



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 26 July 2013**

**12807/13**

**UD 201  
PI 111**

**NOTE**

---

from:	General Secretariat
to:	Delegations
Subject:	ROADMAP for the implementation of the Council Resolution on the EU Customs Action Plan to combat Intellectual Property Rights infringements for the years 2013 to 2017

---

Delegations will find attached the above Roadmap, transmitted by the Commission services.



EUROPEAN COMMISSION

DIRECTORATE-GENERAL

TAXATION AND CUSTOMS UNION

Security & Safety, Trade Facilitation & International coordination

**Protection of citizens and enforcement of IPR**

Brussels, 10.07.2013

taxud.b.1(2013) 2791357

## **ROADMAP**

### **for the implementation of the Council Resolution on the EU Customs Action Plan to combat Intellectual Property Rights infringements for the years 2013 to 2017**

The Council resolution <sup>(1)</sup> on the EU Customs Action Plan (AP) to combat Intellectual Property Rights (IPR) infringements for the years 2013 to 2017, adopted in December 2012, calls upon the Commission in co-operation with Member States experts to prepare a detailed roadmap for its implementation, defining the actions and tools to be deployed within an agreed time-frame, whilst taking into account the financial and human resource implications.

As requested, the present document describes how each action will be implemented, in accordance with the structure of the Action Plan. The different activities envisaged for each action as well as an indicative planning are summed up in the Annexes. Priority is given to the implementation of the new Regulation on the customs enforcement of IPR (in the course of adoption) in the first years of the period. Where necessary, this document will be regularly updated to take account of adjustments in the timetable or the content of an action, via the Customs Code Committee – IPR enforcement section.

The roadmap was prepared together with Member State experts and was endorsed by the Customs Code Committee – IPR enforcement section, in spring 2013.

---

<sup>(1)</sup><http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2013:080:0001:0007:EN:PDF>

In case financing is sought from the Customs 2013 and the provisional Customs 2020 programmes, the individual activity proposal shall go through the programme implementation procedures.

<b>Strategic Objective 1</b>	<b>Effectively implementing and monitoring the new eu legislation on customs enforcement of ipr</b>
------------------------------	---

<b>Specific Objective 1.1</b>	<b>Developing tools for implementing the new EU Regulation</b>
-------------------------------	--

Action 1.1.1.	Production of a manual for right-holders filing applications for action
---------------	---

The existing manual for right-holders<sup>(1)</sup> needs to be updated to describe the new rules applicable for the lodging of Applications for Actions (AFAs) by right-holders under the new Regulation.

Particular attention will be given to the new forms, the information that has to be provided by the right-holders, the new scope of rights, the applicant, the new procedure for small consignments, the consequences if the right-holder does not fulfil his obligations and the new provisions on notifications.

To allow right-holders to be duly informed in time, the manual should be available by October 2013 and published on the Commission's and national websites by 1 January 2014. The manual will be first available in English, French and German. Other official Union languages will follow in the course of 2014.

---

<sup>(1)</sup>[http://ec.europa.eu/taxation\\_customs/resources/documents/customs/customs\\_controls/counterfeit\\_piracy/right\\_holders/manual\\_en.pdf](http://ec.europa.eu/taxation_customs/resources/documents/customs/customs_controls/counterfeit_piracy/right_holders/manual_en.pdf)

The revision of the manual will be carried out by the Commission services without any further financial implications. Member State experts will be consulted on the final version before publication.

Action 1.1.2.	Support visit to all MSs by a team composed of IPR experts and the Commission
---------------	---

The new Regulation will introduce some important changes for customs and right-holders. The support visits are the ideal instrument to have an in-depth dialogue with authorities that will implement the new provisions, to try to clarify together possible doubts on practical enforcement questions and to facilitate the exchange of experiences between different MSs.

Support visits to all Member States call for a structured and well-defined approach. For this purpose, the Commission will launch a call of interest for experts who will be available to perform visits together with the Commission. These support visits should all be carried out once the new legislative framework for Customs actions on IPR is well in place. Visits should therefore not start before mid-2014.

The selected experts will prepare a common approach for the visits based on countries' needs, and will develop a reporting template. Final reports will be made available to all MSs to share and identify good practises. The same approach could subsequently be followed for the exchange of experiences and possible study visits with candidate and neighbouring countries foreseen under action 3.2.2.

Call of interest to participate will be launched in spring 2014 to set up a pool of experts, followed by a preparatory meeting. MSs will then be approached to agree on a tentative schedule for the first 6 visits in the 2<sup>nd</sup> half of 2014 (6 months after new Regulation is applicable). The pool of experts created for this purpose could also be used in different initiatives of the European Observatory of infringements of IPR that are linked to Customs enforcement.

If feasible, it is envisaged to carry out the 28 visits in 42 months.

The financing of the visits is envisaged under the Customs 2020 Programme.

Action 1.1.3.	Preparation of specific Guidelines for customs in all EU official languages on new procedures (including small consignments) where appropriate
---------------	--

Customs need to be properly equipped to implement the new legislative framework. This requires adaptation of already existing Guidelines on procedures concerning customs actions on suspected infringing goods.

A small project group (PG) (COM + 3 MSs) will carry out this task in 2013 since revised Guidelines are to be finalised by October 2013, allowing for timely translation and making available to Customs administrations before the end of 2013. The Commission<sup>(1)</sup> is also committed to supplement the guidelines with appropriate provisions dedicated to the mutual administrative assistance provisions referred in Art.34 of the new EU legislation on Customs enforcement of IPR, with a specific emphasis on the investigations aspects. Where necessary, outcomes of the support visits carried out under action 1.1.2 will be used to improve/update the specific guidelines.

---

<sup>(1)</sup> DG OLAF

Financing for the project group meetings will be requested from the C2013 programme.

Action 1.1.4.	Development of a proposal for a training plan to facilitate the implementation of the Regulation, possibly including an E-learning tool for Customs and right-holders
---------------	---

Training on customs matters has traditionally been the responsibility of the national administrations and any EU-wide training developments heavily rely on the information and expertise available in the MSs.

In the field of IPR, MSs have already echoed the urgent need to prepare customs officers on the ground to implement the future Regulation and indicated that specific information and learning support material for this purpose can best be centrally developed. Consequently, and in parallel to the Guidelines referred to under action 1.1.3, work on a first higher level information & awareness-raising eLearning module on the new legislation and its changes for customs and right-holders has started in April 2013 as a collaboration project between the Commission and national administrations and supported by an external eLearning development provider and the EU Observatory on infringements of IPR. The release of this eLearning module for national staff training use is scheduled for early December 2013 in multiple national languages.

Furthermore, the Commission is currently running a survey on existing IPR training material within Customs in the EU (March/April 2013). The information gathered through the survey will be assessed against (a) existing informal MSs' training support requests and (b) a gap analysis on wider training needs for enforcement authorities that the European Observatory on the infringements of IPR will conclude in autumn 2013.

As a result, concrete training recommendations for measures to be addressed at central level as well as at national level will be established by the Commission for discussion with Member States (Training Steering Group under Programme Customs 2013/2020 and IPR policy groups – as appropriate) and should result in an IPR Customs training plan. This will be closely coordinated with the EU Observatory on infringements of IPRs that is developing a cohesive approach to building knowledge and competences in enforcement.

On the basis of the agreed training plan, MS will assist the Commission in developing, where necessary, additional training modules for Customs to better understand and detect IPR infringements according to an agreed list of priorities (2014/2015).

