

Combating counterfeit goods – experience and trends

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of Intellectual Property
Rights

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National Customs Agency of Bulgaria



IPR Protection

Border measures - main instrument for combating transborder trade with counterfeit and pirated goods

Legislation

- ❑ **Acquis communautaire – Regulation 1383/2003**
- ❑ **On national level**
 - ✓ **Customs Law – *art.15, par. 2, point 12***
 - ✓ **Law on Copyrights and Related Rights-*art.96b-96d***
 - ✓ **Law on Trademarks and Geographical Designations - *art.78-80***
 - ✓ **Law on Industrial Design - *art.62-64***
 - ✓ **Patent Law**
 - ✓ **Criminal Code – *art. 172a, 172b***

Procedure

- ❑ **Detention on the base of application filed by rightholder or on the initiative of the customs officers or another state body**
- ❑ **10 working days to file a claim in the court**
- ❑ **Option to promulgate the 10 days term with 10 more working days**
- ❑ **Release of the goods or court procedure**
- ❑ **Destruction of the goods**

Trends – movement, origin, routes

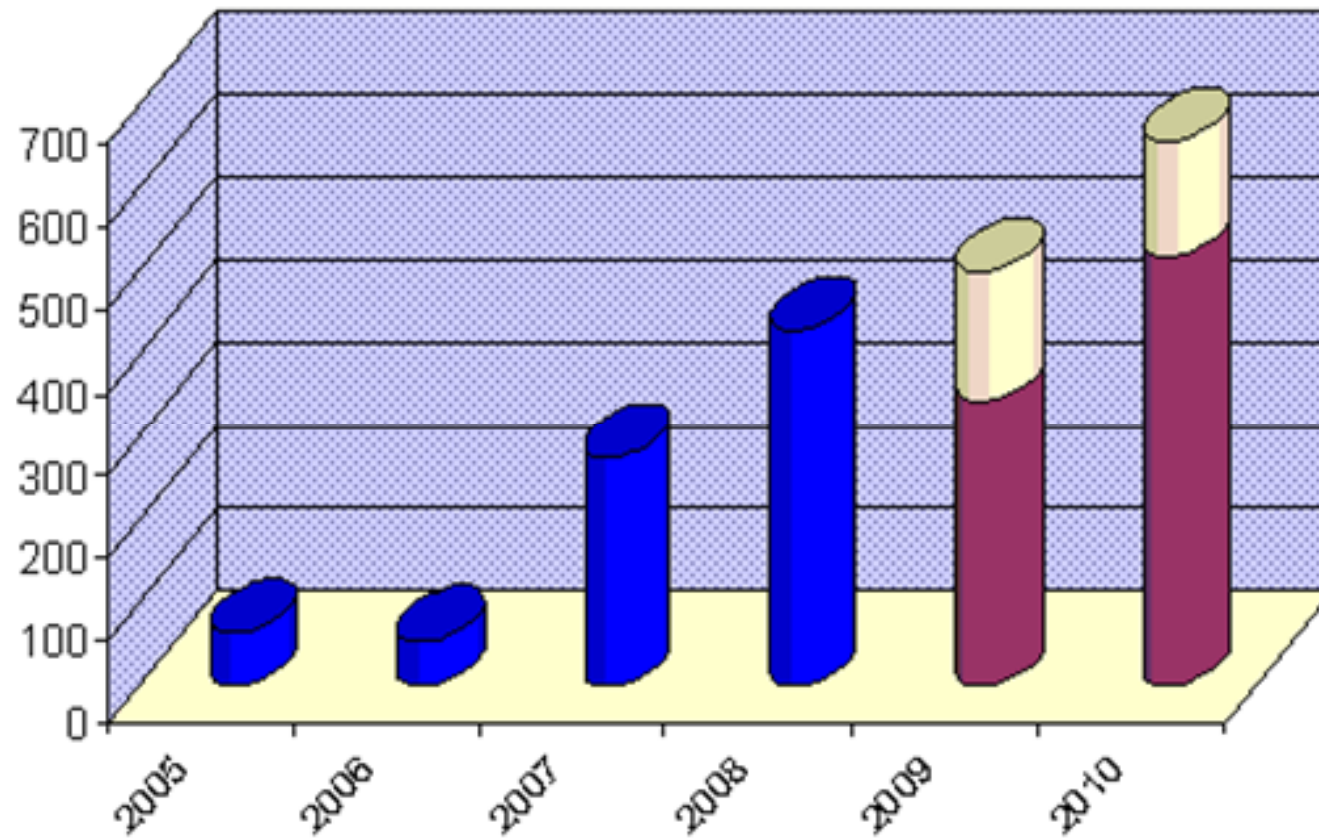


Tendencies

Consumer goods

- Clothing – T-shirts, jackets, blouses, underwear, socks, etc.
- Footwear – sportshoes, leather shoes
- Accessories – bags, wallets, belts, etc.
- Toys
- Watches
- Mobile phone accessories and parts
- Sunglasses, caps, shawls, towels
- Perfumes
- Cigarettes
- Office materials
- Labels, PVC covers
- Pharmaceuticals

IPR statistics



Total number of applications - ■

National applications - ■

Community applications - ■

Tendencies

Brands

- NIKE
- Adidas
- PUMA
- ARMANI
- GUCCI
- LEVI'S
- REPLAY
- PRADA
- LV
- CHRISTIAN DIOR
- Disney
- Barbie

