



Council of the
European Union

Brussels, 5 September 2019
(OR. en)

11913/19

PI 120

NOTE

From: General Secretariat of the Council
To: Delegations

No. prev. doc.: 11452/19

Subject: 14th Session of the WIPO Advisory Committee on Enforcement (ACE),
Geneva, 2-4 September 2019
- Final EU/Member States statement

Delegations will find at annex, for information, the EU/Member States statements as delivered at the above-mentioned WIPO meeting.

WIPO Advisory Committee on Enforcement (ACE)

Fourteenth Session

Geneva, 2-4 September 2019

Opening Statement by the EU

Chair,

On behalf of the European Union and its Member States, we congratulate you and your Vice-Chairs for your election. We look forward to cooperating with you under the current work programme for the Advisory Committee on Enforcement. The European Union and its Member States strongly support the mission of this Committee and we are highly committed to usefully contributing to its work. In that regard, we are pleased that at this session there are contributions from the Spanish Patent and Trademark Office, the Greek Ministry of Economy and Development, the Hellenic Copyright Organization, the Italian Communications Regulatory Authority, the Portuguese General Inspection of Cultural Activities, the United Kingdom Police IP Crime Unit, the UK judiciary, the European Commission, the European Union Intellectual Property Office (EUIPO), and private sector representatives from academia and the legal profession in the UK.

We continue to believe that the state-centric agenda point complements the existing issue-centric agenda points in a balanced manner. We note with satisfaction that a high number of contributions have been received from WIPO Member States, and believe that this is indicative of the relevance of the state-centric agenda point for the WIPO Members. Focussing our discussions on practical experiences of WIPO Member States enables us to learn from other countries and build on each other's best practices. We therefore support the Committee in continuing to place this item on future agendas.

We are pleased to see that the opportunities and challenges of the digital era will be at the core of discussion during this session of the Committee. We look forward to the exchange of information on national experiences relating to institutional arrangements concerning IP enforcement policies and regimes, and will be particularly interested to hear about the arrangements to address online IP infringements and the role of intermediaries in IP enforcement.

We very much welcome including in the agenda also a specific point on new technologies in IP enforcement. We are convinced that taking a full advantage of the possibilities brought by, for example, blockchain or content recognition technologies is key to creating efficient enforcement systems. We are very pleased that the work of the European Observatory on Infringements of Intellectual Property Rights concerning the use of blockchain technology to fight counterfeiting will be presented in this session.

We also welcome the agenda point on “National and Regional Initiatives to Prevent Paid Advertising on Copyright-infringing Websites”, and note with interest that the Secretariat proposed “The Building Respect for Intellectual Property Database Project” to assist WIPO Member States in the coordination of voluntary measures undertaken in accordance with the “follow-the-money” approach to copyright infringement. The goals of this useful project are to reduce the flow of money to illegal website operators, to protect brands from being tarnished, and to reduce the risk that legitimate advertising may lend an appearance of legality to illegal websites to the confusion of consumers. These goals echo the objectives of the European Commission’s “Memorandum of Understanding on Online Advertising and IP Rights”, an initiative that we will have the opportunity to present in more detail during this session of the Committee.

We equally look forward to the exchange of information on national experiences on awareness building activities and strategic campaigns as a means for building respect for IP among the general public, especially youth. In this regard, we would like to thank the Secretariat for giving the European Union Intellectual Property Office the possibility to present its experiences during the side event “IP and Education: how to introduce IP in schools”.

Our thanks go to the WIPO Secretariat for preparing the documents on the recent activities of WIPO in the area of building respect for IP (WIPO/ACE/14/2) and on national and regional experiences with WIPO’s capacity-building activities in this area (WIPO/ACE/14/13). The EU and its Member States support the continuation of WIPO in providing legal and technical assistance, and we would like to stress that the high added-value of such assistance depends in particular on its agile nature: namely its ability to account for the level of development and differences in legal traditions, as well as broader societal interests and Member States’ priorities.

The European Union and its Member States see WIPO as the global forum for all intellectual property related matters, and believe that WIPO has an important role to play in coordinating Member States' efforts to more effectively combat IPR infringements. We are confident that fruitful collaboration between delegations will continue in a manner ensuring that a fair balance is kept between incentives to innovate and access to innovation.

Thank you.

WIPO Advisory Committee on Enforcement (ACE)

Fourteenth Session

Geneva, 2-4 September 2019

Closing Statement by the EU

Chair,

On behalf of the European Union and its Member States, we would like to thank you and your Vice-Chairs for moderating the rich and constructive discussions we had during this 14th Session of the WIPO Advisory Committee on Enforcement. We would like to thank again the WIPO Secretariat for the preparation of the working documents and all its work during the session. Our thanks go also to the interpreters for their excellent assistance throughout the meeting.

We were interested to learn about all the projects and initiatives presented during this session, and would like to congratulate the speakers and delegates on their contributions. As we stated in our opening statement, the European Union and its Member States believe that the valuable work of this Committee is crucial to enable exchange of best practices between the WIPO Member States, learning from each other's experience.

We welcome the intention to continue the work in this Committee under the well-balanced work programme, in the positive and collaborative spirit. We look forward to continuing discussions on education and awareness raising initiatives at the next session, not only to sensitize the society on the negative consequences of infringements of IPR, but also to demonstrate how to promote easy access to legal content and genuine products. We believe that measures that support small and medium enterprises in their efforts to combat counterfeiting and piracy should remain in the focus of this Committee's work. We found the discussions on the use of new technologies and role of intermediaries in IP enforcement highly interesting, and would appreciate continuing it in the future.

The European Union and its Member States will continue to support the work of this Committee and look forward to further fruitful cooperation.

Thank you