



Promoting Intellectual  
Property Rights in the  
ASEAN Region

## Session 6: Transnational Law Enforcement Cooperation, Joint Operations, and Assistance

Erling Vestergaard, Manila, 24-25 April 2019



Funded by the European Union



This Project is funded by the European Union and implemented by the European Union Intellectual Property Office (EUIPO)

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## Europol: The EU Law Enforcement Agency



### Mission

**As the EU law enforcement Agency, Europol supports its Member States in preventing and combating all forms of international serious crime and terrorism.**

## Europol: The EU Law Enforcement Agency



### Vision

**To contribute to a safer Europe by providing the best possible support to law enforcement authorities in the Member States.**

## Europol: The EU Law Enforcement Agency



**Europol will achieve this by delivering a unique set of operational services and become...**

EU support centre  
for operations



EU criminal  
information hub



EU centre of  
expertise



Modern, efficient  
organisation



- Police
- Customs
- Gendarmerie
- Financial Police
- Tax and Revenue
- Border Guard
- Coast Guard
- Immigration
- Security Services

## Europol: The EU Law Enforcement Agency

Support centre for law enforcement operations

- ❑ 28 Analysis Projects (former Focal Points), divided in 2 Analysis Work Files
- ❑ Operational meetings and analysis reports
- ❑ Operational support on the spot (Mobile office and UFED)
- ❑ Operational support from Europol Headquarters (analysis and financing informants)



## Operational and technical support

provide operational and technical support to the competent authorities

## Facilitate and coordinate

facilitate and coordinate cross-border investigations

## Monitor and report

monitor and report online crime trends and emerging modi operandi

## Harmonisation and standardisation

enhance the harmonization and standardization of legal instruments and operating procedures to counter intellectual property crime globally

## Raise awareness and train

Reach out to the public and law enforcement by raising awareness and providing training on this specific field of expertise



**5**  
analysts



**9**  
experts



**2**

funded by  
EUIPO

 **EUROPOL**  
IPC<sup>3</sup> ■ Intellectual Property  
Crime Coordinated Coalition

**3**

funded by  
EUIPO

01

Intelligence  
Sharing and  
Analysis

05

Outreach  
and  
Awareness

Training  
and Support  
to LEAs

04

Operational  
and Forensic  
Support

Increasing  
Strategic  
Knowledge

02

03





ICELAND

R U S S I A

T A N

ZBEKISTAN

KMENISTAN

AFGHANISTAN

R A N

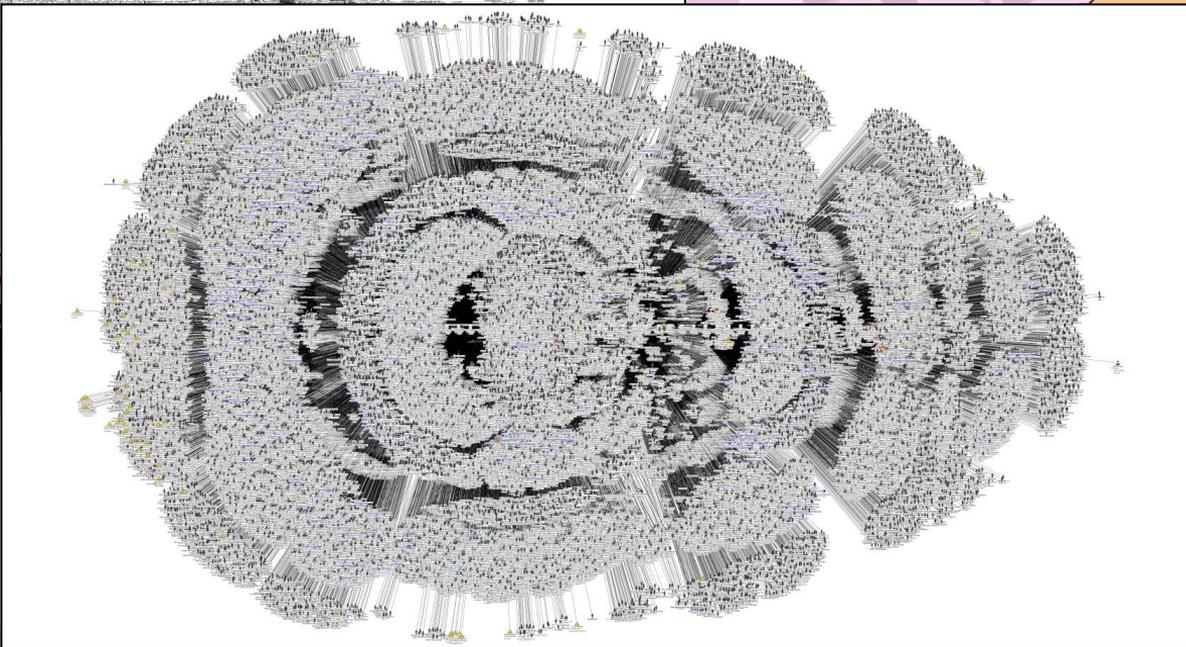
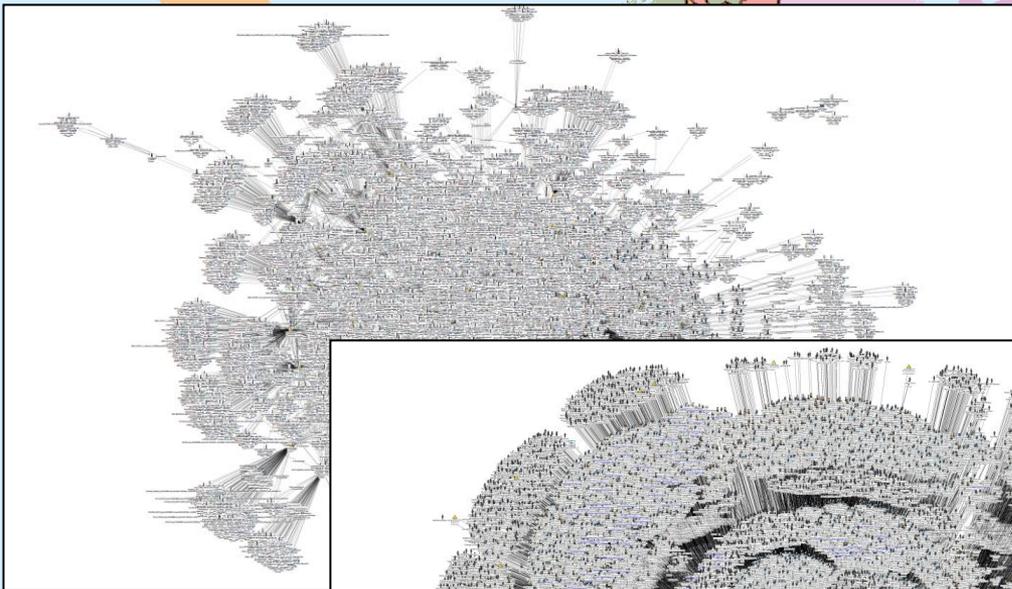
I R A Q

