

Piracy, Counterfeiting and Border Measures in Pakistan: Factual Overview and Legal and Institutional Framework

In the recent decade, the ripples of demand for the protection of IPRs on the international fora have also been felt in Pakistan. Many know that IPRs exist but few know how it affects them.

As a member of the WTO, Pakistan is committed to fulfil its TRIPS obligations. Pakistan is also a member of the Berne Convention on copyrights and the World Intellectual Property Rights Organization (WIPO). However, the reality is that Pakistan is far behind from rest of the world in enforcement of its IP obligations. The ongoing high level of piracy and counterfeiting and lack of domestic legislation regarding border measures in intellectual property has put Pakistan under enormous pressure from the international community. Pakistan is one of those courtiers, which are on the US “Special 301” watch list due to its widespread piracy and its slow efforts to implement its obligations under the TRIPS agreement.

The customs authorities in in Pakistan are not well equipped to cope up with this alarming scenario. They do not have the necessary training and technical facilitates which can enable them to act effectively. The comparison of statistics of the piracy and counterfeiting in the country and the seizures at borders are a glaring example of the ineffective measures.

Criminal enforcement in China and India had also been the most frustrating problems for the western-based copyright industries. However, due to large and significant indigenous rapidly growing IP industries in both these countries, they are improving their laws to secure their own growing IPR industries.

Piracy and counterfeit activities in Pakistan has caused a significant amount of economic harm. Besides this, a serious consequence of the trade in counterfeit and pirate products is the stimulation of organized criminal activity and the consequential effects upon public and private corruption. They also have damaging effects for consumers and hold particular relevance for the cultural sector.

In Pakistan there is a need on the political and policy making level to realize the importance of intellectual property rights and consider it as a top priority area.