



**REVENUE  
SERVICE**

# **Border Enforcement of Intellectual Property Rights**

4-6 April, 2022



## Protection of IP rights at the Georgian Border



- Registration of IP rights in the Customs registry
- Detention of goods suspected of infringing IP rights at the border
- Informing owner of the goods and IP right holder
- Performing inspections /examinations of the goods
- Release of goods
- Destruction of goods or further involvement of corresponding authorities



# Approximation of relevant legislations on IPR

EU Regulation No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights and repealing Council Regulation (EC) No 1383/2003

Georgian Law on “Border measure related to intellectual property rights”

## Main fields for Harmonization:

- Addition of IP rights protected on the border
- Addition of Customs regimes
- Implementation of Ex officio principle
- Release of goods based on security provision



# Protection of IP rights at the border



## IP rights protected at the Georgian border

Copyright and Neighboring rights, Trademark, Appellations of Origin and Geographical indications, Design, Patent, Utility Models, Topographies of Integrated circuits, New breeds of Animals and Plant Variety Rights

## IPR protected under Customs Regimes of:



- Import/ Export
- Warehouse
- Re-export
- Free zone



## Protection Ex officio



Release of goods suspected of infringing design rights, patents, Topographies of Integrated circuits or plant variety rights on the basis of security provision



# IPR Risk Profiles

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- **First risk profiles implemented in April, 2011**
- **Currently 30 risk profiles associated to IPR**
- **Types of risk profiles:**
  - Commodity code (4 and 6 digit)
  - Importer/exporter companies
  - County of dispatch
  - Manufacturer and etc.



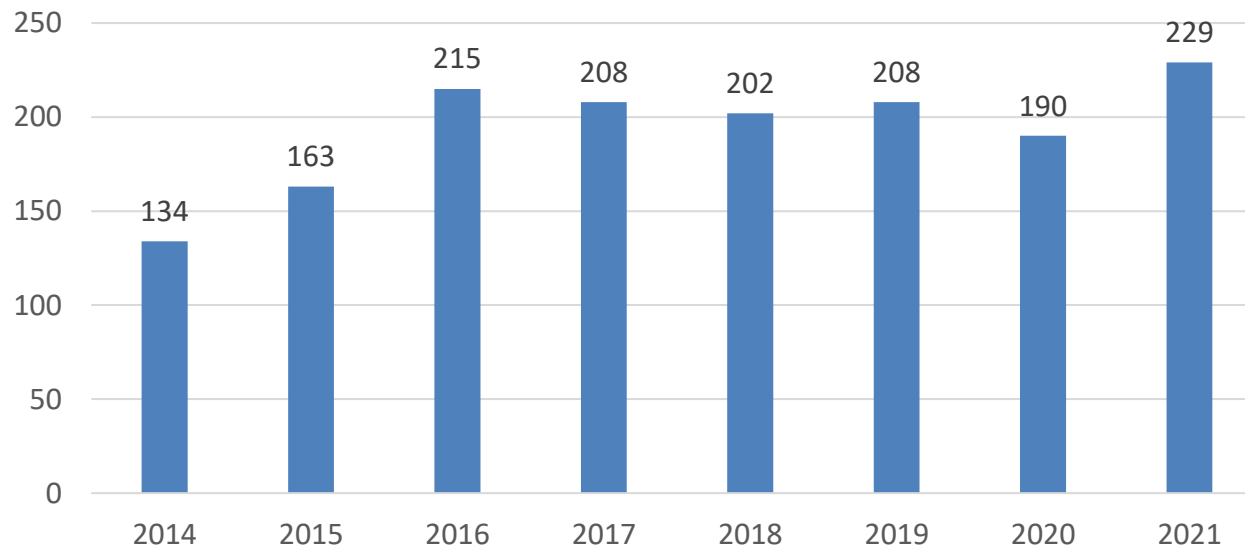
- **Regular meetings are held with right holders and private sector to discuss:**
  - Registration procedures and border measures
  - Information on counterfeited/original goods
  
- **GRS joined WCO's IPR CENcomm Group**
  - Web-based communication tool
  - Exchange/use of information in timely/secure matter
  