S P

MOROCCO

ALGERIA

TUNISIA



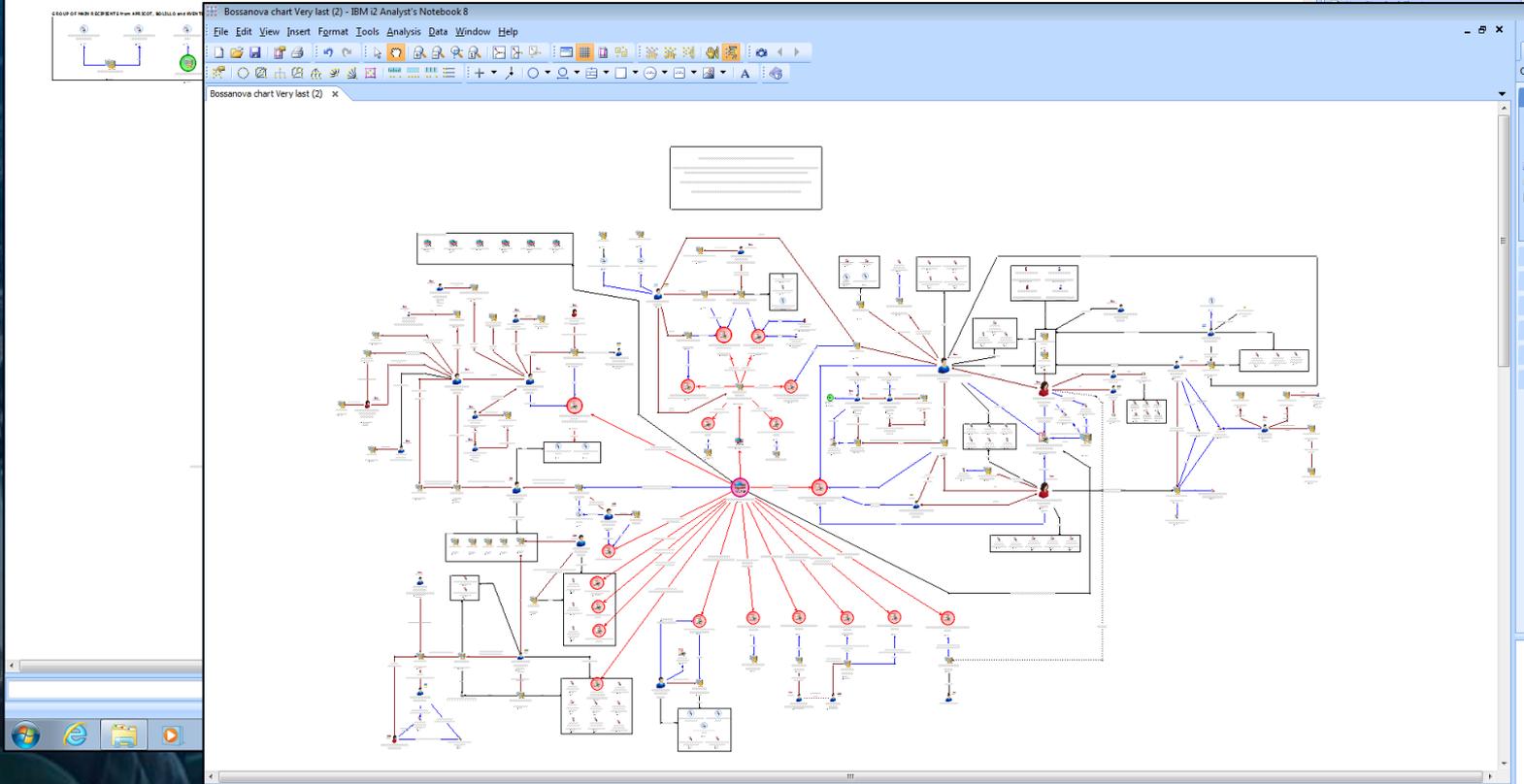


Bossanova chart Very last (2) - IBM I2 Analyst's Notebook 8

File Edit View Insert Format Tools Analysis Data Window Help

Common Tasks

Chart Creation Tasks



Common Tasks

Chart Creation Tasks

- New Standard Chart
- New From Template...
- Add Chart Items
- Import Data
- About Database Connections
- IBM I2 Base 8 Databases
- Show Link Bar
- Show Attribute Bar

