



**REVENUE
SERVICE**

Border Enforcement of Intellectual Property Rights

IP enforcement forum
14 June, 2021
Tsinandali, Georgia



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

Protection of IP rights on the Internal Market



- Protection of IP rights registered at “Sakpatenti” or protected by international agreements
- Receiving and processing application for action
- Issuance of individual administrative legal act
- Inspection/confiscation of goods on the market
- Issuance of administrative violation protocol and initiation of court case
- Release 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

- **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.



IPR Risk Profiles

- **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

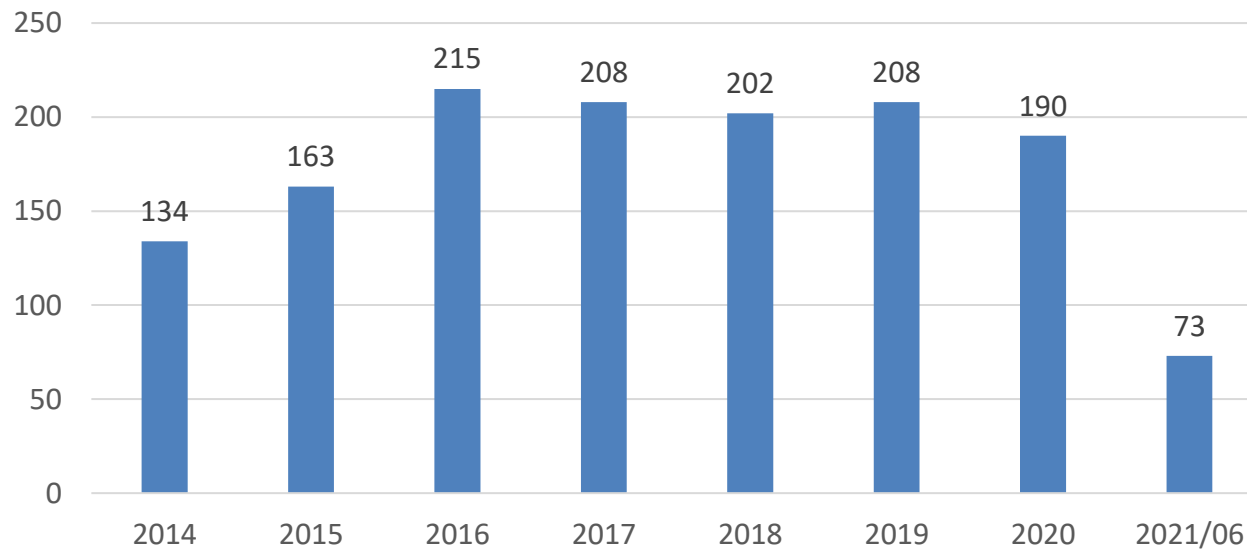
- **EU-Georgia Intellectual Property Project (EUGIPP)**
 - Reinforcement of the existing platform of inter institutional cooperation
 - Comparative analysis of the EU and Georgian legislations on enforcement
 - Elaboration of enforcement guidelines/implementing provisions





Statistical data on IP rights violations on customs border of Georgia

Statistical Data on Registration of IP objects in the Customs Registry



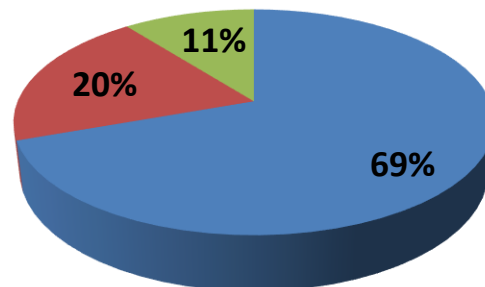
Number of current active registrations: 349



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	18
2020	101/0	64	6	31
2021/06	41/1	26	9	6

