Lithuania experience in fighting against counterfeiting and piracy

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Who we are?

- Lithuania is country of currently 3.6 million inhabitants with capital Vilnius
- Independent nation between 1918 and 1940 and became independent again on 11 March 1990
- Member State of WIPO since 1992  
  WTO since 2000  
  EU since 2004
Where we are?
Lithuania – center of Europe

- Geographical center of Europe – 18 km outside Vilnius
- North border with Latvia (610 km)
- East and south border with Belorussia (724 km)
- Southwest - Poland (110 km) and on districtal of Kaliningrad (303 km)
- External border of the EU – more than 1000 km (Belorussia and Russia)
- The length of sea coastline is 99 km
INSTITUTIONS, RESPONSIBLE FOR INTELLECTUAL PROPERTY IN THE REPUBLIC OF LITHUANIA

Ministry of Justice
Coordination in the activities of the protection of the industrial property

State Patent Bureau
Formation of the state policy in the protection of industrial property
Grant of industrial property rights
Attestation of patent attorneys

Lithuanian Technical Library
Patent information and services to the general public
Publishing of the State Patent Bureau's official bulletin and patent documents

Lithuanian Patent Attorneys
Representation of foreign applicants and right holders

Competition Council
Prohibition of unfair competition activities

Courts
Enforcement of intellectual property rights

Ministry of Culture
Formation of the state policy in the protection of Copyright and neighbouring rights

The Council for Copyright and Related Rights under the Ministry of Culture
Representation of authors in copyright and neighbouring rights

Non State Collective administration Organisation
Representation of the rights of Lithuanian and foreign authors

Customs Department
under the Ministry of Finance
Border enforcement measures in fight against counterfeit and pirated goods

The Center for Research of Plant Varieties
under the Ministry of Agriculture
Registration and protection of plant varieties

Criminal Police Bureau
Administrative and criminal measures in fight against intellectual property and violation crimes
Role of the State Patent Bureau of the Republic of Lithuania (SPB)

- Implementation of the Lithuanian National Strategy on issues pertaining to the legalisation of industrial property protection;
- Subject to the procedure established by law, granting legal and natural persons of the Republic of Lithuania and foreign states patents and certificates that give an exclusive right to use the objects of industrial property in the territory of the Republic of Lithuania;
- Organizing information and publishing activity in the field of protection of industrial property
Statistics of the SPB activities

Since April 1991 to January 2004

- 2753 granted patents;
- 1842 European patents extended to the Republic of Lithuania;
- 35704 registered trademarks;
- 25434 international trademark registrations extended to the Republic of Lithuania;
- 1199 registered designs
Role of the SPB in fight against counterfeiting

- Drafting and participation in drafting of IPR laws
- Training of the customs and police officers on IPR matters
- Putting of the trademarks database on the SPB website
- Cooperation with customs and police – sharing with information and new ideas
Main actors in the IPR enforcement field in Lithuania

- Customs
- Police
Legal framework for border measures

- First provisions on border measures since 1993 in the Law on Trademarks
- Law on the Protection of Intellectual Property in the Field of Import and Export of Goods has been in force from 1 January 2001 and will be repealed on 1 July 2004
Responsible bodies for IPR in Customs

- 5 Territorial customs offices
- Violations Prevention Divisions in the Customs Department (1 officer for IPR)
- as well as in TCH are established
- More 400 customs officers are trained on IPR at the Customs Training Centre in the short course about protection of IPR
Grounds for customs actions

- 30 trade marks owners applications for applying border measures
- None application from owners of copyright and related rights and other owners of IPR
- *Ex officio* actions – 4 times
Results of Customs activities

- In 2003 the Customs detained 623 903 pcs of counterfeit goods (4.8 times more compared to 2002)
- I quarter of 2004 - 362 510 pcs of counterfeit goods
Pirated goods and customs

- Memorandum of Understanding signed in March 2003 by the Customs Department under the Ministry of Finance and LATGA-A
- Seizure of 7312 CD and 5004 MC from Russia
- 1700 pcs of computer programs suspected of infringing IPR from Latvia
- 825 CD, 200 MC, 6 kg of covers from Russia
- 200 DVD and 130 covers from Russia in this year
Cooperation between customs and police

- Agreement on cooperation for protection of intellectual property rights signed by the Customs Department under the Ministry of Finance and the Police Department under the Ministry of Interior in March 2003
- Tasks - exchange of information between the two institutions, common inspections and investigations
- In the year 2003 five jointed raids were carried out
- Objective of these raids - to discover importers of pirated and counterfeit goods, who somehow had escaped from customs control on the border and delivered their goods to market traders and including of the names of persons discovered were included into the risk profiles
Police role in fight against pirated and counterfeited goods

- In year 2002 Intellectual Property Protection subdivision was established at Lithuanian Criminal Police Bureau and 3 positions were instituted there
- On 29 February 2004 the subdivision mentioned above was reorganised into Intellectual Property Protection Unit with 5 officer establishments
- Officers responsible for the protection of IPR at the Territorial police institutions
- Special programme for Qualification Improvement in the field of detection and investigation of acts of crime with regard to intellectual and industrial property for policemen
Legal basis for the police actions

- Administrative liability only for copyright and neighbouring rights infringements
- Criminal liability for all types of IPR
### Role of police in figures

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<thead>
<tr>
<th>Indicators</th>
<th>2002</th>
<th>2003</th>
<th>+/-</th>
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<tr>
<td>Criminal proceedings instituted due to crimes (until 01/05/2003)</td>
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<td>Pre-trial investigations due to the acts of crime instituted (after 01/05/2003)</td>
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<td>Minutes of administrative violations of law written</td>
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<tr>
<td>Number of media storages containing records of unlawful intellectual property objects withdrawn from illegal circulation</td>
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Monetary role of police (in euro)

- In year 2003 unlawful records of intellectual property objects (compact discs, videotapes and other) were withdrawn from illegal circulation, the value of the legal copies of which exceeds 4 223 860 LTL – 1 224 307 Euro (rate 1 euro – 3,45 litas)

- First quarter of 2004 - more than 40 000 media storages containing unlawful musical, audiovisual works and computer programme copies were withdrawn from the circulation the value of which in ‘the black’ market would reach 600 00 LTL (173 913 euro). The retail value of the legal copies in the market is 1 600 000 LTL (463 768 euro)
Lithuania continues to make progress toward improving its legislative framework for protecting IPR and in combating software piracy… (Watch list).

The European Union (EU) will remain on the Priority Watch List because it has not demonstrated any willingness to address certain IP-related concerns in a sufficient manner, despite encouragement by the United States including through the U.S.-EU Trans Atlantic Economic Partnership… (Priority Watch list)
Thank you for your attention

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