Analytical Tasks

Analytical Layout Tasks

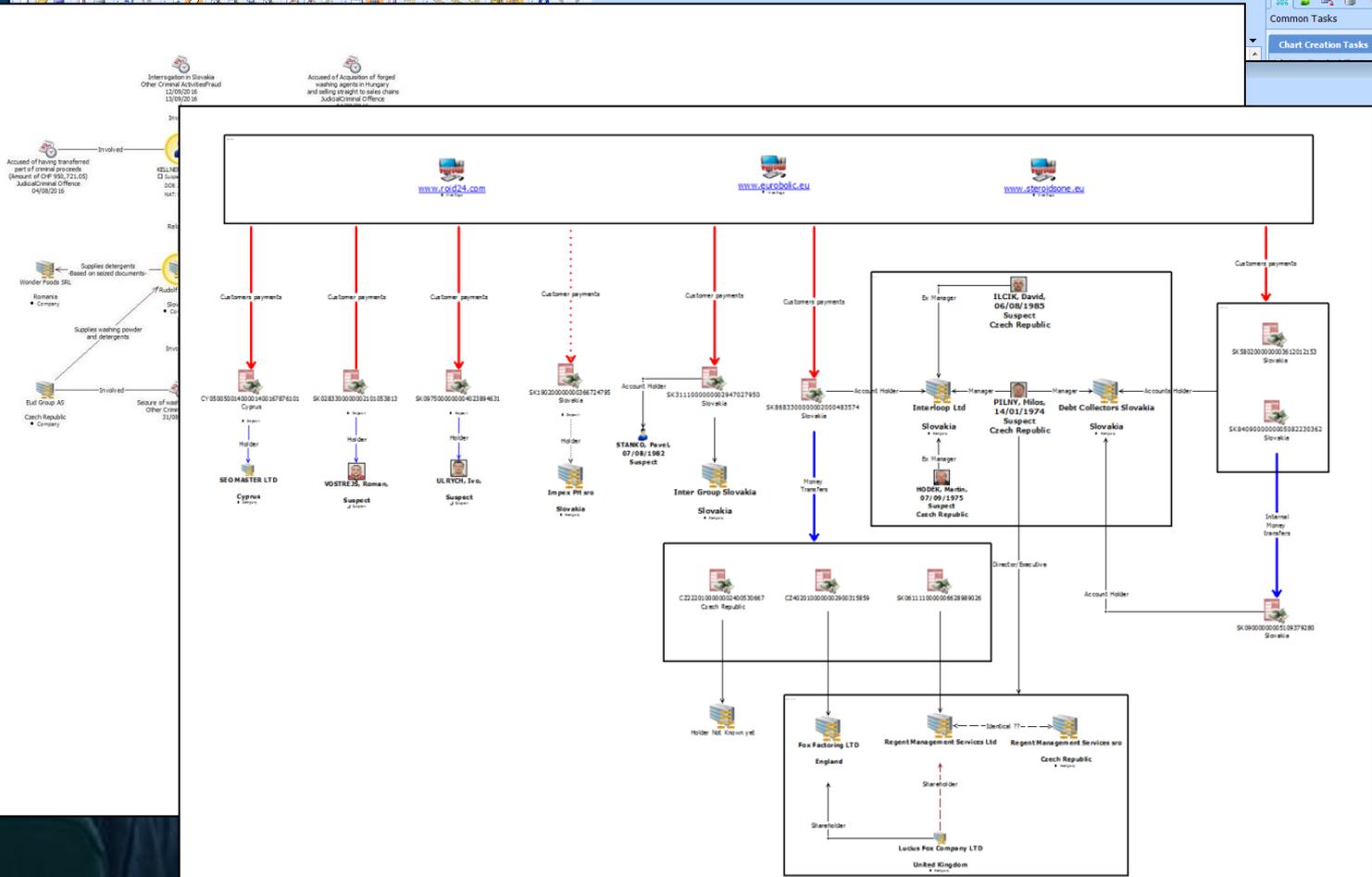
Timeline Tasks

Searching Tasks

Formatting Tasks