Countries of origin

- China
- Thailand
- Hong Kong
- Turkey
- OAE

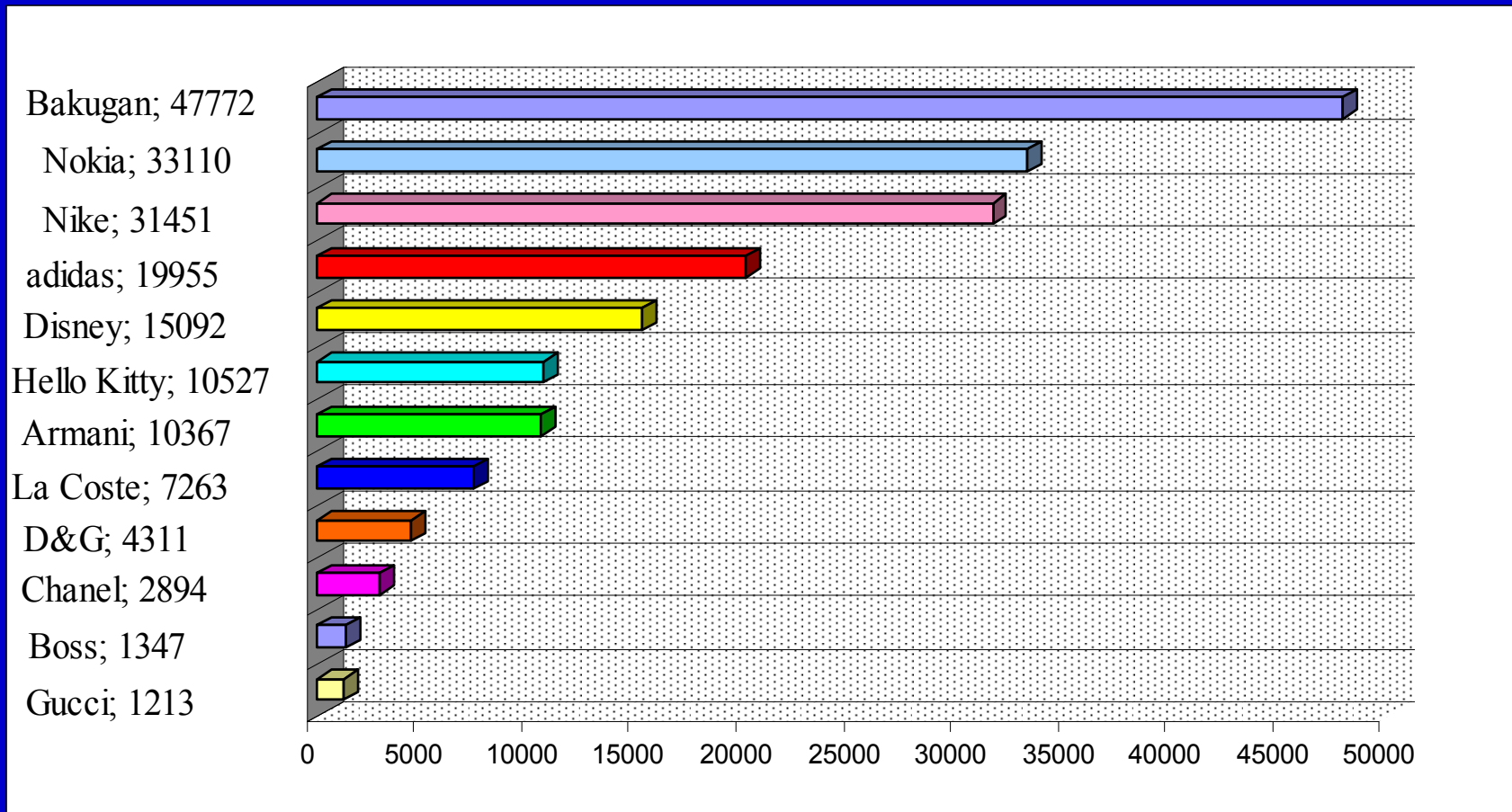
Customs procedure

- Import
- Transit

Transport

- Road
- Air
- Sea

Statistics – 2010



IPR statistics – 2010

- During 2010 year Customs carried out 1828 seizures of counterfeit goods
 - appr. 50% are seized in transit

- MD “Combating Crime, Protection of Public Order and Crime Prevention” conducted 20 operations and sent 76 cases to the prosecution
 - 12600 fake articles have been confiscated
 - The prevented damage from unlicensed software amounts to 3 mil. euro.

Cases

- On the border with Romania – BCP Vidin a mobile team group seized 7485 kg. cardboards with logo “LM”, conveyed from Bulgaria to Austria
- On the border with Romania- BCP Vidin a mobile team group selected a vehicle travelling from Bulgaria to Latvia. Inspectors seized packages with logo CAMEL

Cases



Cases

- ❑ On the boundary with Greece, BCP Kapitan Petko Voivoda, inspectors from Border Police and Customs seized 830 000 pieces empty thimbles for cigarettes with filter with trademark MARLBORO, conveyed in a truck from Greece to Bulgaria.
- ❑ Some of the cartoons were bearing TM MARLBORO and they were concealed in cartoons without signs.

- ❑ On 21-10-2009 in Asenovgrad inspectors from Customs and Police found in a warehouse cardboards for boxes, filters, cigarette paper for Marlboro, Victory, with label "Duty free", and other Bulgarian trademarks. All goods were kept in a container. Also a foiling machine was found in a smaller container.
- ❑ Cases with fake electrical saws Stihl/Husqvarna from China, without labels. Different kinds of labels were conveyed separately.

Cases





□ 1300 boxes washing powder Ariel, Savex, Bonux, Calgon and 600 shampoo Head & Shoulders and 30 000 plain packages for Ariel. The products contained 70% salt and 30% carbonate.



Methods of detection

- **Risk profiles**

- **national**

- **regional**

- **Risk analyses**

- **Specialized mobile team control**

- **Information**

Cooperation

Other institutions

- Police
- Ministry of Culture
- Patent Office
- Ministry of Economy
- Ministry of Justice
- Commission for consumers' protection
- State Agency for Metrology and Standardization

Private sector

Memoranda of understanding with:

- BAT
- Philip Morris
- JTI
- Imperial Tobacco
- Bulgartabak
- SNB REACT
- BAMP - IFPI

Thank you for your attention!

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