The training plan should be ready for adoption by the Customs Code Committee, section IPR enforcement in December 2013. Developments of possible additional training modules can be launched after that date.

<b>Specific Objective 1.2</b>	<b>Exploiting the full functionality of COPIS</b>
Action 1.2.1.	Implementation of the functionalities of COPIS

With the full implementation of COPIS, all applications for action (AFA) and infringements will be introduced into this system. From 1-1-2015 the system will contain all AFAs and each detention will be connected to an IPR and its related AFA in COPIS. Additional information included in COPIS on routing of the goods will also become available for risk analysis.

This will provide for possibilities to carry out analysis on suspected infringements, on routings, on involvement of certain rights and right-holders, etc (see specific objective 2.2).

After the full implementation of COPIS, a link between COPIS and AFIS-MAB<sup>(1)</sup> will be developed to allow the user to be further redirected from COPIS to AFIS-MAB, to which the data already recorded in COPIS would be copied. In this way, in accordance with the concept "one seizure, one report", the user would also be able to report the nominal and other additional data required by AFIS-MAB, notably for possible investigation purposes.

An information exchange will also be set up with the European Observatory on infringements of IPRs to support the systems that will gather, analyse and report on the scope and scale of counterfeiting and piracy in the EU.

In the second half of 2013 a feasibility study will be carried between the Commission and the Observatory on possible synergies between COPIS and the enforcement database of the Observatory.

<b>Specific Objective 1.3</b>	<b>Engaging right-holders and stakeholders</b>
-------------------------------	--

Action 1.3.1.	Provision of information on the new EU Regulation to right-holders and stakeholders
---------------	---

Duly informing right-holders and other stakeholders on the new EU Regulation is a basic requirement to ensure their necessary engagement in helping customs to successfully enforce IPR. The Commission will provide for an easy access to that the information on the homepage of DG TAXUD on the Europa website ([http://ec.europa.eu/taxation\\_customs/index\\_en.htm](http://ec.europa.eu/taxation_customs/index_en.htm)) in EN, FR and DE. The Commission will regularly update the website. MSs, webmasters of relevant organisations such as the SME helpdesks, TransAtlantic Portals, European Patent Office and the Trade Marks and Designs Registration Office of the European Union (OHIM) will be informed about these updates so that they can include this information on their portals.

---

1 AFIS-MAB is the Mutual Assistance Broker module of the OLAF Anti-fraud Information System



Maintaining this publicly available data up to date will be carried out by the Commission services without any further financial implications.

Action 1.3.2.	Regular meetings at EU level between customs, representatives of right-holder and other parties involved in IPR enforcement
---------------	---

The Commission and MSs Customs have well-established working mechanisms for the implementation of legislation governing customs action against goods suspected of infringing IPRs.

Apart from regular participation in events organised by right-holders and other parties, a forum for discussion with customs will be created to further optimize and streamline contacts and information exchange with stakeholders at European level and to resolve possible queries of these stakeholders. Parallel initiatives at national level are welcomed but must run under the direct responsibility and financing of MSs.

This forum will be used to exchange views, receive feedback, provide advice and discuss ways forward for ensuring more effective ways to fight the trade in goods infringing IPR.

For this purpose, the Commission will organise a yearly meeting between right-holders and other parties and customs authorities in the margins of a meeting of the Customs Code Committee, section IPR enforcement in Brussels. Invitations will be sent one month in advance of the meeting to the main European business associations and participation will be limited to 30 representatives as well as to the EU Observatory on infringements of IPR. Financing of these events will be limited to the direct costs for meeting room use and interpretation.

<b>Specific Objective 1.4</b>	<b>Annual publication of statistics</b>
-------------------------------	---

Action 1.4.1.	Publication of a yearly EU report of statistics on customs enforcement of IPR
---------------	---

The Commission publishes yearly reports on the Customs enforcement of IPR at the EU borders. This report gives an overview of the activities undertaken by customs on goods suspected of infringing an IPR and provides useful information to support the analysis of IPR infringements affecting the EU market and the development of appropriate counter-measures. The report, compiled on the basis of data transmitted by MSs in accordance with article 8 of Commission Regulation (EC) 1891/2004, includes data of detentions made by MS customs administrations in relation to the type, provenance, value and rights of the goods and on the results of the detentions.

The full implementation of COPIS from 1-1-2014 onwards will ensure that results of the actions carried out by MS Customs will become available earlier, thus allowing for the publication of annual reports in the beginning of the second quarter of the year following the reporting period (May), from 2015 onwards.

To ensure that the Customs statistics are adequately reflected in the general EU statistical data on infringements of intellectual property rights compiled under article 5 b) Regulation (EU) No 386/2012, close collaboration will be sought with the European Observatory on Infringements of Intellectual Property Rights.

<b>Strategic Objective 2</b>	<b>Tackling major trends in trade of IPR infringing goods</b>
------------------------------	---

<b>Specific Objective 2.1</b>	<b>Developing tailor-made approaches for parcel and postal traffic</b>
-------------------------------	--

Action 2.1.1.	Exchange of best practices on the customs follow-up of internet trade, complementing the activities of the Customs Cooperation Working Party (EU Council) pertaining to the area of customs related Internet Crime
---------------	--

Under the previous AP, a project group was created to examine the distribution of IPR infringing goods via the Internet and to promote cooperation between the Member States on this issue. The importance of internet trade calls for continuing the activities of this group, financed under C2013 budget line CWG/278 (e-Counterfeit Project Group), and to adjust its focus towards the following objectives :

- To make an overview of the functioning of controls of small parcels resulting from the Internet sales
- To identify eventual points for improvement and propose steps to handle them
- To support Customs in their controls of IPR infringing goods resulting from Internet sales by providing them with an inventory of best practices
- To improve co-operation between Customs administrations, as well as with other parties, such as right holders or service providers.

The Commission will explore the possibility to survey anonymously websites dedicated to internet sales of counterfeit goods <sup>(1)</sup>. The result will be submitted to the project group.

In June 2013, a renewed call for interest to participate in activities of this project group will be launched for the participation of 8 MSs. The group should produce a report with conclusions and recommendations that will be presented to the Customs Code Committee, IPR enforcement section by December 2015. A maximum of four two-day meetings will be scheduled for that purpose.

Specific Objective 2.2	Strengthening Customs Risk Management
Action 2.2.1.	Development of a common risk management based control strategy including risk information needs, common risk criteria and standards and implementation of EU priority control actions (PCAs) as appropriate, targeted at detection of IPR infringements for small and large consignments

The general policy of the Union on customs risk management is well established and the approach on controls regarding IPR enforcement is an integral part of it. Before engaging in the further development of a control strategy, it is therefore necessary to start with an analysis of the existing common risk criteria at EU and national level and to assess their effectiveness. Analysis of this information can then lead to the inclusion of additional common risk criteria, the gathering of the relevant information on the risks to be addressed and its analysis.

---

<sup>(1)</sup> NB : Within the context of OLAF-JRC Administrative arrangements, JRC could explore the possibility to develop under the business ownership of the Commission Services (OLAF/TAXUD) a tailored search function running several engines at the same time and including search by equivalent keyword in different languages (Chinese, Russian, Turkish, Indian, Arabic,...). This tool should be made available for the Member States and the Commission.

The final aim of this action is to improve customs' capabilities to detect IPR infringing goods in different kinds of consignments, by determining the most appropriate place for effective customs controls on IPR in the supply chain, and by improving cooperation between risk analysis and IPR specialists within the MSs Customs administrations.