- **EU-Georgia Intellectual Property Project (EUGIPP)**
  - Reinforcement of the existing platform of inter institutional cooperation
  - Comparative analysis of the EU and Georgian legislations on enforcement
  - Elaboration of enforcement guidelines/implementing provisions





# Statistical data on IP rights violations on customs border of Georgia

## Statistical Data on Registration of IP objects in the Customs Registry



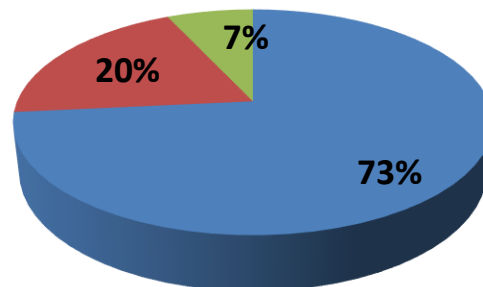
Number of current active registrations: 373



# Statistical data on IP rights violations on customs border of Georgia

Year	DETENTION Cases Total/Ex officio	Destruction of goods	Court cases initiated	Release of Goods
2018	125/24	84	17	24
2019	140/3	102	10	28
2020	101/0	64	6	31
2021	267/0	215	11	41

## Breakdown of results by cases 2018-2021



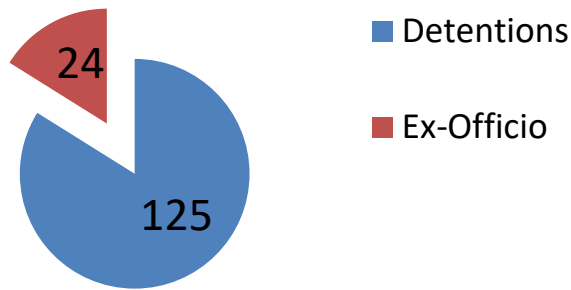
- Destruction of Goods
- Release of goods
- Court cases initiated