Publishing Tasks





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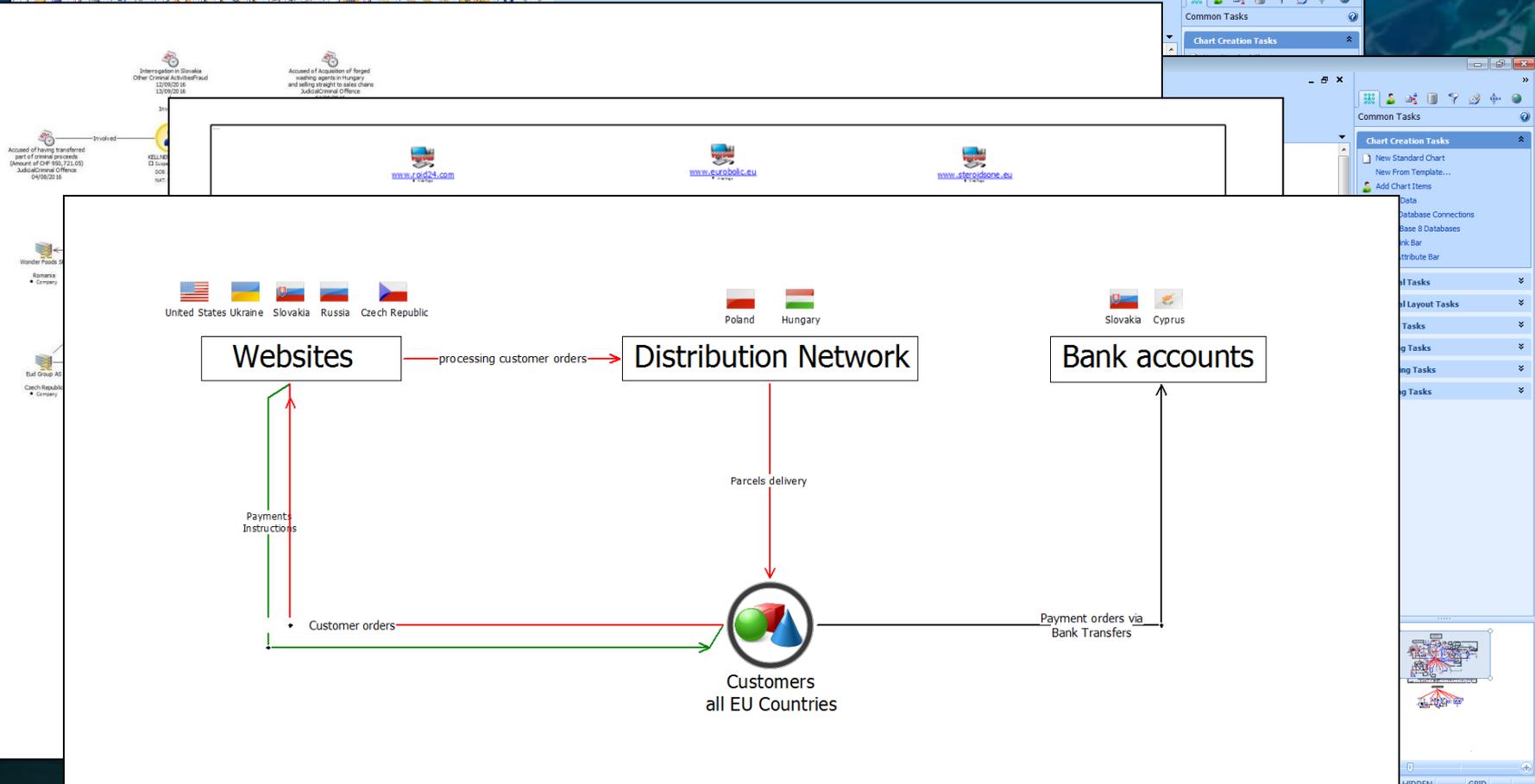
Formatting Tasks

