A collection of historical artifacts is displayed on a light-colored surface. On the left, there is a wooden chessboard with a blue and white checkered pattern and several chess pieces. Next to it are two medals: one with a red ribbon and a white star, and another with a blue ribbon and a white star. A small compass is visible in the bottom left corner. A pair of gold-rimmed glasses with thin temples is positioned in the center. The background is a plain, light-colored wall.

Lithuania experience in fighting against counterfeiting and piracy

Mrs. Lina Mickienė
Head of Legal Division
State Patent Bureau of the Republic
of Lithuania



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



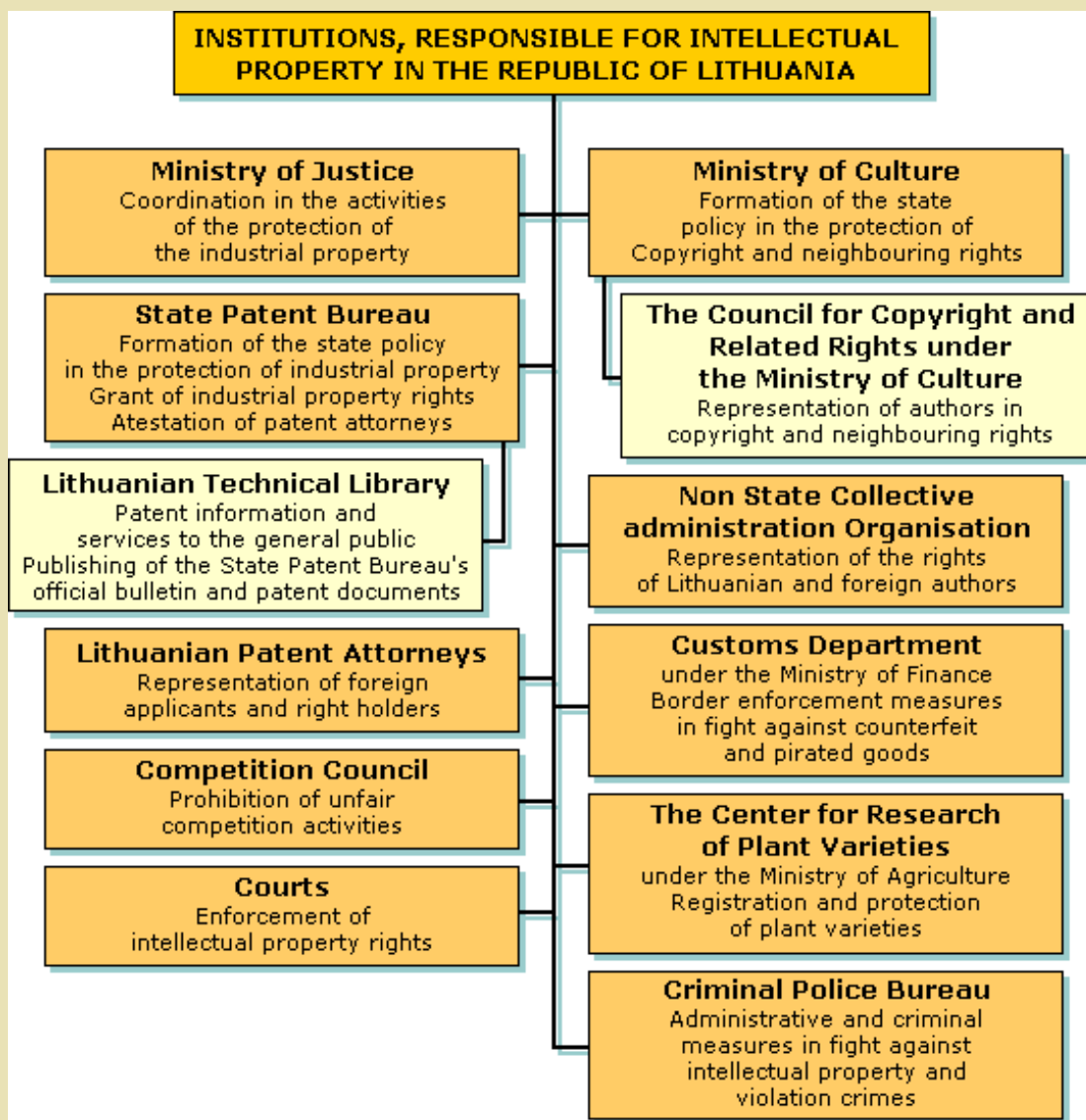
Where we are?