Breakdown of results by cases 2018-2021/06

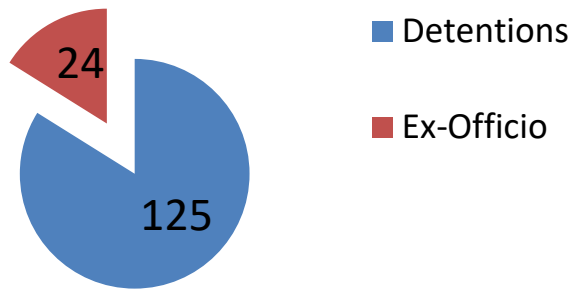


- Destruction of Goods
- Release of goods

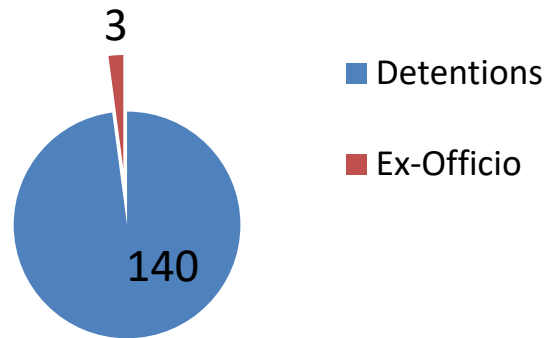


Statistical data on IP rights violations on customs border of Georgia

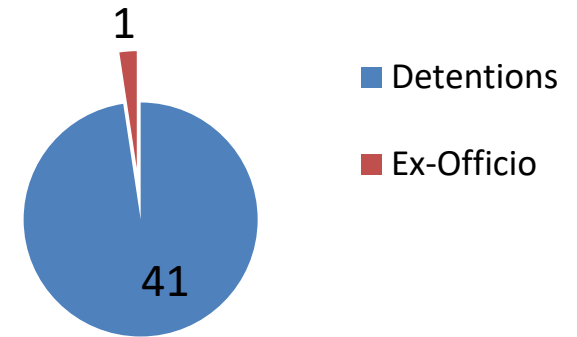