Publishing Tasks

Show Results 15%

REVEAL HIDDEN GRID

17:36 15/06/2018



## MAIN EUROPEAN UNION DISTRIBUTION OF COUNTERFEIT GOODS SHUT DOWN

09 December 2016  
Press Release



## BIGGEST HIT AGAINST ONLINE PIRACY: OVER 20 520 INTERNET DOMAIN NAMES SEIZED FOR SELLING COUNTERFEIT GOODS

27 November 2017  
Press Release



## EUR 230 MILLION WORTH OF FAKE FOOD AND BEVERAGES SEIZED IN GLOBAL OPERATION TARGETING FOOD PIRATES

## FRAUD ON A PLATE: OVER 3 000 TONNES OF DANGEROUS FOOD REMOVED FROM CONSUMER MARKET

## 122 TONS OF ILLEGAL OR COUNTERFEIT PESTICIDES SEIZED DURING OPERATION SILVER ALEX II

## EUROPOL AND SPANISH NATIONAL POLICE ARREST SIX INDIVIDUALS IN A HIT TO ILLEGAL TV STREAMING NETWORKS

09 March 2018  
Press Release



The crime ring made available more than 14 000 international points of sale providing illegal access to a large number of TV channels.

In March 2018 the Spanish National Police supported by Eurojust's Intellectual Property Crime Coordinated Coalition (IPCC), arrested 6 individuals from a crime ring suspected of selling illegal television signals from more than 14 000 international points of sale. The signals were sold through a company which designed the application needed to illegally stream films, television series and sport events.

The investigation began when eGoDA, Mediaspro and the Spanish Football League filed a complaint with the police. During the course of the investigation police officers discovered a company, seated in Galicia, Spain which was suspected of transmitting signals for paid TV channels illegally.

The company developed both the decoder device and the application needed to illegally access the paid content. The decoder was sold for EUR 120 and the server to transmit the illegal signal was hosted in France and controlled from the business in Spain.

In total 8 house searches were carried out in Spain, resulting in the arrest of six members of the organised crime group and the seizure of 4600 IT devices.



## MEDICINES SEIZED IN OPERATION AGAINST THE TRAFFICKING OF MISUSED MEDICINES

## SHUT DOWN ILLEGAL STREAMING NETWORKS

Posting a search for 'Cybercrime' in the Fiscal Cybercrime Support of IAPAs) in houses and...

...Cybercrime... monthly investigation... the centre...

...the action... to distribute the channels were shut down, and IP addresses... at two regularly...



Name	Date	Area	Arrests	Seizures
Pinar	09/12/2016	Fake Textiles	71	8 million EUR
Kasper	06/04/2017	IPTV	8	non relevant
Gazele	16/07/2017	Food Fraud	65	non relevant
Opson VI	25/04/2017	Fake Food and Beverages	711	235 million EUR
In Our Sites	27/22/2017	Online Sellers of Fakes	10	20.520 domains
Mismed	21/12/2017	Fake Medicines	100	230 million EUR
Nova 2018	11/01/2018	IPTV	4	non relevant
Indigo	28/02/2018	IPTV	6	non relevant
Opson VII	25/04/2018	Fake Food and Beverages	749	55 million EUR
Belenus	29/05/2018	IPTV	6	non relevant
Reaparecer	30/05/2018	Fake Medicines	29	non relevant
<b>Totals</b>			<b>1759</b>	<b>528 Million EUR</b>

and marijuana, EUR 35 000 in cash and thousands of cartons of illegal / counterfeit medicines.

Eurojust has supported the Spanish authorities throughout the investigation with data analysis and information exchange, and by facilitating operational coordination meetings involving other countries. On the action day, three experts from the Intellectual Property Crime Coordinated Coalition Centre (IPCC) were deployed to Madrid, Malaga and Valencia, equipped with mobile offices and Universal Forensic Extraction Devices (UFED) to support the investigations on-the-spot. Information gathered during the operation was analysed and exchanged in real time and immediately cross-matched against Eurojust's databases.



...service... from their companies, located in Spain and Bulgaria, by using Internet Protocol technology.

...on, eight suspects were arrested and 12 searches carried out simultaneously in Spain and 8 seized the servers used to provide illegal access to the channels, alongside numerous...