To achieve this goal, the following activities will be carried out :

- Collection and analysis of risk criteria already in use for IPR both at EU and national levels.
- Identification of possible areas within the IPR field that might be liable to different treatment followed by an evaluation of the degree of risk in each area.
- Regular exercises aimed at gathering information concerning those areas with highest degree of risk. During fixed periods, the MS would, on a voluntary basis, provide information on IPR-related controls and results. The information obtained should be analysed afterwards to identify risk criteria and standards;
- Preparation and implementation of Priority Control Areas (PCA), combined with Joint Customs Operations (JCOs), so as to ensure the optimal complementarity between Customs controls and Customs investigations.
- Analysis of the Customs Risk Management System, AFIS data, infringement data included in the COPIS system and existing statistical data to detect trends on IPR infringements and to identify risk criteria.

A Project Group with 6-8 members will be created in January 2014 with the participation of IPR experts and risk management experts with the aim of proposing a control strategy by July 2015, for endorsement by MS Customs in the appropriate fora (Customs Code Committee- IPR enforcement section and Risk management and control section. Financing will be sought for under the Customs 2020 Programme.

Action 2.2.2.	Regular provision of appropriate IPR risk and customs control information via the Customs Risk Management System (CRMS) and control contact points
---------------	--

This action aims at increasing the quantity and quality of information sent by the MS through the CRMS.

MSs Customs administrations are responsible for managing risk information and sharing it between each other. Effective use of the common and secure system provided for this purpose shall be achieved.

The risk information form module (RIF) of the CRMS includes a risk category on IPR infringements and MSs should include relevant information in this module when goods suspected of infringing IPR are detained by Customs. The Commission will monitor the use of RIF and the feedback information provided on the RIF messages in the IPR domain, and will present its findings to the Customs Code Committee- IPR enforcement section and Risk management and control section. Speed of introduction of information into the system, as well as the relevance of the information included will form part of this monitoring, as well as a comparison with results in areas other than IPR.

Where improvements would be necessary, further guidance on the information to be included within the CRMS could be envisaged, for example through the identification of best practices and models for RIFs to help customs officers working in the field. The activities in this area require close cooperation with risk management experts.

Furthermore regular feedback from MSs on risk and Customs control information and results will be gathered from MSs via the C2013 contact groups for ports, airports and land frontier cooperation in their regular meetings.

Action 2.2.3.	Elaboration of a coordinated work plan for Joint Customs Operations (JCOs) on IPR, including coordination with international organisations
---------------	--

The Commission (OLAF and DG TAXUD) will establish a rolling plan for jointly organised and coordinated operational actions, Joint Customs Operations (JCO) and Priority Control Areas (PCA), in order to combat IPR infringements and to support Member States' actions. This rolling plan will comprise, for the period of the validity of the current EU Customs Action Plan 2013-2017, one JCO per year dedicated to combat IPR infringements.

The draft rolling plan for JCO's and PCA's will be submitted by the Commission (OLAF/DG TAXUD) to the Members States by Mid-2013 with a view to take into consideration the eventual comments and/or amendments. The final version would be endorsed by the Mutual Assistance Committee and the Customs Code Committee.

The Commission will inform the Group of Experts of the Customs Co-operation Working Party (CCWP) on the planned JCO's and PCA's with a view to avoid overlaps in terms of calendar and duplication in terms of content with similar actions initiated and coordinated by Member States and by other (international) organisations or agencies. In accordance with the Coordination Mechanism (CCWP/PCTF Support Unit/FRONTEX) for JCO's, the Chairman of the CCWP/Experts will take into account the relevant information regularly provided to his sub-Group by the Commission and the one provided by the Member States concerning operations where customs are involved.

The Members States are informed for JCO's and PCA's respectively through the Mutual Assistance Committee and the Customs Code Committee. These Committees will approve the business case, the operational plan and the definitive report.

The appropriate interest groups (MA Committee, CCWP, IPR Committee, Marinfo/ISG, Ralph, ...) may be consulted in the preparatory phase.

Where appropriate, third countries, EU agencies (Europol, Eurojust, ...) and regional (Baltic Task Force, SECI, SELEC, EUBAM, ...) or international organisations (Interpol, WCO, ...) will be involved. The results of JCO's and PCA's will be circulated through adequate channels (AFIS, CRMS,) and to the appropriate interest groups.

Where appropriate, the outcome of JCO's will be integrated in the risk management systems of MSs and could be used as input for further investigations.

Where appropriate, the outcome of PCAs targeting IPR infringements will be used as input for further investigations.

<b>Strategic Objective 3</b>	<b>Tackling trade of IPR infringing goods throughout the international supply chain</b>
<b>Specific Objective 3.1</b>	<b>Strengthening cooperation with key source, transit and destination countries</b>
Action 3.1.1.	Reinforcement of customs cooperation on IPR with third countries, in particular China and Hong Kong



## China

The tackling of trade of IPR infringing goods throughout the international supply chain calls for strengthened cooperation, in particular with key source countries. China is the main trading partner of the EU in industrial and consumer goods and a main country of provenance of goods suspected of infringing IPR as detained by EU Customs. Following the experiences gained in the first EU China Action Plan on Customs cooperation on IPR (2009-2012), a new Action Plan is under preparation with a view to :

- Better exploit the available information on IPR detention and seizure data for trend and risk analysis.
- Enhance targeting of high risk consignments.
- Enhance mutual administrative assistance mechanisms, including on investigations.
- Facilitate cross-border cooperation between Customs and other enforcement authorities.
- Set up specific activities to inform right-holders about their rights and obligations.
- Improve knowledge and experience of the IPR enforcement policies and practices applied in the EU and China.

This EU China Action plan concerning EU-China Customs cooperation on IPR should be signed in the course of 2013.

A Working Group will oversee the implementation of this Action Plan and draft an annual Working Plan. Reporting is envisaged to the EU-China Joint Customs Cooperation Committee via the EU-China JCCC Steering Group. A midterm review and a final evaluation report should be prepared with recommendations for improvements resulting from experience gained during the implementation of the Action Plan.

The activities in this area will be carried out in close collaboration with the Office for Harmonization in the Internal Market (OHIM) which is the implementing agency for the “IP Key” Programme in China and “ECAP III” (the ASEAN Project on Intellectual Property Rights) in South East Asia. Both programmes include IPR enforcement as one of their main components.

With regards to cooperation with other law enforcement agencies in the EU and China or international organisations, ad hoc participation of these authorities is catered for.

Financing of expenses under this new EU-China Action plan will be borne by the EU and China separately.

### **Hong Kong China**

The frequent appearance of Hong Kong China in the statistics as country of provenance of goods suspected of infringing IPR detained by EU customs calls for targeted action. This was brought forward in the meeting of the EU-Hong Kong China JCCC held in November 2012. In that meeting agreement was reached to engage in closer cooperation and to start technical talks to tackle the trade in IPR infringing goods.

Discussions between the Commission and Hong Kong China on a method for exchanging information between MS Customs and Hong Kong China Customs are to be concluded by mid-2013. This action will be linked to action 3.1.2 described below.

The activities will take place in the framework of the Customs cooperation between the EU and Hong Kong China, and should not lead to any substantial additional cost or administrative burden.

## Other third countries

With regard to reinforcement of customs cooperation on IPR with other third countries, ad-hoc activities will be organised. These will take place in the framework of bilateral agreements with third countries or engagements made in international fora such as ASEM. They can also be linked to JCOs mentioned under action 2.3.