Breakdown of Detention Cases 2018



Breakdown of Detention Cases 2019



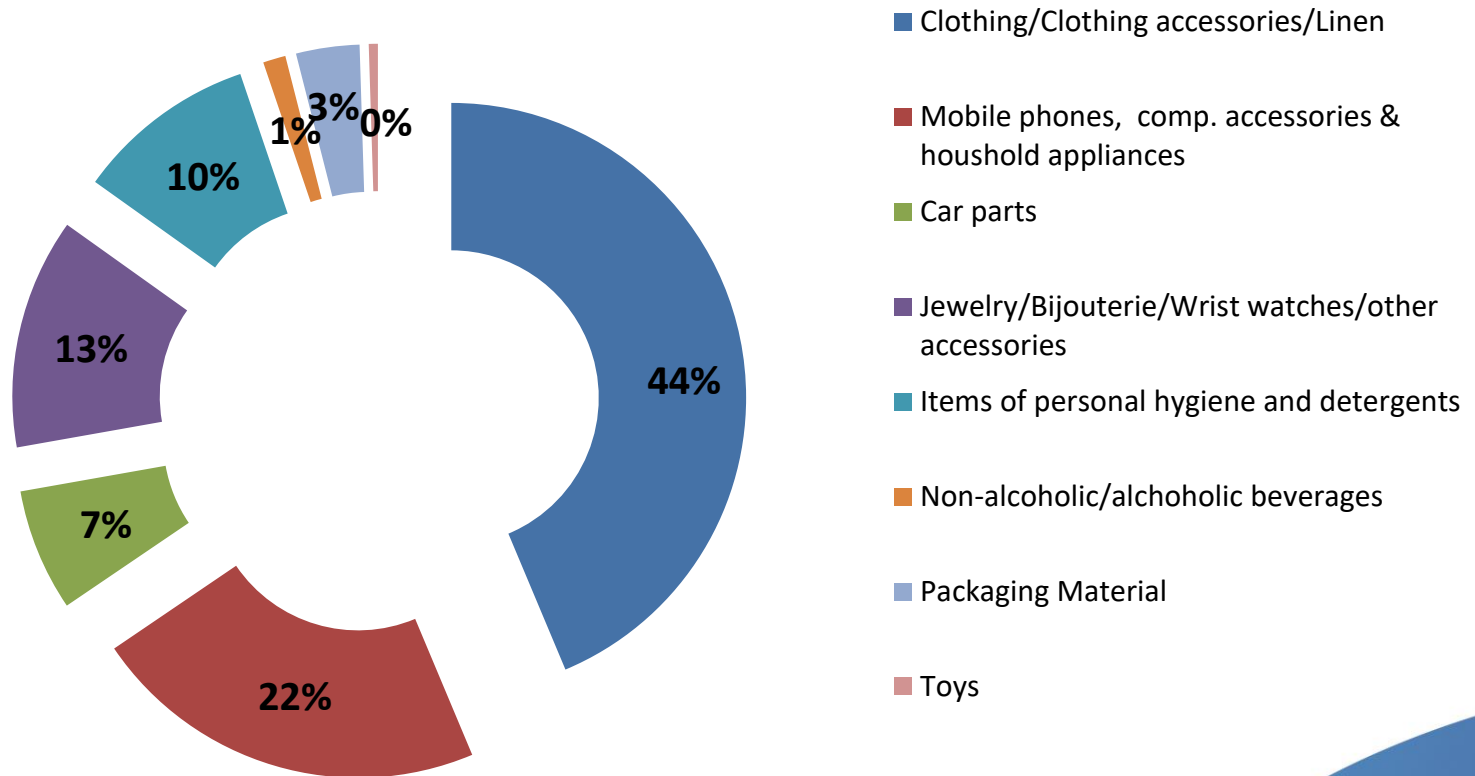
Breakdown of Detention Cases 2021





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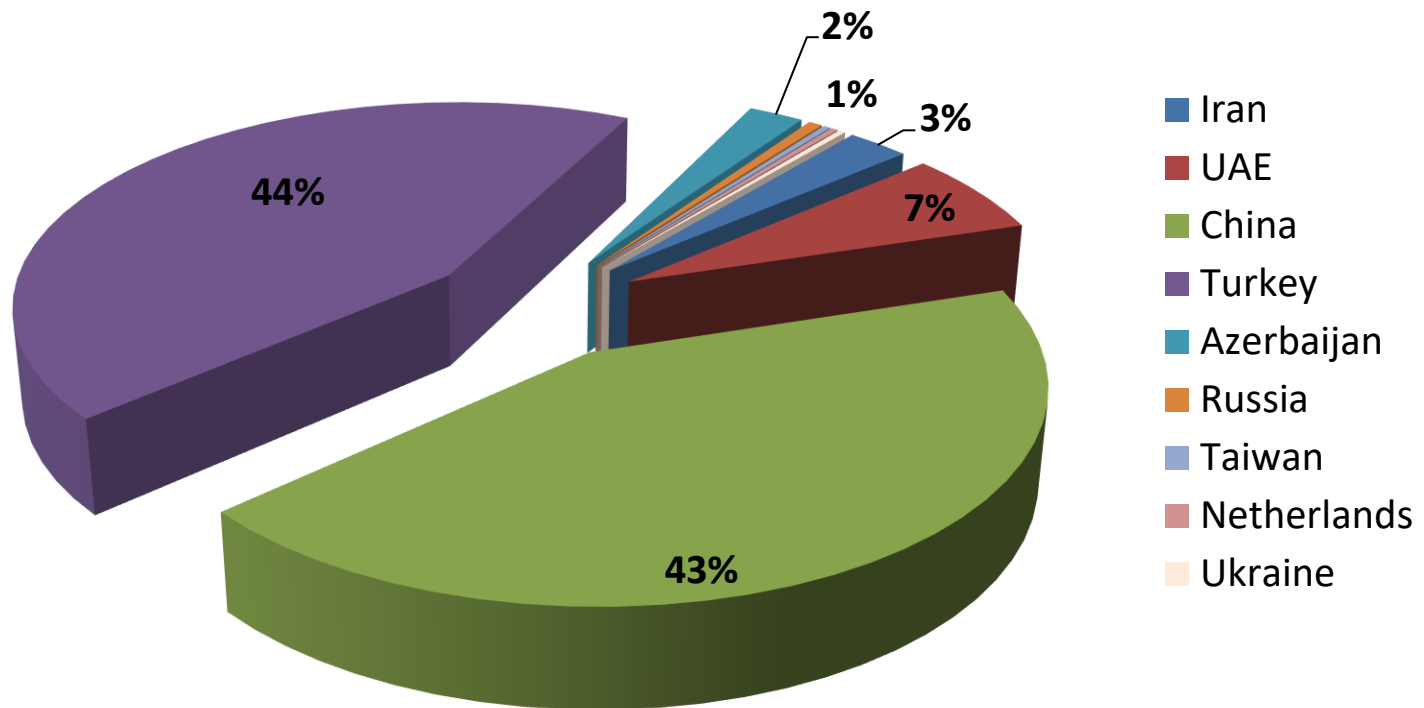
Top Categories by Cases 2018-2021/06