# INTEL PROP ON T

Intellectual Prop  
right without the  
describe a range  
Most counterfeit  
the authorisation  
protected by cop  
Organised Crime

## WHY IP CRIM

Criminal activity in  
to the consumer he  
are not only associa  
pharmaceutical pro  
dangerous electron  
affects the environ  
contain toxic subst  
water and food. Las  
the legitimate econ  
revenues of the aff  
volume and job los

## ONLINE TRA

Illicit goods and ser  
sold online. Online  
web and Darknet, a  
a wide range of illic  
firearms, malware,  
(CSEM), counterfeit  
Those of a more se  
typically placed des  
further criminality



INTER

# OP OP

TARGETING

DE



## 2017 Situation Report on Counterfeiting and Piracy in the European Union

A joint project between Europol and the European Union Intellectual Property Office





Europol

40.913 followers

29 d

We attended the Intellectual Property Rights Enforcement Regional Training organised by the US Department of Justice in Bucharest, Romania. The training focused on the challenges of protecting IPR rights.



98 Likes • 2 Comments



Like



Comment



Share

Likes





# Eurojust: The European Union's Judicial Cooperation Unit

## Eurojust: The European Union's Judicial Cooperation Unit

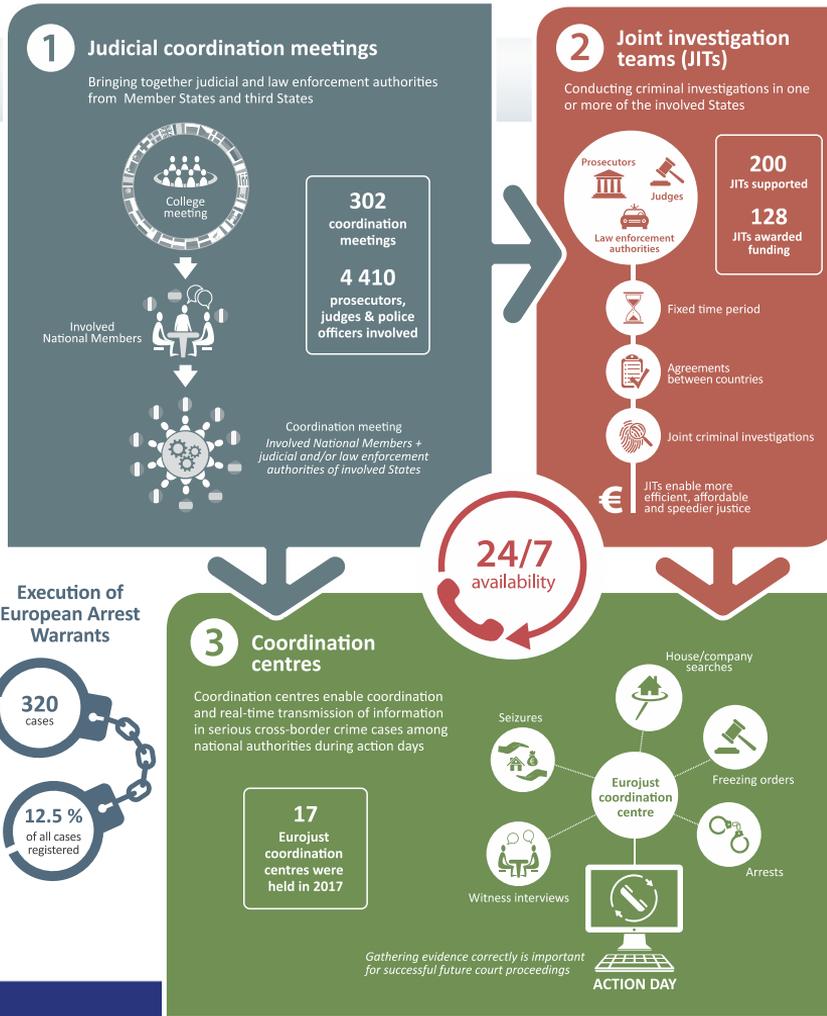
Eurojust fights serious and organised cross-border crime at judicial level:

- ▶ Terrorism
- ▶ Cybercrime
- ▶ Illegal immigrant smuggling
- ▶ Drug trafficking
- ▶ Trafficking in human beings
- ▶ Counterfeiting
- ▶ Money laundering
- ▶ Online child abuse
- ▶ Fraud, corruption and crime against property or public goods
- ▶ Environmental crime
- ▶ Organised crime groups

### Eurojust at work in 2017

Eurojust's core business is to assist EU Member States' competent authorities in dealing with serious cross-border organised crime





1. Judicial Coordination Meetings
2. Joint Investigative Teams (JITs)
3. Coordination Centres

## Eurojust: The European Union's Judicial Cooperation Unit

EU MEMBER STATES  
TAKING PART IN  
THE EIO \*



■ EIO implemented    ■ MS not taking part

EIO: European Investigation Order

## Eurojust: The European Union's Judicial Cooperation Unit



## KEY FEATURES

- ▶ EU Directive on the EIO (2014/41) of 3 April 2014
- ▶ Mutual recognition of judicial decisions
- ▶ Replaces Letters of Request for investigative measures
- ▶ Deadline for transposition: 22 May 2017
- ▶ Obtains evidence located in another EU Member State
- ▶ Simplifies and accelerates cross-border criminal investigations