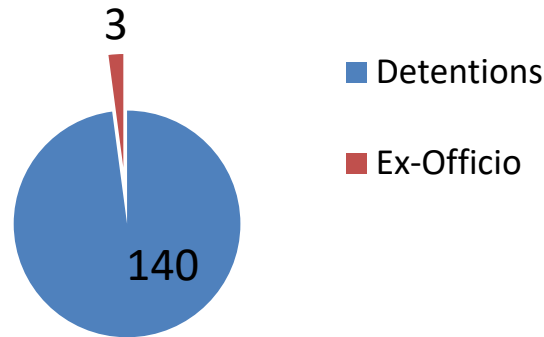


# Statistical data on IP rights violations on customs border of Georgia

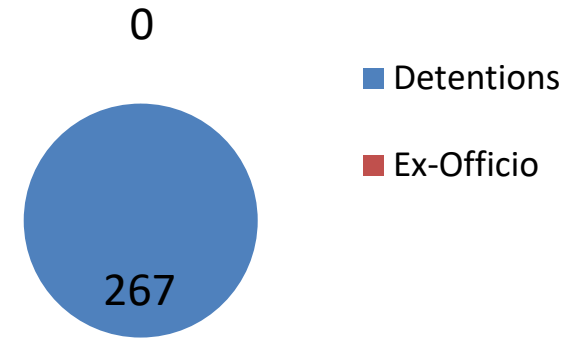
### Breakdown of Detention Cases 2018



### Breakdown of Detention Cases 2019

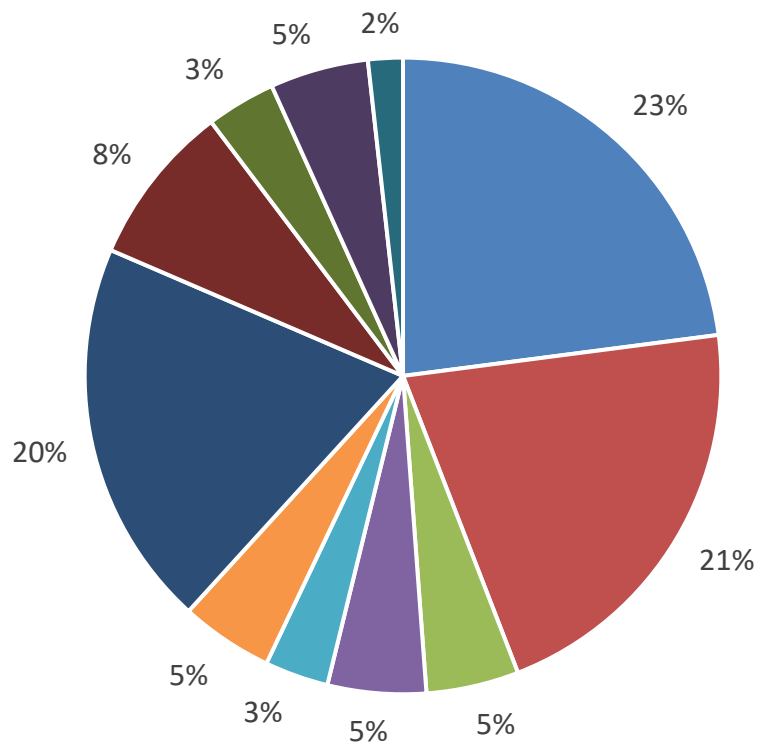


### Breakdown of Detention Cases 2021





## Active Registrations by product categories



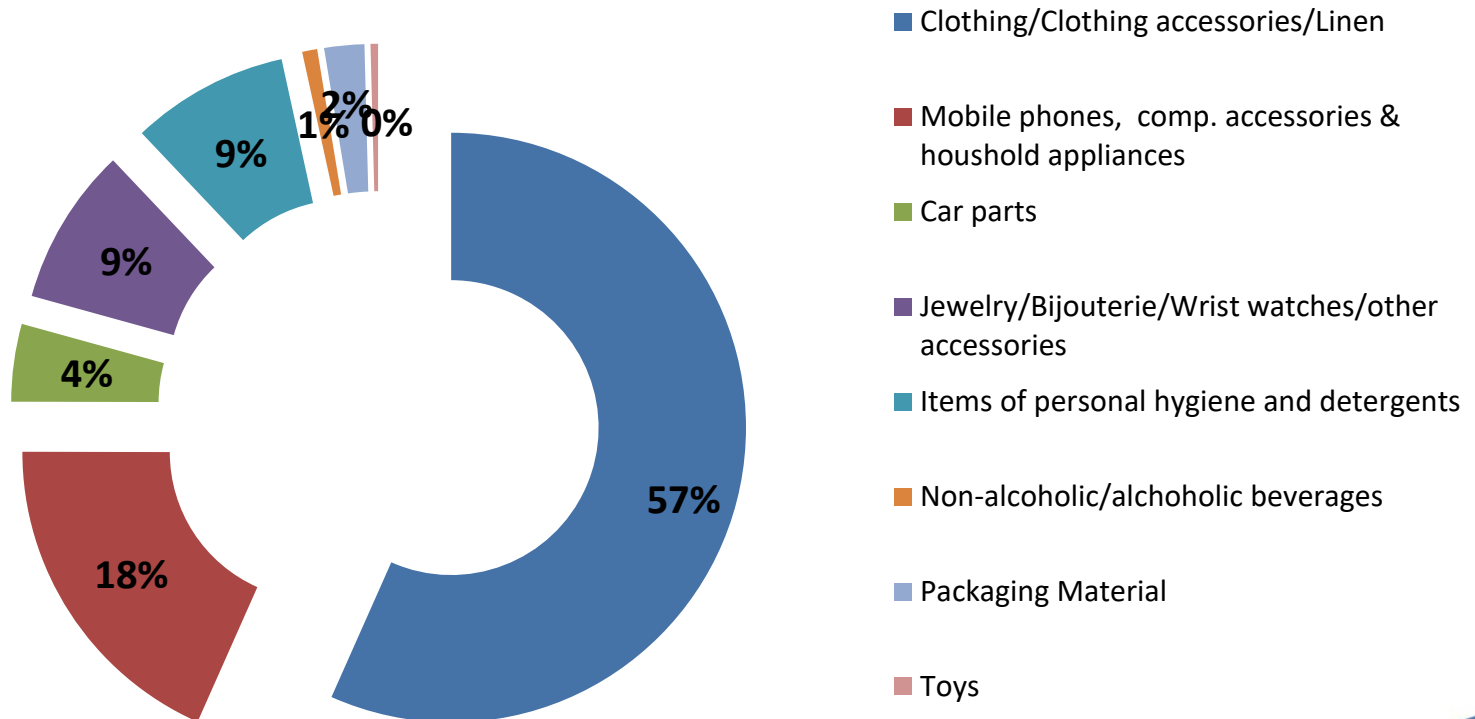
- Clothing/Clothing material/related items
- Car parts and related items
- Food products
- Items of personal hygiene / cosmetics/detergens/cleaning prod.
- Agrochemical and related products
- Tobacco products

