Dear colleagues,

We hope you are staying healthy and safe during these uncertain times. As many of us are adjusting and adapting to the impact of COVID-19, we want to ensure that you are still receiving timely updates from INTA on important anticounterfeiting activities.

Based on valuable feedback from our members, we will be sending out monthly updates in an effort to improve communication on what the Anticounterfeiting Committee (ACC) is working on. In each monthly anticounterfeiting update, we will highlight the committee’s global work on a specific topic and provide you with important updates in priority jurisdictions. To view the objectives and priorities of the Anticounterfeiting Committee, please click see the attachment to this email. To view the Anticounterfeiting Committee structure and Mission Statement, please click here.

In this month’s update, we will highlight developments in the online counterfeiting arena and how the committee is responding.

**ONLINE COUNTERFEITING**

**March 2020**

**ACC Strategy and Priorities**

- **Collaboration** - The ACC has held policy dialogues and workshops between brand owners, government officials, and intermediaries in order to increase dialogue and foster collaborative discussion. INTA holds an annual “Anticounterfeiting Workshop” at the Annual Meeting for these stakeholders and will continue to do so in 2020 with a focus on social media sites.

- **Benchmarking** - The ACC has been working on engaging global and local platforms in order to benchmark policies across intermediaries and to introduce the committee’s positions, such as the best practices document on “Addressing the Sale of Counterfeits on the Internet”, revised in 2017.

**Issue Update**

- **European Union** - President Von de Leyen has announced an initiative to review the 2000 e-commerce directive under the lead of DG CONNECT through the Digital Services Act.
  
  - INTA met with DG CONNECT on January 30 to discuss the Digital Services Act and the public consultation expected to be released in the coming months.

- **United States of America** - Two key initiatives by the U.S. government are the main focus of efforts to stop the online sale of counterfeit goods:
  
  - On January 24, 2020, the Department of Homeland Security released its report titled “Combatting Trafficking in Counterfeit and Pirated Goods” in response to the White House April 3, 2019 Memorandum on Combating Trafficking in Counterfeit and Pirated Goods. To read INTA’s response to the April 3, 2019 memorandum, please click here. INTA and ACC members have and will continue to meet with the Intellectual Property Enforcement Coordinator for the White House and the U.S. National IPR Center to discuss brand owner involvement in the implementation of Administration’s proposals.
On March 3, 2020, the SHOP SAFE Act of 2020 (H.R. 6058) was introduced in the U.S. House of Representatives which would amend the U.S. Trademark Act to provide for contributory liability of online e-commerce platforms with regards to the sale of counterfeits online. The ACC as well as the Enforcement, Internet, and Legislation and Regulation Committees are jointly developing INTA’s response to this legislation.

INTA Advocacy Update – Other Issues

- **Canada** – On March 10, 2020, INTA met with legislators in Ottawa to discuss the implementation of the Canada-United States-Mexico Agreement (CUSMA / USMCA) and to offer INTA’s support. ACC members and INTA staff met with Senator Colin Deacon, the Department of Innovation, Science and Economic Development, Canada Border Services Agency, Global Affairs Canada and the Office of the Minister of Small Business, Export Promotion and International Trade to discuss anticounterfeiting priorities.

- **European Union** - Unfortunately, IP crime was not listed as a priority in the Serious and Organized Crime Threat Assessment (SOCTA) report in 2017. In order to make IP crime a priority in EU Member States through the European Multidisciplinary Platform Against Criminal Threats (EMPACT) by next year’s policy cycle, the EUIPO Observatory has asked for stakeholder input by April 10, 2020. This can include case studies, testimonials, and copyright free pictures, which are notably linked to law enforcement operations and which will be included in the EUIPO/Europol polycriminality report. Also requested would be officials at the national level who could be interview partners, in the EUIPO Spring Campaign, for media in different countries.

- **Fiji** - On February 11-13, 2020, the East Asia and Pacific Subcommittee Chair, Nick Holmes, participated on INTA’s behalf in an Oceana Customs Organization Workshop on Brand Protection and Border Enforcement organized in partnership with the Oceania Customs Organization (OCO), the United States Patent and Trademark Office (USPTO), the Pharmaceutical Security Institute (PSI), and INTERPOL. INTA met with Fiji Customs and the Fiji Intellectual Property Office, and was provided the opportunity to submit comments on revisions to the Fiji Trade-Marks Act.

- **Indonesia and Philippines** - ACC members attended stakeholder meetings in Jakarta, Indonesia (February 25) and Manila, Philippines (February 17). The meetings were to kick off discussion between authorities and industry within the UK Prosperity Funds project frameworks to strengthen legal certainty for intellectual property owners, and to improve the business climate.

- **Turkey** - INTA, in collaboration with the Turkish Patent Office, hosted an Anticounterfeiting Policy Dialogue at the Istanbul Court House Conference Hall on January 15. The event drew more than 100 attendees, including judges and public prosecutors.

For more detailed updates, please visit the Anticounterfeiting Committee landing page [here](#) which will be updated throughout the year.

**Upcoming Events**

- April 15, 2020- INTA will host a video conference with representatives from Facebook to discuss current anticounterfeiting policies on the platform. For more information, please contact Maysa Razavi at [mrazavi@inta.org](mailto:mrazavi@inta.org)

If you have any questions or would like more details on the Association’s anticounterfeiting advocacy work, please contact Maysa Razavi, INTA Manager, Anticounterfeiting ([mrazavi@inta.org](mailto:mrazavi@inta.org)), Tiffany Pho, INTA Advisor, Anticounterfeiting ([tpho@inta.org](mailto:tpho@inta.org)) or Valentina Salmoiraghi, INTA Advisor-Asia-Pacific, Anticounterfeiting ([vsalmoiraghi@inta.org](mailto:vsalmoiraghi@inta.org)).
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