## Eurojust: The European Union's Judicial Cooperation Unit

### ADVANTAGES OF THE EIO

- ✓ Creates a single comprehensive instrument with a large scope
- ✓ Sets strict deadlines for gathering the evidence requested
- ✓ Limits the reasons for refusing such requests
- ✓ Reduces paperwork by introducing a single standard form
- ✓ Protects the fundamental rights of the defence

## Eurojust: The European Union's Judicial Cooperation Unit

### LIFE CYCLE OF AN EIO

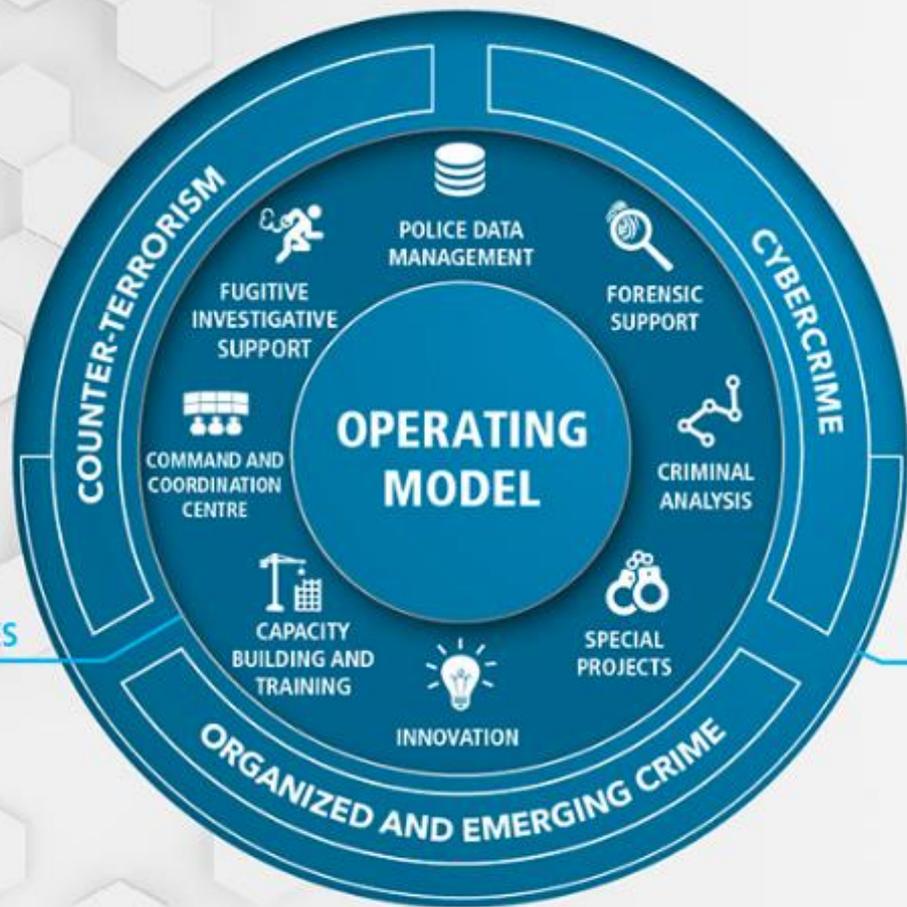




# Interpol: The International Criminal Police Organization



INTERPOL



GLOBAL POLICING CAPABILITIES

THREE CRIME PROGRAMMES

# 194 MEMBER COUNTRIES CONNECTED THROUGH A SECURE NETWORK



# INTERPOL'S CRIME PROGRAMMES



We provide a range of policing expertise and capabilities to our member countries, supporting three main crime programmes:

## COUNTER-TERRORISM

Assisting member countries to prevent and disrupt terrorist activities through the identification of individuals, networks and affiliates.

## ORGANIZED AND EMERGING CRIME

Targeting and disrupting international criminal networks; identifying, analysing and responding to criminal threats.

## CYBERCRIME

Making cyberspace safe for all by supporting member countries to prevent and investigate cyberattacks.