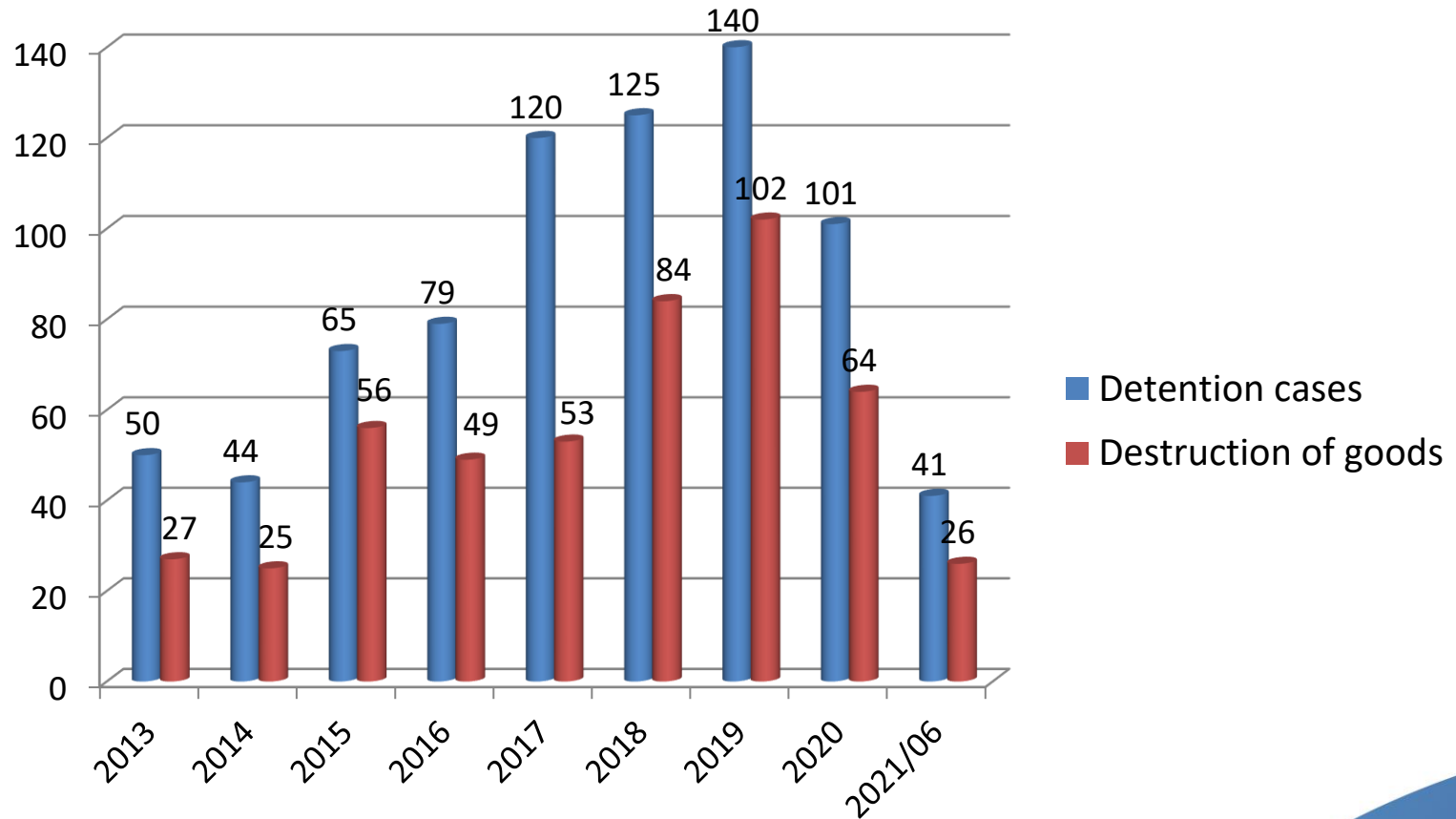
Statistical data on IP rights violations on customs border of Georgia