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 districal of Kaliningrad (303 km)
- ◆ External border of the EU – more than 1000 km (Belorussia and Russia)
- ◆ The length of sea coastline is 99 km





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

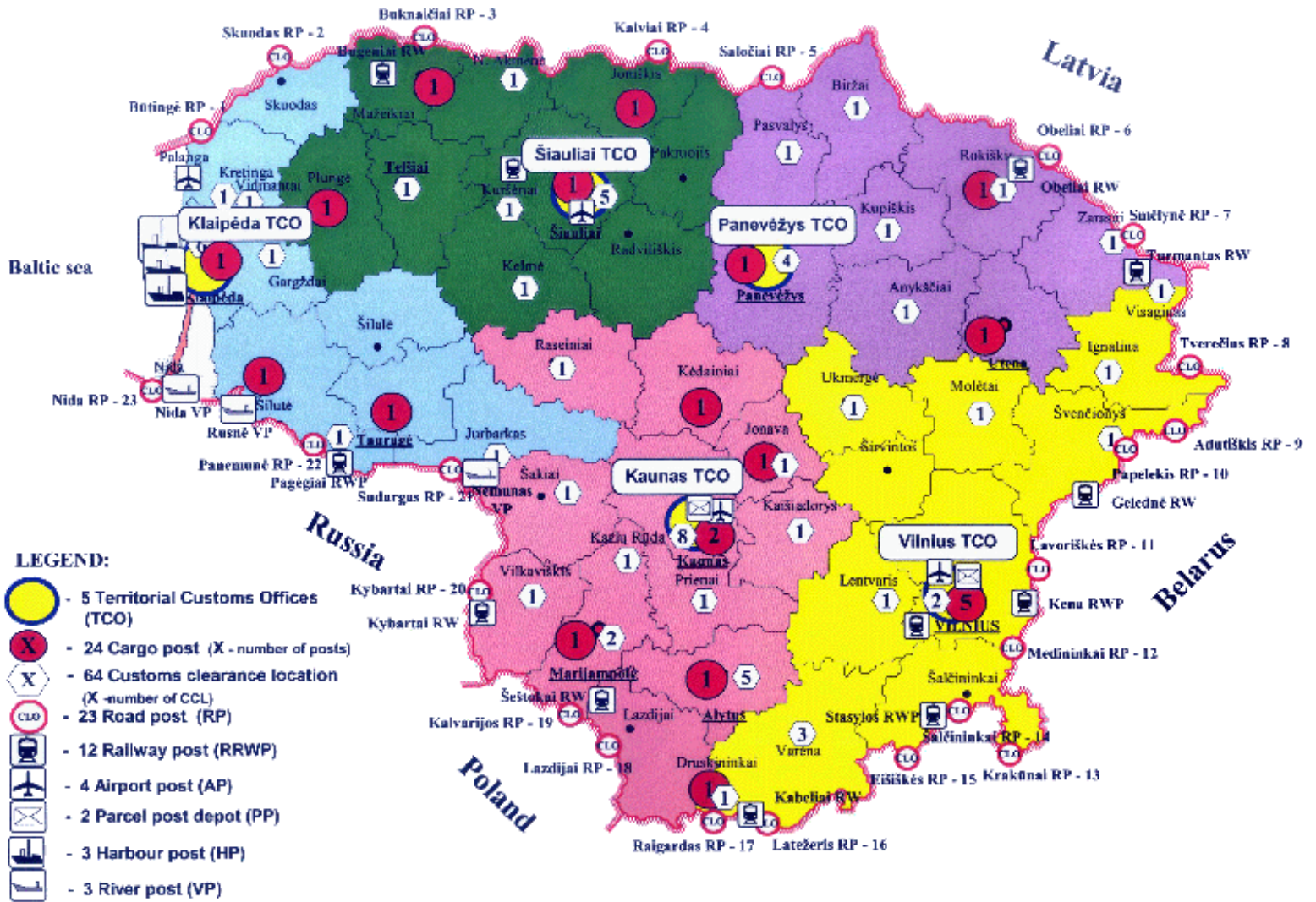
- ◆ Drafting and participation in drafting of IPR laws
- ◆ Training of the customs and police officers on IPR matters
- ◆ Putting of the trademarks database on the SPB website
- ◆ Cooperation with customs and police – sharing with information and new ideas



Main actors in the IPR enforcement field in Lithuania

- ◆ Customs
- ◆ Police

Lithuanian Customs posts





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
- ◆ Council Regulation (EC) No 1383/2003 of 22 July 2003 concerning customs action against goods suspected of infringing certain intellectual property rights



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

- ◆ Since 1 January, 2003 amendments of Code of Administrative Violations of Law of the Republic of Lithuania Since 1 May 2003 the new Criminal Code of the Republic of Lithuania and the Code of Criminal Procedure
- ◆ Administrative liability only for copyright and neighbouring rights infringements
- ◆ Criminal liability for all types of IPR



Role of police in figures

Indicators	2002	2003	-/+
Criminal proceedings instituted due to crimes (until 01/05/2003) Pre-trial investigations due to the acts of crime instituted (after 01/05/2003)	13	85	+72
Minutes of administrative violations of law written	135	171	+36
Number of media storages containing records of unlawful intellectual property objects withdrawn from illegal circulation	35 800	142 785	+106 985



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)



USTR 2004 Special 301 Report

(announced on May 3, 2004)

- ◆ 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

Lina Mickienė?
State Patent Bureau
Lithuania
tel. (370 5) 278 02 57
e-mail l.mickiene@vpb.lt