# International Judicial Cooperation

## International Judicial Cooperation

### Legal framework

- Bilateral agreements
- Plurilateral agreements
- International agreements
  - COE 1959 Treaty
  - UN 2000 Organized crime convention
  - COE 2001 Cybercrime convention

### Principles

- Fundamental rights
- Reciprocity
- Double criminality
- National execution

### Tools

- Extradition
- Exchange of evidence
- Interviews
- Serving of papers

## Case Example: Invertu Case

## Case Example: Invertu Case



## Case Example: Invertu Case



- Criminal complaint against designersrevolt.com early 2013
- Analyses of all furniture replica case
- Criminal complaint against invertu.com ultimo 2013

## Case Example: Invertu Case



A: BHH, 48

- Former Hells Angels
- Registered moved to BG, but actually living in DK
- CEO of Invertu Ltd, UK

B: TL, 46

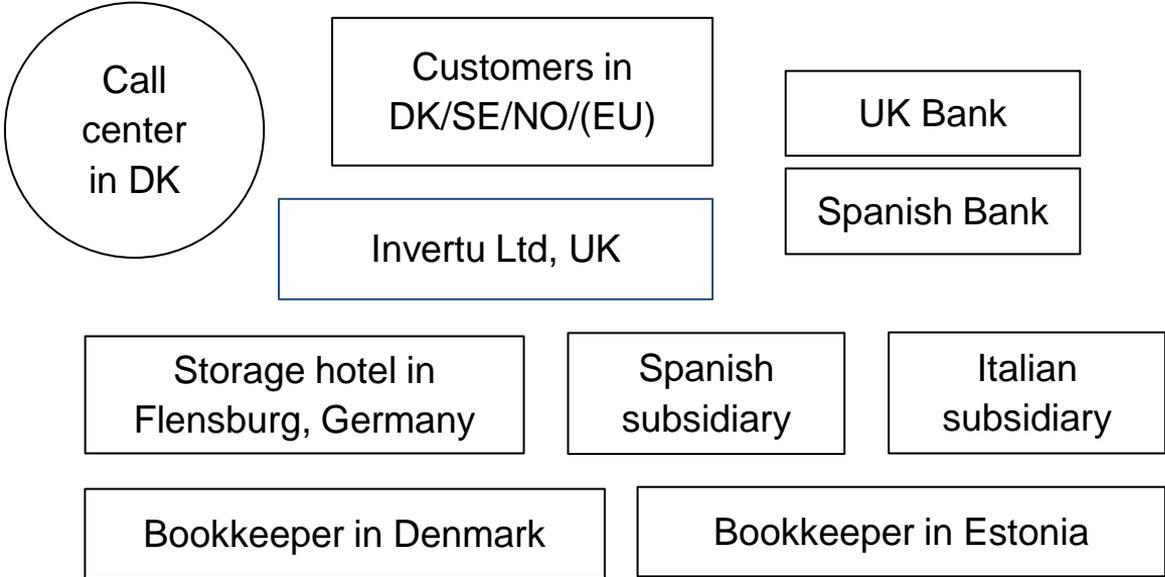
- Former police officer
- Behind the business concept
- Running business on daily basis

C: TS, 50

- Business man, clothing
- Investor and organiser of financial solutions



<http://invertu.com>





## Case Example: Invertu Case

- Phone interception
- Observations in Denmark (and planned in China)
- Coordinated search (7 places in Denmark, storage hotel in Germany and banks in different countries)
- Seizure of 350 pallets of furniture; 130,000 Euro's in cash and bank deposits
- 3 defendants in custody 7 days



## Case Example: Invertu Case

Københavns Byret

Udskrift af dombogen

**D O M**

afsagt den 15. september 2015 i sag

SS 2-8372/2015

Anklagemyndigheden

MODTAGET

29 SEP. 2015 PB

Statsadvokaten for  
Særlig Økonomisk og  
International Kriminalitet

Adv. SØI SØK-77658-00005-13



- Count 1 - 2011-2014: Sale of 442 pieces [sales in Denmark]
- Count 2 - 8. april 2014: 686 pieces in storage [total storage]

## Case Example: Invertu Case

**A:** 1 year suspended prison, confiscation and deprivation of rights in 2 years

Retten har ved strafudmålingen lagt vægt på, at tiltalte som ejer og daglig leder har spillet en helt central rolle i de meget omfattende og meget grove ophavsretskrænkelser, som han dømmes for.

**B:** 1 year suspended prison, confiscation and deprivation of rights in 2 years

Retten har ved strafudmålingen lagt vægt på, at tiltalte som ejer og daglig leder har spillet en helt central rolle i de meget omfattende og meget grove ophavsretskrænkelser, som han dømmes for.

**C:** 6 months suspended prison, confiscation and deprivation of rights in 2 years

Retten har ved strafudmålingen lagt vægt på, at det lægges til grund, at tiltalte uanset, at han har medvirket til de meget omfattende og meget grove ophavsretskrænkelser, som han dømmes for, har spillet en mindre betydende rolle end de øvrige tiltalte.

- ❑ Count 1 - 2011-2014: Sale of 442 pieces [sales in Denmark]
- ❑ Count 2 - 8. april 2014: 686 pieces in storage [total storage]

## Case Example: Invertu Case





Promoting Intellectual  
Property Rights in the  
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THANK YOU

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