Action 3.1.2.	Development of exchange of information with third countries in compliance with the legal provisions, including on goods in transit/transshipment across the EU
---------------	--

Article 69 of TRIPS, on international cooperation, establishes that *"Members agree to cooperate with each other with a view to eliminating international trade in goods infringing intellectual property rights. For this purpose, they shall establish and notify contact points in their administrations and be ready to exchange information on trade in infringing goods. They shall, in particular, promote the exchange of information and cooperation between customs authorities with regard to trade in counterfeit trademark goods and pirated copyright goods."*

The Union is fully committed to the effective implementation of this Article. In the context of IP border measures, in addition to the use of Mutual Administrative Assistance Agreements or Protocols, which imply the exchange of nominal data for investigation purposes, the Union will seek other possible channels to rapidly exchange non-nominal data related notably to seizures, trends and general risk information with all key countries concerned by the supply chain of goods infringing IPR. The legal framework will be the future Article on 'sharing information and data between customs authorities' of the new Regulation on customs enforcement of IPR, which requires the adoption of an implementing act.

For that purpose, the Commission will gather contributions from MSs IPR experts, develop a concept of international cooperation, and risk analysis, and collect the views of potential third country partners, including international organisations where appropriate. Particular emphasis must be given to sharing quality information through secure channels that can allow third countries' authorities to enhance the enforcement of IPR on consignments under their competence.

One of the areas on which the exchange of information should focus concerns goods in transit. The different legal systems across the world take different approaches in relation to the feasibility of enforcement of IPR by the customs authorities of the countries of transit. In this context, the timely exchange of quality information can become particularly relevant.

To develop this activity, a Project Group, composed by max 8 MSs and the Commission is planned to be set up under the Customs 2013 and later the Customs 2020 programmes and should kick off in September 2013. The PG should identify potential international partners. The implementing act should be adopted by September 2014.

Once the implementing act is applicable, exchange of information should start. Regular analysis of the activity carried out will be necessary to ensure that involved actors make the best use of this instrument and a similar approach as used for the assessment of the use of the CRMS should be followed, with inclusion of the findings in the yearly summary reports of the AP.

Action 3.1.3.	Enhancement of the exchange of information between the EU Member States and Commission services on the one hand and third countries authorities on the other hand, including Balkan and Eastern Partnership countries, with a view to eliminating international trade in goods infringing intellectual property rights
---------------	--

With a view to better exploit the available information, including nominal data, on IPR detention and seizure, the EU Member States and the Commission (OLAF) should explore the possibility to intensify information sharing with the third countries directly involved (provenance, transshipment or destination country) and to agree on a methodology on how to achieve this.

This approach also aims at obtaining additional information, which cannot be gained by ordinary control or cross-border cooperation, and at making a valuable contribution to the identification and to the disruption of international fraud networks which would lead later on to appropriate criminal and prosecution actions.

A particular attention should be paid on the suspected counterfeit goods coming from supplying third countries, transhipped in the EU and/or re-exported from the EU to the Balkan and Eastern Partnership countries because such goods could be diverted or reimported into the EU. Where appropriate, the mutual administrative assistance mechanisms already implemented with the above-mentioned countries should be intensified at least for the major cases.

Action 3.1.4.	Organisation of EU Customs presence in international events to spread knowledge
---------------	---

Numerous international events on Customs enforcement of IPR take place every year in which EU Customs presence is requested and desirable. The Commission will include a fixed point on the agenda of the Customs Code Committee IPR enforcement section on forecasted and finalised events. This will ensure information is exchanged between the Commission and MSs on these activities and will allow for coordination of the approach for and, where appropriate, on the participation in such events. This should optimize resources for both the Commission and MSs.

<b>Specific Objective 3.2</b>	<b>Building capacity in candidate and neighbouring countries on IPR enforcement</b>
-------------------------------	---

Action 3.2.1.	Provision of technical assistance for capacity building to candidate and neighbouring countries upon request
---------------	--

Candidate and neighbouring countries often approach the Commission asking for capacity building on IPR enforcement. The stabilisation and association agreements provide that partner countries shall take the necessary measures in order to guarantee a level of protection of intellectual, industrial and commercial property rights similar to that existing in the EU, including effective means of enforcing such rights. As a result of this, three workshops on the Role of Customs in Intellectual Property Rights Enforcement in South-East Europe were organised with the participation of MS and Commission experts, under the C2013 Programme. Similar events may be organised, under the same conditions, for Eastern Partnership countries or other neighbouring countries. Furthermore, some of the countries are provided with technical assistance and capacity building in the area of customs IPR enforcement under the twinning or TAIEX activities.

The Commission will clarify the technical and financial possibilities for providing further technical assistance on IPR border enforcement towards candidate and neighbouring countries. It is advisable to continue with the workshops under the Customs 2013/2020 Programmes provided to candidate countries and to extend the activities towards neighbouring countries. Also, it is advisable to monitor and extend the assistance under the other assistance programmes (twinning, TAIEX). Future workshops should in any case not be held before end 2014, to allow for sharing first experiences with the new EU legislation on customs enforcement of IPR.

In the beginning of 2014, the Commission will carry out a survey towards possible interested countries to map the situation and inform MSs of the results.

Action 3.2.2.	Exchanges of experiences and possible study visits on operational structure, IT and operational solutions applied by Customs in IPR enforcement
---------------	---

Under a previous EU assistance programme for Western Balkan countries a software application to collect and store IPR data (called IPR+) was developed. This tool is being used by some of the countries.

Apart from receiving technical assistance, candidate and neighbouring countries regularly approach the EU with questions on operational structure, IT and operational solutions to be applied by customs in IPR enforcement. Evaluation of the needs of these countries on this aspect will be covered in the mapping exercise foreseen under action 3.2.1.

Once the technical and financial possibilities for this activity have been clarified (see point 3.2.1) a pool of volunteering experts for the exchange of experiences and possible study visits will be set up, based on the one created under action 1.1.2.

To ensure a coordinated and harmonised approach for this activity, the Commission will agree with MSs on a harmonised methodology to report on study visits (feedback mechanism, templates for reports, timing) via the Customs Code Committee IPR enforcement section) and seek collaboration with OHIM that implements specific EU funded projects on IPR.

Action 3.2.3.	Exchange of officials
---------------	-----------------------

MS, candidate and neighbouring countries can engage bilaterally in agreements to exchange officials for capacity building purposes for IPR Customs enforcement, under TAIEX or twinning programmes. The Commission will facilitate the coordination and is investigating the possibility to provide financing support where necessary under the C2020 Programme. The results of the survey carried out under action 3.2.1 will allow MSs to see the possible interest of the third countries concerned.

When making use of TAIEX, twinning and C2020 Programme for this purpose, the principle of an agreed feedback mechanism and a harmonised reporting methodology to (standard template for written reporting, distributed via the Customs Code Committee IPR enforcement section) will also be applicable to the exchange of officials. The arrangements for this will be fixed in the kick-off meeting for technical assistance activities as described under action 3.2.1.



