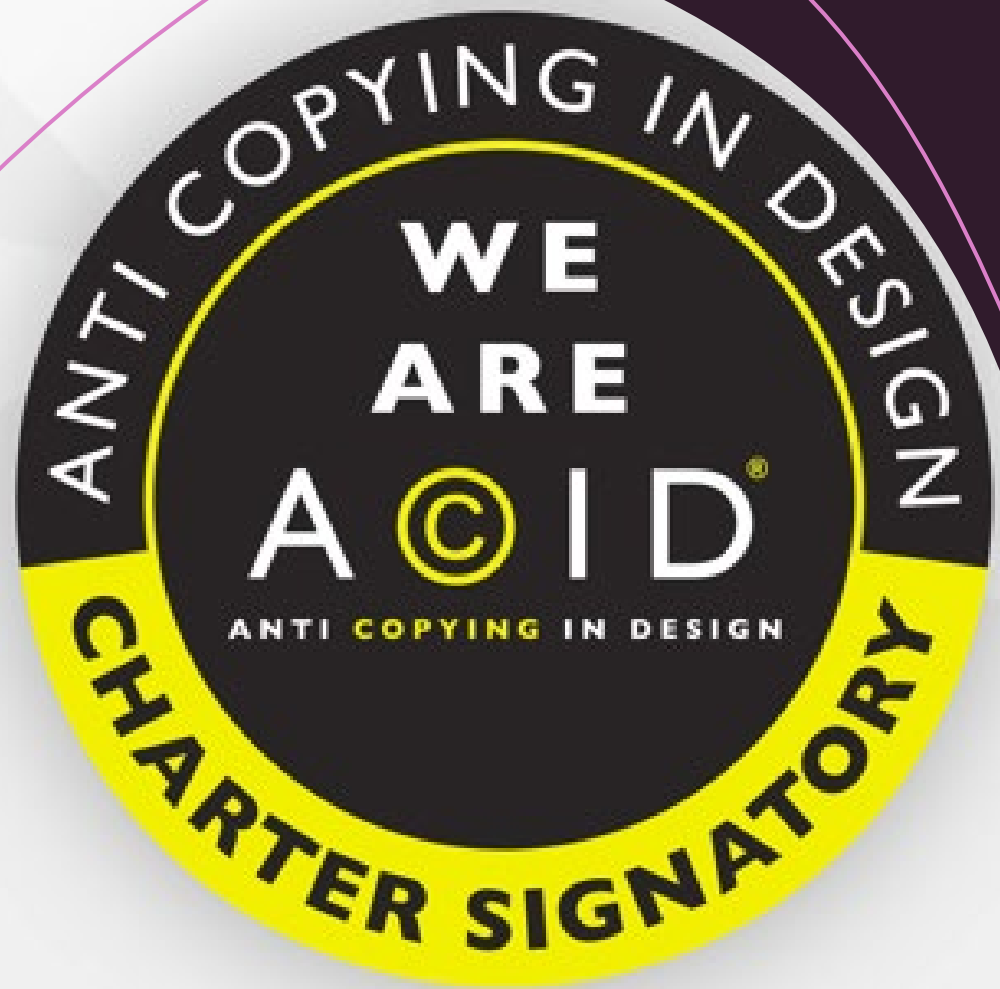
- UK Design – Post Brexit



- UK Design within an International Landscape

- Design Law Complexity and Cost of Proceedings





- Summary and ACID IP Charter



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- ACID Chief Legal Counsel
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INTELLECTUAL PROPERTY ENFORCEMENT & SMALL AND MEDIUM ENTERPRISES

“AN OVERVIEW OF CHALLENGES AND SOLUTIONS”