- Alcoholic/Non alcoholic beverages
- Mob. Phones/comp. accessories/houshold appliances/etc
- Jewelry/accessories/related items
- Pharmaceutical products
- Construction and related materials



# Statistical data on IP rights violations on customs border of Georgia

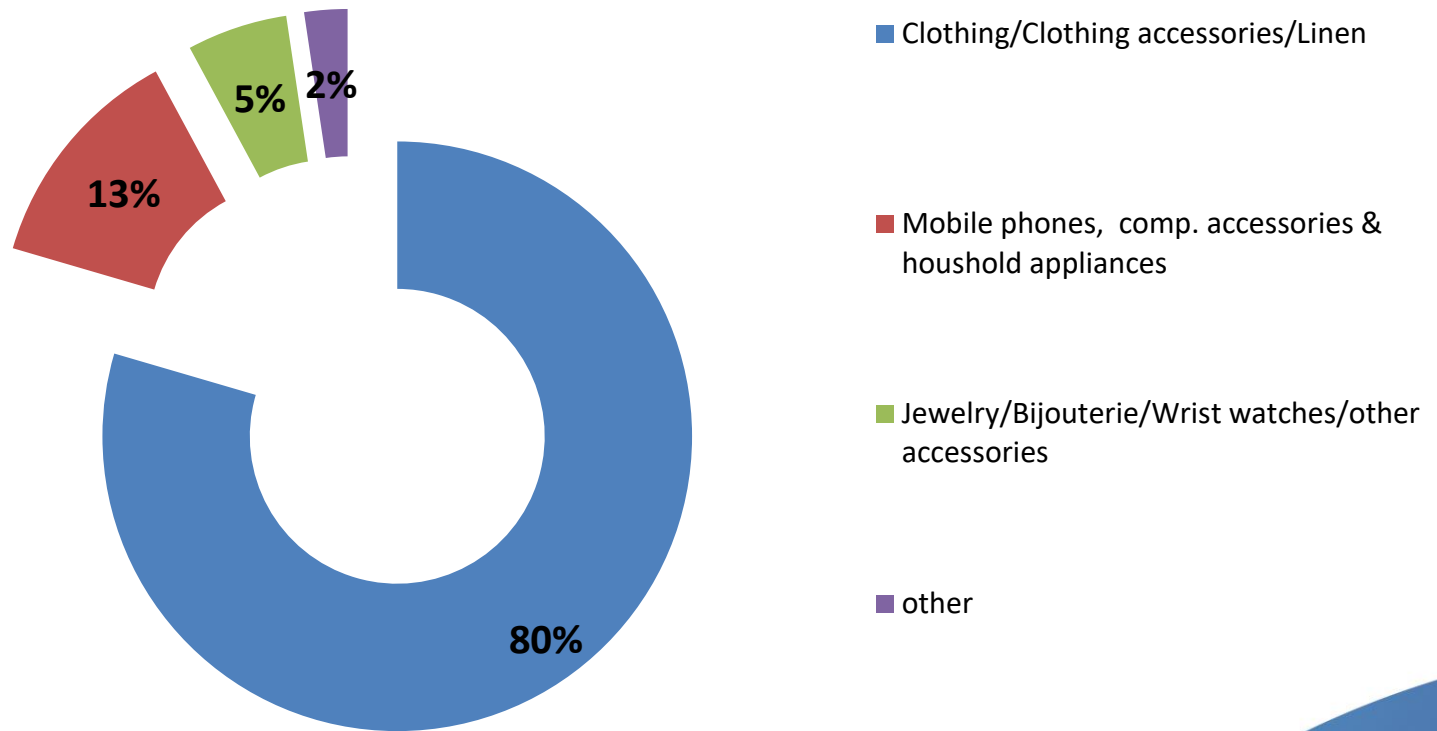
## Top Categories by Detention Cases 2018-2021