Countries of Dispatch by cases 2018-2021/06





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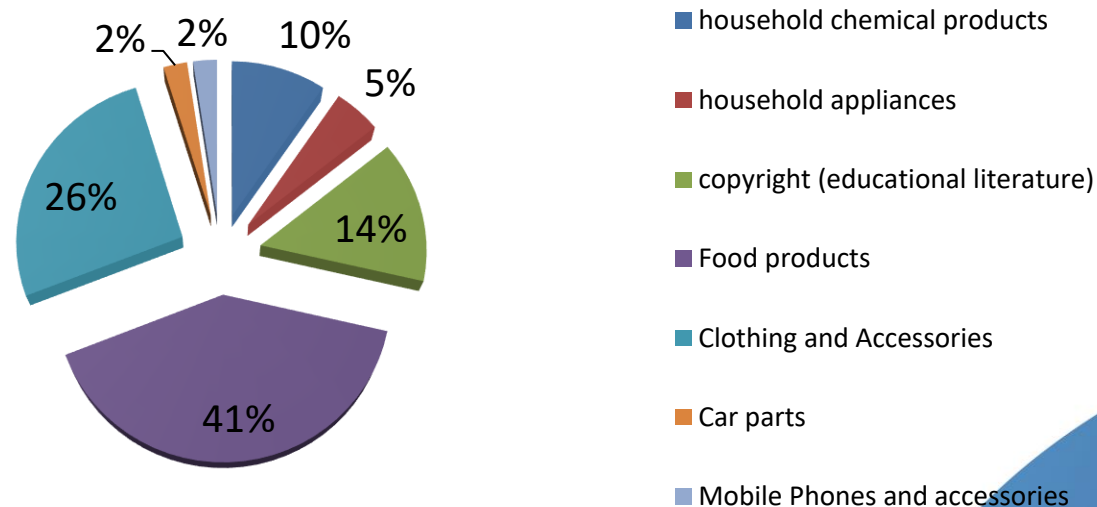




Statistical data on IP rights violations on internal market in 2019-2021

Year	Performed Field Activities	IPR violations Revealed	Sent to Investigation Service
2019	25	17	2
2020	19	13	2
2021/06	13	8	0

Top Categories by Cases 2019-2021/06





Identified needs and scope for future developments

➤ Increasing Capacity of GRS in border enforcement of IPR

- Sharing experience and practical coaching on Ex- officio control procedures
- Provision of trainings for customs officers on identification of genuine/fake products, new trends and routes of movement of counterfeited goods

➤ 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



Thank you for your attention!