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Introduction

02

Challenges faced by SMEs in enforcing their intellectual property rights

03

Enforcing intellectual property rights

04

Conclusion



Agenda



Introduction



Intellectual property (IP) is essential for SMEs



IP includes patents, trademarks, copyrights, industrial designs,



IP helps SMEs compete, generate revenue, and build a strong brand identity



SMEs face unique IP infringement concerns

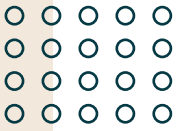


Challenges faced by SMEs in enforcing their intellectual property rights

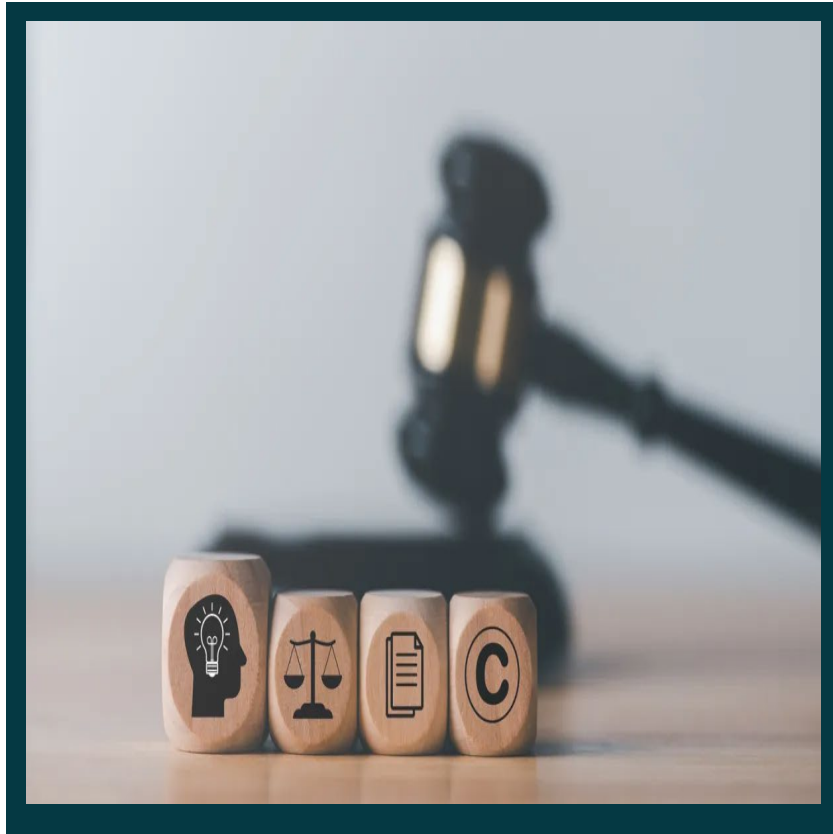


Issue	Challenges	Solutions
RESOURCES AND BUDGETS	<ul style="list-style-type: none"> ○ Limited financial and human resources. ○ The cost of enforcement procedures can be a burden for SMEs. 	<ul style="list-style-type: none"> ○ Collaborating with other businesses or IP experts. ○ Financial assistance or subsidies from governments and IP organizations.
AWARENESS AND KNOWLEDGE	<ul style="list-style-type: none"> ○ Many SMEs lack awareness and knowledge regarding the importance of IPRs protection and enforcement mechanisms. 	<ul style="list-style-type: none"> ○ Awareness programs, workshops, seminars. ○ Specialized training to employees on IP protection & management. ○ Provide hotline or helpdesk for assistance.
GATHERING INFRINGEMENT EVIDENCE	<ul style="list-style-type: none"> ○ Difficulties in identifying and tracking infringers. ○ Lack of access to specialized investigation services and the cost of evidence collection. 	<ul style="list-style-type: none"> ○ Dedicated IP investigation units. ○ Advanced technology tools.
LEGAL FRAMEWORK	<ul style="list-style-type: none"> ○ Complexity of protection and registration procedures. ○ Lack of resources to hire dedicated legal teams. 	<ul style="list-style-type: none"> ○ Reduce bureaucracy and provide guidance. ○ Legal assistance to support SMEs.
CROSS-BORDER ENFORCEMENT	<ul style="list-style-type: none"> ○ Enforcing IPRs across borders challenging due to differing legal systems, laws, and logistical barriers. 	<ul style="list-style-type: none"> ○ Governments should promote international cooperation. ○ Specialized IP enforcement units. ○ Mediation or arbitration services.





Enforcing intellectual property rights



- 01 Litigation
- 02 Cease and Desist Letters
- 03 Licensing as a Contributor to IP Enforcement
- 04 Digital Rights Management as a Tool to Enforce IPRs



CONCLUSION

- Enforcing IPRs helps a fair and competitive market.
- SMEs face numerous challenges, such as limited resources lack of awareness and difficulties in evidence gathering.
- By raising awareness, providing affordable legal support, prompting collaboration, simplifying registration procedures and fostering international cooperation, governments, IP organizations and SMEs can work together to overcome these challenges.
- It is important to note that while litigation can be an effective means of enforcing IPRs, it can also be costly, time-consuming, and uncertain.
- It is important for IPR holders to continuously monitor and enforce their rights online, as the digital landscape constantly evolves.
- Legal advice from IP attorneys is crucial to navigate the complexities of IP litigation effectively.



Thank you



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