<b>Strategic Objective 4</b>	<b>Strengthening cooperation with the European Observatory on infringements of IPRs, and law enforcement authorities</b>
------------------------------	--

<b>Specific Objective 4.1</b>	<b>Establishing a partnership with the European Observatory on infringements of IPRs</b>
-------------------------------	--

Action 4.1.1.	<p>Contribution to the development and implementation as appropriate, of projects by the European Observatory on infringements of Intellectual Property Rights to support institutions and initiatives on IPR enforcement, within the limits of the powers conferred to it by Regulation (EC) No 386/2012, and according to the work plan of the European Observatory, in particular to :</p> <ul style="list-style-type: none"> <li>- develop systems to gather, analyse and report on the scope and scale of counterfeiting and piracy in the EU and exchange key information</li> <li>- building competencies in IP enforcement by delivering specialised training</li> <li>- How best to safeguard your IP rights</li> </ul>
---------------	--

The European Observatory on infringements of Intellectual Property Rights runs a number of activities that are relevant to Customs. They relate to developing systems to gather, analyse and report on the scope and scale of counterfeiting and piracy in the EU and exchanging of key information; building competencies in IP enforcement by delivering specialised training; identification of best practices; building knowledge on how best to safeguard IP rights and raising public awareness.

To better coordinate the relationship with customs in these activities, the Commission and the Observatory have agreed to centralize the information exchange with MSs Customs administrations systematically through DG TAXUD and to ensure Customs is also involved in the development of the strategic new multi-annual plan of the Observatory.

Customs experts identified under action 1.1.2 will be given an advisory role in helping the Observatory to design various systems aimed at collecting, analysing and reporting data to ensure that data is of relevance and can assist customs authorities in their risk analysis processes.

The Observatory stakeholders place a great emphasis in building knowledge and competences. This requires the involvement of customs experts. Building joint understanding of issues faced, and strategies and techniques employed across the EU will lead to complimentary best practices based on practical experience.

Building knowledge on safeguarding rights is another primary work stream for the EU Observatory. This calls for the participation of Customs experts alongside other enforcement experts and designers to assist in the design and development of materials for right-holders on how to protect and defend their IP rights.

The Observatory will set up an expert working group of enforcers to analyse and disseminate examples of good practices. Customs experts will be involved in this process.

The Observatory will provide specific training material on EU laws and practices for the Intellectual Property rights for the training plan referred to under action 1.1.4. Furthermore common issues of interest for police, judges and Customs will be tackled in knowledge building seminars, to be held twice a year and financed by the Observatory. The discussion themes will be fixed on the basis of common understanding.

The Observatory is already working on a substantive research study and a number of tools and approaches for awareness raising purposes. The messages developed by the Observatory will be integrated into the customs communication channels where appropriate (websites of the Commission and of national Customs administrations, fairs, events, etc). Customs experts will be asked to work together with the Observatory on on-going and future programmes and strategies in this area. On the development of systems to gather, analyse and report on the scope and scale of counterfeiting and piracy in the EU and exchange key information, the Commission will ensure that the data gathered on customs enforcement of IPR (action 1.4.1) is correctly integrated in the general statistics on IPR enforcement managed by the Observatory. A feasibility study will be carried out to study the possibilities for linking COPIS with the Observatory's information exchange system ("Enforcement database") once these two systems are in place. National customs will be asked to test the Enforcement database to help ensure it complies with customs needs, avoids duplications of effort and that it works seamlessly with COPIS.

The activities of the Observatory on the safeguarding of IP rights by customs will be closely coordinated with the Commission and MS Customs administrations. Coordination also applies for activities implemented by the OHIM under the Customs chapter of the so-called "IP Key" project. This project focusses on the need to intervene in the field of IP protection in China for the benefit of the European industry (Budgetline BGUE-2012-19.100400-C2-DEVCO), that is closely related to the EU China Action plan on Customs cooperation on IPR, referred to in point 3.1.1.

The activities described under this heading do not have any specific budget implications for the Commission as the costs generated under the Observatory's responsibilities are covered by the budget agreed for the running of its work programme.

<b>Specific Objective 4.2</b>	<b>Improving mutual understanding and cooperation between customs, police and judicial authorities</b>
-------------------------------	--

Action 4.2.1.	Joint events between representatives of customs administrations, police, judicial authorities and industrial and intellectual property departments and offices
---------------	--

Stopping goods at borders does not in itself provide a permanent solution to eliminate trade in IPR infringing goods. This needs to be complemented by activities of police and judicial authorities so that the production and distribution of these goods can be successfully tackled. Improving mutual understanding and cooperation between Customs, police and judicial authorities is therefore crucial and the only way to successfully achieve this goal is to establish a network that allows for a regular exchange of views and practices.

The European Observatory on infringements of IPR already organises regular practical seminars on the various aspects related to Community trademarks, designs, procedural and enforcement issues in which enforcement authorities and judges participate. Coordination of the Customs input to these events, financed by the Observatory, will be done via the Commission.

The EU-China Action Plan on Customs cooperation on IPR also targets effective sharing of experiences, working arrangements and practices between customs, police and judicial authorities. These activities will increase in relevance in the new EU China AP where cooperation between Customs and other enforcement authorities, both within one jurisdiction as well as cross-border, is a cornerstone.

The work already undertaken to enhance coordination and understanding between the different actors dealing with IPR enforcement calls for a reflection on the experiences gained and the lessons learned, as well as to agree on the way forward. For this purposes, a high level conference on enforcement challenges of IPR, particularly at the EU external border will be held in 2015 with participation of Customs administrations, police, judicial authorities and industrial and intellectual property departments.

The European Observatory on infringements of IPRs will provide full support to this event and for its financing. The organisation will be dealt with by a joint organisation committee with the participation of the Observatory, DG TAXUD, DG MARKT, EUROPOL, EUROJUST and the hosting Member State. A first meeting of the committee is planned for Autumn 2013. The Commission will launch a call for interest to Member States to host this event in June 2013.

The high level conference should result in recommendations for improving the cooperation between police, customs and the judiciary.

#### **Annexes**

1. Overview of activities
2. Tentative timetable

DOC TAXUD.b1(2013) 2791357 – final 10 July 2013

## OVERVIEW OF ACTIVITIES (COLUMN 4 OF THE TABLE)

1. EFFECTIVELY IMPLEMENTING AND MONITORING THE NEW EU LEGISLATION ON CUSTOMS ENFORCEMENT OF IPR				
Specific objective 1.1: Developing tools for implementing the new EU Regulation				
Actions	Indicators	Responsible actors	Activities	
1.1.1 Production of a manual for right-holders filing applications for action	Manual published on websites	Commission & MSs	<p><b>Specific actions needed</b> Revision and update of the existing manual that incorporates all modifications resulting from legislative changes, by the Commission</p> <p><b>Timing</b> By <b>October 2013</b>: text discussed with MSs and ready to allow for translation by end 2013, <b>1.1.2014</b>: Publication on websites (EN; FR; DE, other languages will follow later</p> <p><b>Financial implications</b> None.</p> <p><b>Human resource implications</b> None specific (part of day to day management)</p>	

1. EFFECTIVELY IMPLEMENTING AND MONITORING THE NEW EU LEGISLATION ON CUSTOMS ENFORCEMENT OF IPR				
Specific objective 1.1: Developing tools for implementing the new EU Regulation				
Actions	Indicators	Responsible actors	Activities	
1.1.2 Support visit to all MSs by a team composed of IPR experts and the Commission	<input type="checkbox"/> Visits performed and advice provided where appropriate <input type="checkbox"/> Detected problems are followed-up and capacity building plans established where necessary	Commission & MSs	<p><b>Specific actions needed</b>            Establishment of a pool of experts that will be available to perform visits together with COM.            Preparatory <u>kick off meeting</u> with experts on the approach for the visits.            Fixing of an agreed time-table for visits with MSs.            Standardized reporting of best practices seen (link to action 3.2.2)</p> <p><b>Timing</b>            By <b>July 2014</b>: Call for interest and <b>kick off meeting</b> with experts finalized.            Agreed timetable for the first 6 visits.</p> <p><b>By 2015. Completed tentative schedule ready.</b></p> <p><b>Start of visits in 2nd half on 2014</b> (at the earliest 6 months after new Regulation is applicable) following a <b>strict agreed calendar</b> (28 visits to be carried out in the 42 months)</p> <p><b>Financial implications</b>            Covered by C2020</p>	