# Statistical data on IP rights violations on customs border of Georgia

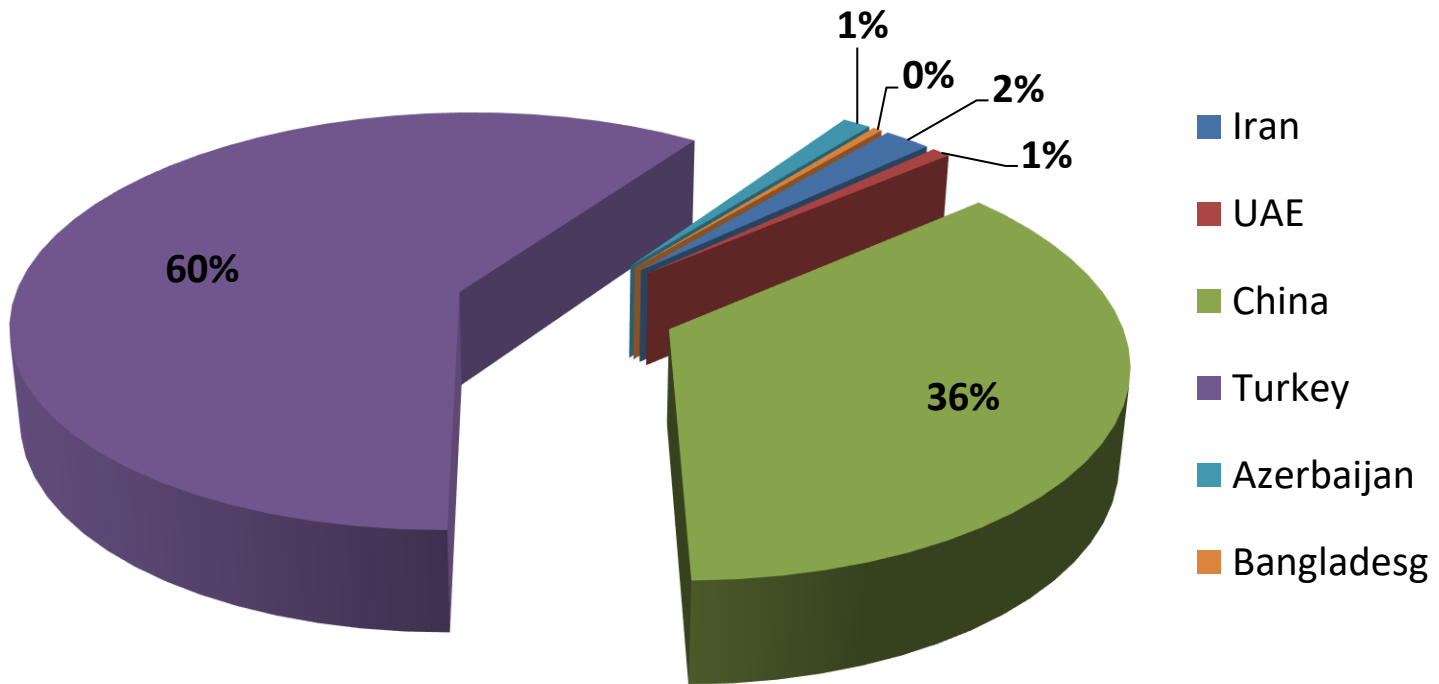
## Top Categories by violation cases 2021





