12/03/2014 Events

On November 28, 2014, at the headquarters of the State Agency on Intellectual Property (AGEPI) was held the ordinary meeting of the Observatory on Enforcement of Intellectual Property Rights, in which was examined the mechanism of destruction of counterfeit goods discovered and seized by authorities empowered with responsibilities in the field.

Among the participants at the meeting were Lilia Bolocan, Director General of AGEPI, Ion Tiganas, Deputy Director General of AGEPI, Chairman of the Observatory, representatives of the Customs Service, Prosecutor General's Office, Centre for Combating Computer Crimes of the National Inspectorate of Investigations and the General Directorate for Criminal Prosecution of the General Police Inspectorate, Division for Combating IP Crimes of the NII, Ministry of Environment, State Environmental Inspectorate, EUBAM Mission and AGEPI experts.

The discussions focused on the examination of the regulatory framework applicable to the procedure for the destruction of counterfeit goods, the measures applicable to goods suspected of infringing an intellectual property right at the border and on the internal market, and the practice for the application of these rules in the process of examination of cases on infringement of intellectual property rights.

During the meeting were exchanged views on the current situation regarding the implementation of the regulatory and legislative framework in the field of enforcement of intellectual property rights being highlighted a number of problems that hamper the good functioning of the procedure for destruction of counterfeit goods. The participants marked the lack or imperfection of the regulatory framework that regulates the mechanism of destruction of counterfeit goods; inefficient communication between public authorities involved in the procedure for destruction of counterfeit goods; limited involvement of right holders and non-compliance with the legal provisions and obligations assumed at the stage of rights enforcement at the border; lack of opportunities of destruction of counterfeit goods which are dangerous for the environment (cosmetics, perfumes, detergents etc.).

As a result of discussions, members of the Observatory on Enforcement of Intellectual Property Rights and its guests have ruled for joint efforts of state institutions responsible for the enforcement of intellectual property rights and adjustment of the mechanism of destruction of counterfeit goods to the best European practices in the field.

Thus, among the measures to be taken by the responsible institutions for the improvement of the situation in this area are: speeding up the approval of the Regulation on customs action against goods suspected of infringing certain intellectual property rights, and implementation of measures to be applied to goods infringing certain intellectual property rights; permanent update of the list of economic agents providing services for the destruction of counterfeit goods, specifying each field of activity; preparation of amendments to national legislation on improvement of the procedure for the destruction of counterfeit goods.

The Observatory on Enforcement of Intellectual Property Rights under the AGEPI was created in 2011 in order to ensure the exchange of information between authorities responsible for monitoring the enforcement of intellectual property rights, generating reports, analytical and statistical studies, in accordance with the Action Plan of the Republic of Moldova on implementation of European Commission's recommendation for the establishment of the Deep and Comprehensive Free Trade Area between Republic of Moldova and European Union, approved by Government Decision No. 1125 of 14 December 2010. The Observatory operates under the Regulation [1]*, approved by the Director General of AGEPI, which sets the duties, rights and responsibilities of the Observatory, and the mechanism of interaction between institutions. The nominal composition of the Observatory include specialists from AGEPI, Ministry of Internal Affairs, Customs Service and Prosecutor General's Office, appointed under the Interdepartmental Order of 30-31.05.2012 "on Cooperation with the View of Creating the Unique Information System in the Field of Intellectual Property". The Observatory also*

exercises the functions of notifying and informing the World Trade Organization on trade-related aspects of intellectual property rights (TRIPS).

Attachment	Size
Observator-PI.pdf [1]	2.21 MB

Source URL: https://www.agepi.md/en/news/mechanism-destruction-counterfeit-goods-discussed-meeting-observatory-enforcement-intellectual