				<b>Human resource implications</b> 2 MSs experts + COM per visit
--	--	--	--	---



1. EFFECTIVELY IMPLEMENTING AND MONITORING THE NEW EU LEGISLATION ON CUSTOMS ENFORCEMENT OF IPR				
Specific objective 1.1: Developing tools for implementing the new EU Regulation				
Actions	Indicators	Responsible actors	Activities	
1.1.3 Preparation of specific Guidelines for customs in all EU official languages on new procedures (including small consignments) where appropriate	Guidelines available	Commission & MSs	<p><b>Specific actions needed</b> Adaptation of existing Guidelines on procedures concerning customs actions on suspected infringing goods by a small project group (PG) (3 MSs + COM)</p> <p><b>Timing</b> <b>June-July 2013:</b> Start PG <b>12.2013.</b> Publication of Guidelines on procedures concerning customs actions on suspected infringing goods.</p> <p><b>Financial implications</b> Covered by C2013/C2020 budget</p> <p><b>Human resource implications</b> 3 MSs experts, 3 meetings + COM</p>	

1. EFFECTIVELY IMPLEMENTING AND MONITORING THE NEW EU LEGISLATION ON CUSTOMS ENFORCEMENT OF IPR				
Specific objective 1.1: Developing tools for implementing the new EU Regulation				
Actions	Indicators	Responsible actors	Activities	
1.1.4 Development of a training plan to facilitate the implementation of the Regulation, possibly including an E-learning tool for Customs and right-holders	<input type="checkbox"/> Training plan established by a working group and trainings performed	Commission & MSs in cooperation with the European <b>Observatory</b> on infringements of Intellectual Property Rights	<p><b>Specific actions needed</b></p> <p>Inventory of available training material on IPR</p> <p>Discussion and collaboration with the EU Observatory that can deliver specific training material on EU laws and practices on the protection of IPRs</p> <p>Analysis of inventory</p> <p>Development E learning module on changes in legislation</p> <p>Development of training plan</p> <p><b>Timing</b></p> <p><b>March</b> . Questionnaire, contacts with Observatory (also on objective 4.1)</p> <p><b>April 2013</b> launch of work on Elearning module</p> <p><b>December 2013</b>. Elearning module on new legislation available</p> <p>Discussion on training plan in CCC</p> <p>2014-2017 Possible development of further training material and or modules</p> <p><b>Financial implications</b></p> <p>E learning covered by framework contract TAXUD on E learning. Follow up actions to be covered by C2020</p>	

					Human resource implications MSs experts participation on request
--	--	--	--	--	---

1. EFFECTIVELY IMPLEMENTING AND MONITORING THE NEW EU LEGISLATION ON CUSTOMS ENFORCEMENT OF IPR				
Specific objective 1.2: Exploiting the full functionality of COPIS				
Actions	Indicators	Responsible actors	Activities	
1.2.1 Implementation of the functionalities of COPIS	Full exploitation of search and reporting functionalities of COPIS	Commission & MSs	<p><b>Specific actions needed</b> Contractor + COM to ensure COPIS is fully operational Access of the Observatory enforcement database through CCN/CSI</p> <p><b>Timing</b> <b>Second half of 2013.</b> Feasibility study on the linking of the Observatory enforcement database to CCN/CSI and possible synergies COPIS and the enforcement database <b>January 2014.</b> Full implementation of COPIS <b>January 2015:</b> Analysis of search and reporting formalities set up <b>April 2014:</b> Observatory enforcement database linked to CCN/CSI and identified synergies between COPIS and the database implemented <b>May 2015</b> Comprehensive report on the search and reporting possibilities offered by COPIS for submission to the CCC IPR enforcement section</p>	

		<p><b>Financial implications</b>  Already catered for by a specific budget line.  Feasibility study on synergies between  Observatory Enforcement database and COPIS  financed by OHIM</p> <p><b>Human resource implications</b>  MSs experts participation on request  Central training event for 2 experts per MS on  COPIS already carried out.</p>
--	--	--

1. EFFECTIVELY IMPLEMENTING AND MONITORING THE NEW EU LEGISLATION ON CUSTOMS ENFORCEMENT OF IPR				
Specific objective 1.3: Engaging right-holders & stakeholders				
Actions	Indicators	Responsible actors	Activities/Activities	
1.3.1 Provision of information on the new EU Regulation to right-holders and stakeholders	<input type="checkbox"/> Websites of customs administrations updated when the Regulation enters into application <input type="checkbox"/> Information on new legal framework in SME Helpdesks <input type="checkbox"/> Special parts of TransAtlantic Portal on Customs enforcement up to date <input checked="" type="checkbox"/> Information on new legal framework in Member States SME support organisations and relevant industrial and intellectual property departments and offices	Commission & MSs  Commission  Commission  Commission and Member States	<b>Specific actions needed</b> Drafting of web texts for TAXUD webpage Revision/update of TAXUD webpages in EN FR and DE to facilitate access to the anti Piracy and anti Counterfeit section Links established to websites of national Customs administrations and the relevant SME helpdesks. Revision/update of MS webpages	<b>Timing</b> <b>By December 2013:</b> texts referring to the new legal provisions ready and COM services and MS Customs informed. <b>1 January 2014:</b> new texts online  <b>Financial implications</b> None

				<b>Human resource implications</b> None specific (part of day to day management)
--	--	--	--	---

1. EFFECTIVELY IMPLEMENTING AND MONITORING THE NEW EU LEGISLATION ON CUSTOMS ENFORCEMENT OF IPR				
Specific objective 1.3: Engaging right-holders & stakeholders				
Actions	Indicators	Responsible actors	Activities	
1.3.2 Regular meetings at EU level between customs, representatives of right-holder and other parties involved in IPR enforcement	<input type="checkbox"/> 1 <sup>st</sup> meeting at the latest one year after the new Regulation is applicable	Commission, MSs & right-holders/other involved parties	<p><b>Specific actions needed</b> Meeting with a selected list of relevant stakeholders arranged through centralised invitation to the business community in which the EU Observatory will be invited.</p> <p>Coordination of an agenda before each meeting according to recent developments and practical problems reported by MS, right holders and other parties involved in the meetings</p> <p><b>Timing</b> Yearly back to back meetings, 1<sup>st</sup> in June 2013 on a day following a Customs Code Committee - Intellectual Property Rights Enforcement Section</p> <p><b>Financial implications</b> 1 day Conference room SCIC/year</p> <p><b>Human resource implications</b> MSs delegate presence required</p>	



1. EFFECTIVELY IMPLEMENTING AND MONITORING THE NEW EU LEGISLATION ON CUSTOMS ENFORCEMENT OF IPR				
Specific objective 1.4: Annual publication of statistics				
Actions	Indicators	Responsible actors	Activities	
1.4.1 Publication of a yearly EU report of statistics on customs enforcement of IPR	Yearly reports available in May	Commission & MSs	<p><b>Specific actions needed</b> Communication of statistics by MSs via COPIS to allow COM to timely produce the report Provision by TAXUD of statistics to the EU Observatory for their broad repository of data and statistics.</p> <p><b>Timing</b> As highlighted in "indicators": May each year. In absence of COPIS, yearly report for 2012 in July 2013. In all cases subject to timely data submission by MSs.</p> <p><b>Financial implications</b> None</p> <p><b>Human resource implications</b> Part of daily management</p>	