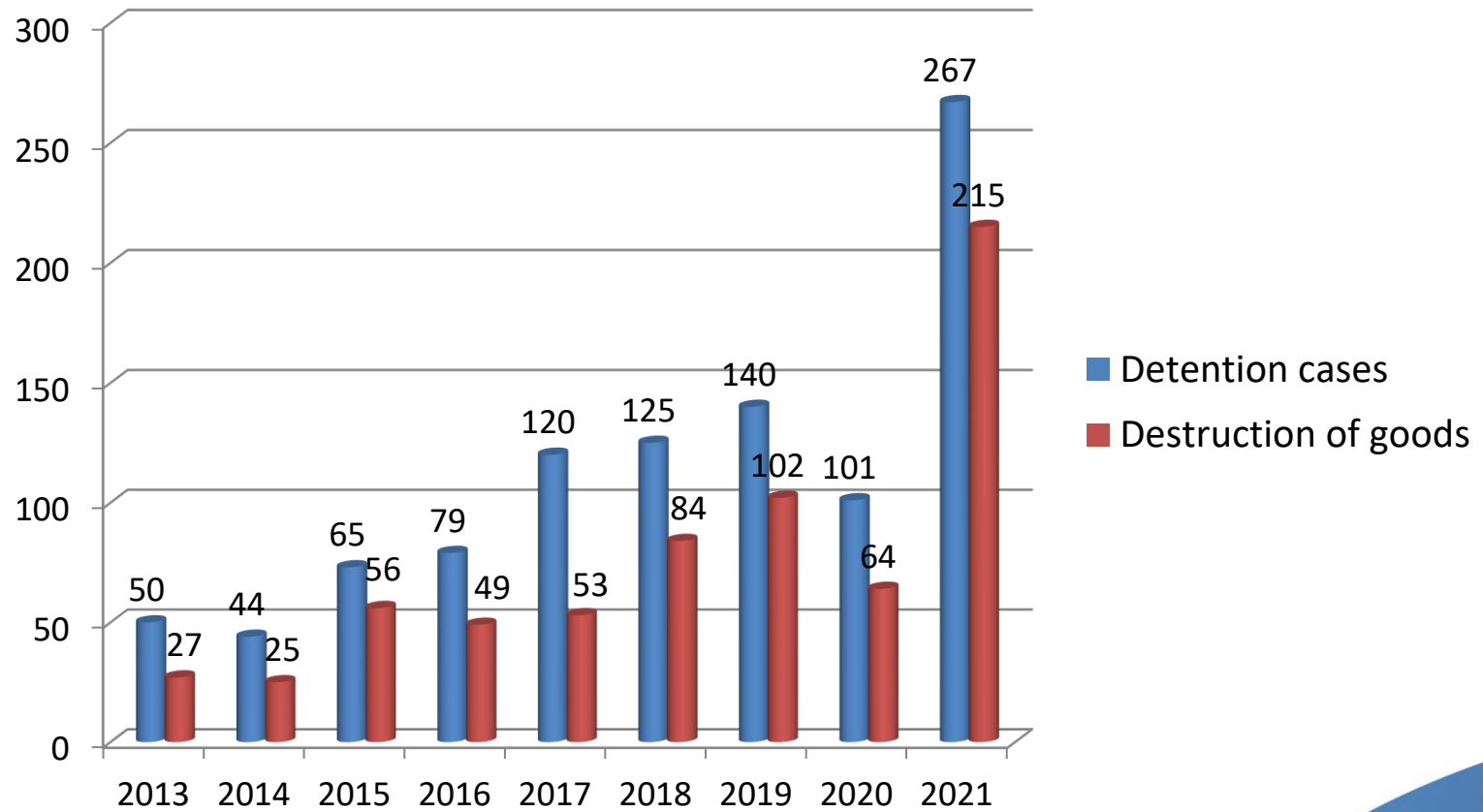
# Statistical data on IP rights violations on customs border of Georgia

## Countries of Dispatch by violation cases 2021





# Statistical data on IP rights violations on customs border of Georgia





# Identified needs and scope for future developments

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## ➤ Increasing Capacity of GRS in border enforcement of IPR

- Sharing experience and practical coaching on control and ex-officio procedures
- Provision of trainings for customs officers on identification of genuine/fake products, new trends and routes of movement of counterfeited goods
- Small consignments
- Sharing experience on the procedures related to the destruction of goods
- Release of goods based on guarantee
- Border measures related to new IP rights

## ➤ Improvement of outreach to private sector

- Active involvement of IP right holders in the control process
- Raising visibility and willingness to register IP objects in the customs registry of GRS



# Detained goods 2019-2021







***Thank you for your attention!***