2. TACKLING MAJOR TRENDS IN TRADE OF IPR INFRINGING GOODS				
Specific objective 2.1: Developing tailor-made approaches for parcel and postal traffic				
Actions	Indicators	Responsible actors	Activities	
2.1.1 Exchange of best practices on the customs follow-up of internet trade, complementing the activities of the Customs Cooperation Working Party (EU Council) pertaining to the area of customs related Internet Crime	Best practices available to customs administrations via the e-counterfeiting group under the Customs 2013 Programme	Commission & MSs	<p><b>Specific actions needed</b>  Re-launching of the specific PG on e-counterfeiting with a max 8 MSs + COM  Review of the agreed coordination mechanism with the CCWP project group  Provision of identified good practices to TAXUD by the EU Observatory</p> <p><b>Timing</b>  <b>June 2013:</b> Call for interest to participate in PG.  <b>December 2015</b> Final Report  <b>2016-2017.</b> Follow up activities</p> <p><b>Financial implications</b>  Covered by C2013 (CWG/278) and future C2020.</p> <p><b>Human resource implications</b>  8 MSs experts, 4 meetings + COM</p>	

2. TACKLING MAJOR TRENDS IN TRADE OF IPR INFRINGING GOODS				
Specific objective 2.2: Strengthening Customs Risk Management Actions				
Actions	Indicators	Responsible actors	Activities	
2.2.1 Development of a common risk management based control strategy including risk information needs, common risk criteria and standards and implementation of EU priority control actions (PCAs), targeted at detection of IPR infringements for small and large consignments	<input type="checkbox"/> Criteria and standards established	Commission with the support of the MSs	<p><b>Specific actions needed</b>  Call on MSs to come forward with first ideas  Possible setting up of a PG (max 8 MSs + COM)  PG to establish strategy</p> <p><b>Timing</b>  <b>February 2013:</b> First discussion with MSs experts, followed by a call for interest to participate in PG  January 2014: start of PG  <b>July 2015</b> Control strategy available.</p> <p><b>Financial implications</b>  To be covered by C2013/2020</p> <p><b>Human resource implications</b>  MSs experts presence in 3/4 meetings + COM</p>	

2. TACKLING MAJOR TRENDS IN TRADE OF IPR INFRINGING GOODS				
Specific objective 2.2: Strengthening Customs Risk Management Actions				
Actions	Indicators	Responsible actors	Activities	
2.2.2 Regular provision of appropriate IPR risk and customs control information via the Customs Risk Management System (CRMS) to customs risk management centres and control contact points	<input type="checkbox"/> CRMS used to exchange risk information on IPR infringements <input type="checkbox"/> Regular feedback from MSs on risk and customs control information provided and control results	Commission & MSs	<p><b>Specific actions needed</b>  MSs to issue RIF messages in CRMS under risk category "counterfeit" where appropriate  Yearly analysis of data provided in CRMS by COM  Regular feedback to the relevant information to the air/sea and land border contact groups</p> <p><b>Timing</b>  <b>November each year from 2014 onwards:</b>  analysis of data. Rest of activities according to needs</p> <p><b>Financial implications</b>  None (general budget)</p> <p><b>Human resource implications</b>  Day to day management of CRMS</p>	

2. TACKLING MAJOR TRENDS IN TRADE OF IPR INFRINGING GOODS				
Specific objective 2.2: Strengthening Customs Risk Management Actions				
Actions	Indicators	Responsible actors	Activities	
2.2.3 Elaboration of a coordinated work plan for Joint Customs Operations (JCOs) on IPR, including coordination with international organisations	<input type="checkbox"/> Multi-annual work plan of JCOs on IPR coordinated with the different customs authorities, the EU Council and international organisations <input type="checkbox"/> Use of information gathered during JCOs for risk analysis and investigation purposes	Commission & MSs	<p><b>Specific actions needed</b>            Yearly agreed rolling plan developed COM work together with Council CUG/CCWP to avoid overlap and duplication of actions initiated.            Endorsement of plan in MA and CC Committee            Distribution of results of JCO's and PCA's through adequate channels            Integration where appropriate of outcome of actions in the risk management systems of MSs and possibly further investigations.</p> <p><b>Timing</b>  <b>Mid 2013:</b> submission of first draft rolling plan, From second half 2013 onwards, implementation of rolling plans</p> <p><b>Financial implications</b>            None (general budget)</p> <p><b>Human resource implications</b>            MS staff made available for carrying out of actions</p>	

3. TACKLING TRADE OF IPR INFRINGING GOODS THROUGHOUT THE INTERNATIONAL SUPPLY CHAIN				
Specific objective 3.1 Strengthening cooperation with key source, transit and destination countries				
Actions	Indicators	Responsible actors	Activities	
3.1.1 Reinforcement of customs cooperation on IPR with third countries, in particular China and Hong Kong China	<input type="checkbox"/> New expanded EU-China Action Plan implemented after 2012 <input type="checkbox"/> Cooperation activities with Hong Kong China agreed and implemented	Commission & MSs	<p><b>Specific actions needed</b></p> <p><b>China</b>            Agreement on and running of a new Action plan for the coming 5 years with an interim report and a final report. Collaboration with OHIM, the implementing agency of "IP Key" in China and "ECAP III" in SE Asia</p> <p><b>Hong Kong China</b>            Putting in place of practical cooperation arrangements with Hong Kong China Customs for targeted exchange of data on IPR detentions.</p> <p><b>Other third countries</b>            Ad hoc activities.</p> <p><b>Timing</b>            New EU CN AP adopted <b>autumn 2013</b>  <b>2013-2017</b>: Execution of AP  <b>End 2014</b>: practical arrangements for cooperation with HK in use.</p> <p><b>Financial implications</b>            For CN financing through IPRkey/for HK to be determined</p>	

					Human resource implications MSs staff available (network)
--	--	--	--	--	--

3. TACKLING TRADE OF IPR INFRINGING GOODS THROUGHOUT THE INTERNATIONAL SUPPLY CHAIN				
Specific objective 3.1 Strengthening cooperation with key source, transit and destination countries				
Actions	Indicators	Responsible actors	Activities	
3.1.2 Development of exchange of information with third countries in compliance with the legal provisions, including on goods in transit/transshipment across the EU	<input type="checkbox"/> Mechanisms for the exchange of information are established <input type="checkbox"/> Number of information exchanges and number of detention cases on the basis of that information	Commission & MSs	<p><b>Specific actions needed</b>            Adoption of implementing provisions for the article on sharing of information and data between customs authorities of the new Regulation on Customs enforcement of IPR.            Putting in practice exchanges where foreseen in agreements with other countries            Monitoring of the exchanges of data made, using a general questionnaire</p> <p><b>Timing</b>  <b>September 2013.</b> Start PG  <b>December 2014:</b> adoption of implementing act            1<sup>st</sup> questionnaire of data exchange issued one year after the entry into force the implementing Regulation.  <b>From end 2014 onwards</b> reference to activity in the yearly interim reports of the EU AP</p> <p><b>Financial implications</b>            To be covered by Customs 2020</p> <p><b>Human resource implications</b>            MS staff engagement in PG activities (3/4 meetings)</p>	



3. TACKLING TRADE OF IPR INFRINGING GOODS THROUGHOUT THE INTERNATIONAL SUPPLY CHAIN				
Specific objective 3.1 Strengthening cooperation with key source, transit and destination countries				
Actions	Indicators	Responsible actors	Activities	
3.1.3 Enhancement of the exchange of information between the EU Member States and Commission services on the one hand and third countries authorities on the other hand, including Balkan and Eastern Partnership countries, with a view to eliminating international trade in goods infringing intellectual property rights.	<input type="checkbox"/> Number of cases opened on the basis of the information exchanged <input type="checkbox"/> Recommendations	Commission & MSs	<p><b>Specific actions needed</b>            Intensified data sharing through existing Mutual Assistance Agreements and implementation of actions referred to under action 3.1.2.</p> <p>Establish and agree how data sharing will be enhanced and intensified</p> <p><b>Timing</b>            From now onwards , intensification following adoption of the implementing provisions of the new Regulation</p> <p><b>Financial implications</b> none specific  <b>Human resource implications</b> none specific</p>	

3. TACKLING TRADE OF IPR INFRINGING GOODS THROUGHOUT THE INTERNATIONAL SUPPLY CHAIN				
Specific objective 3.1 Strengthening cooperation with key source, transit and destination countries				
Actions	Indicators	Responsible actors	Activities	
3.1.4 Organisation of EU Customs presence in international events to spread knowledge	<input type="checkbox"/> EU Customs represented in relevant international IPR enforcement events <input type="checkbox"/> Feedback on these events provided to all MSs and Commission by EU participants	Commission & MSs	<p><b>Specific actions needed</b>            Coordination, exchange of information on participation and feedback on international events via the CCC meetings</p> <p><b>Timing</b>            According to needs</p> <p><b>Financial implications</b></p> <p><b>Human resource implications</b></p>	

3. TACKLING TRADE OF IPR INFRINGING GOODS THROUGHOUT THE INTERNATIONAL SUPPLY CHAIN				
Specific objective 3.2: Building capacity in candidate and neighbouring countries on IPR enforcement				
Actions	Indicators	Responsible actors	Activities	
3.2.1 Provision of technical assistance for capacity building to candidate and neighbouring countries upon request	<input type="checkbox"/> Pool of experts available <input type="checkbox"/> Multi-annual planning of activities	Commission & MSs	<p><b>Specific actions needed</b>            Internal COM survey on possible actions            Participation of MSs and/or COM experts in capacity building events on IPR enforcement            Mapping exercise interested parties</p> <p><b>Timing</b>  <b>2013:</b> Clarification of possibilities  <b>2014:</b> Survey/mapping exercise  <b>2014-2017:</b> yearly capacity building event</p> <p><b>Financial implications</b>            To be covered by C2020, TAIEX and twinning programmes</p> <p><b>Human resource implications</b>            Availability of experts</p>	

3. TACKLING TRADE OF IPR INFRINGING GOODS THROUGHOUT THE INTERNATIONAL SUPPLY CHAIN				
Specific objective 3.2: Building capacity in candidate and neighbouring countries on IPR enforcement				
Actions	Indicators	Responsible actors	Activities	
3.2.2 Exchanges of experiences and possible study visits on operational structure, IT and operational solutions applied by Customs in IPR enforcement	<input type="checkbox"/> Report on best practices in IPR enforcement in the EU and the neighbouring countries	Commission & MSs	<p><b>Specific actions needed</b>  Evaluation of needs of candidate and neighbouring countries (covered by 3.2.1)  Establishment pool of experts, based on the one created under 1.1.2 for possible study visits.  Establishment of a harmonized methodology for reporting</p> <p><b>Timing</b>  Need analysis follows action 3.2.1  2<sup>nd</sup> half of 2014 :fixing of harmonized methodology of reporting depending on wishes expressed</p> <p><b>Financial implications</b>  Directly link to the situation expressed in 3.2.1</p> <p><b>Human resource implications</b>  Directly link to the situation expressed in 3.2.1</p>	

3. TACKLING TRADE OF IPR INFRINGING GOODS THROUGHOUT THE INTERNATIONAL SUPPLY CHAIN				
Specific objective 3.2: Building capacity in candidate and neighbouring countries on IPR enforcement				
Actions	Indicators	Responsible actors	Activities	
3.2.3 Exchange of officials	<input type="checkbox"/> Number of exchanges performed <input type="checkbox"/> Reporting to the other MSs and the Commission on the experience gained in the exchanges	MSs	<p><b>Specific actions needed</b>            Customs officers interested can apply and inform Commission            Reports of exchanges made available to all MSs</p> <p><b>Timing</b>            Depending on Ms needs</p> <p><b>Financial implications</b>            Covered by Customs 2020, TAIEX and twinning programmes</p> <p><b>Human resource implications</b>            MSs staff</p>	

#### 4. STRENGTHENING COOPERATION WITH THE EUROPEAN OBSERVATORY ON INFRINGEMENTS OF IPRs, AND LAW ENFORCEMENT AUTHORITIES

##### Specific objective 4.1: Establishing a partnership with the European Observatory on infringements of IPRs

Actions	Indicators	Responsible actors	Activities
<p>4.1.1 Contribution to the development and implementation as appropriate, of projects by the European Observatory on infringements of Intellectual Property Rights to support institutions and initiatives on IPR enforcement, within the limits of the powers conferred to it by Regulation (EC) No 386/2012, and according to the work plan of the European Observatory, in particular to :</p> <ul style="list-style-type: none"> <li>- develop systems to gather, analyse and report on the scope and scale of counterfeiting and piracy in the EU and exchange key information</li> <li>- building competencies in IP enforcement by delivering specialised training</li> <li>- How best to safeguard your IP rights</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Projects correspond to customs needs</li> <li><input type="checkbox"/> Compatibility and synergies with customs projects</li> <li><input type="checkbox"/> Availability of tools for spreading knowledge about IPR laws,</li> <li><input type="checkbox"/> Public awareness activities including those targeted at consumers</li> </ul>	<p>European Observatory on infringements of Intellectual Property Rights in co-operation with Commission &amp; MSs</p>	<p><b>Specific actions needed</b></p> <ul style="list-style-type: none"> <li>Agreement and continuous coordination with Observatory to ensure synergies</li> <li>Guarantee advisory role of customs in Observatory activities</li> <li>Ensure adequate input of customs in Observatory's work plans.</li> <li>Participation of customs in the relevant Observatory working groups</li> </ul> <p><b>Timing</b></p> <p>February 2013 launch of start discussions, followed by continued coordination</p>

			<p><b>Financial implications</b> None, Participation of customs experts in Observatory events covered by OHIM</p> <p><b>Human resource implications</b> None specific (part of day to day management)</p>
--	--	--	---

4. STRENGTHENING COOPERATION WITH THE EUROPEAN OBSERVATORY ON INFRINGEMENTS OF IPRs, AND LAW ENFORCEMENT AUTHORITIES				
Specific objective 4.2: Improving mutual understanding and cooperation between Customs, police and judicial authorities				
Actions	Indicators	Responsible actors	Activities	
4.2.1 Joint events between representatives of customs administrations, police, judicial authorities and industrial and intellectual property departments and offices	<input type="checkbox"/> Conference organised by the Commission and the Observatory in 2014	Commission, European Observatory on infringements of Intellectual Property Rights & MSs	<p><b>Specific actions needed</b> Preparation of the conference and establishment of organization Committee Holding of conference Follow up activities</p> <p><b>Timing</b> Conference 2015 Follow up activities according to outcome</p> <p><b>Financial implications</b> OHIM funding</p>	