

# **STOP** PIRACY

Swiss Anti-Counterfeiting  
and Piracy Platform

## Concept Paper

19 October 2005

A public-private initiative.

 **Switzerland**  
International Chamber of Commerce  
*The world business organization*



**Eidgenössisches Institut für Geistiges Eigentum**  
**Institut Fédéral de la Propriété Intellectuelle**  
**Istituto Federale della Proprietà Intellettuale**  
**Swiss Federal Institute of Intellectual Property**

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## 1. Background

Illegal activities involving counterfeiting and piracy are a global problem. *Counterfeiting* includes infringements of protected trademarks, designs, geographical indications or patents with the intent of imitating the real product. *Piracy* includes the unauthorized copying of original works and performances which are protected by copyright or related rights.

Swiss companies and businesses are frequently the victims of trademark and design counterfeiting particularly on the European and Asian markets. Many sectors of the Swiss economy, such as the watch industry, the entertainment industry, the machine industry and the food industry, to name a few, are impacted to the point where losses for Swiss companies are estimated to be up to two billion francs annually.

In order to solve the problem in a more effective way, a coordinated, trans-sector approach is needed. To this end, a working group of representatives from industry and the Federal Institute of Intellectual Property (IGE) decided to create a Swiss anti-counterfeiting and piracy platform. Founded July 4, 2005, the aim of the platform is to effectively combat counterfeiting and piracy in a long-term way. Above all, it intends to focus on improving and assuring coordination between industry and government through intensive public awareness-building.

## 2. Mission Statement

*German*

### **Mission der Schweizer Plattform gegen Fälschung und Piraterie:**

Das Problem der Fälschung und Piraterie durch Sensibilisierung der Öffentlichkeit und Verstärkung der Kooperation und Koordination zwischen dem privaten und öffentlichen Sektor sowie innerhalb dieser Sektoren wirksam und nachhaltig bekämpfen.

*French*

### **Mission de la Plate-forme suisse de lutte contre la contrefaçon et piraterie:**

Lutter activement et durablement contre la contrefaçon et la piraterie en sensibilisant le public et en renforçant la coordination et la coopération entre le secteur privé et public ainsi qu'au sein de ces secteurs.

*Italian*

### **Missione della Piattaforma svizzera di lotta alla contraffazione e alla pirateria:**

Lottare attivamente e sul lungo periodo contro la contraffazione e la pirateria sensibilizzando l'opinione pubblica e rafforzando la coordinazione e la cooperazione tra il settore privato e pubblico come pure all'interno di tali settori.

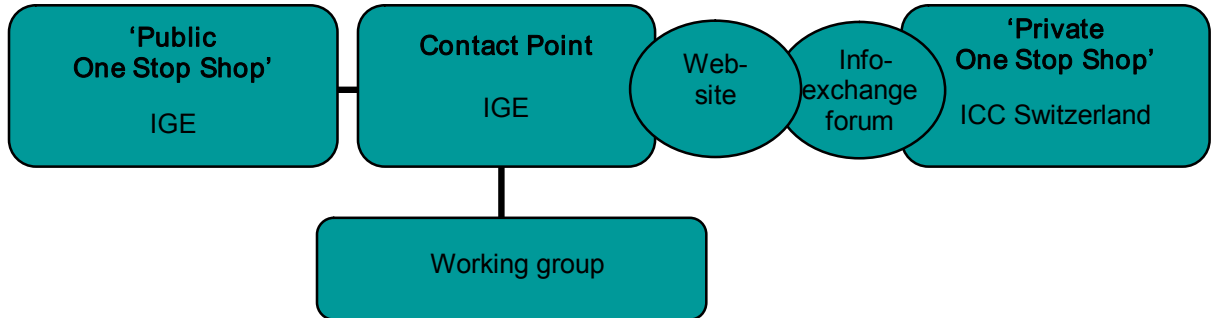
*English*

### **Mission of the Swiss Anti-Counterfeiting and Piracy Platform:**

To mount a vigorous and long-term fight against counterfeiting and piracy through active awareness-building and enhanced coordination and cooperation between the private and the public sector as well as within those sectors.

### 3. Structure

The Swiss Anti-Counterfeiting and Piracy Platform has been set up as follows:



The counterfeiting and piracy (C&P) Contact Point is managed by the Institute of Intellectual Property. It is intended for the public, maintains the Swiss Anti-Counterfeiting and Piracy Platform website and is the home of the secretariat for the working group.

The «*Private* One Stop Shop» is under the management of the Swiss chapter of the International Chamber of Commerce (ICC Switzerland). It functions as the liaison between the Contact Point and the business and trade organizations affected by C&P. It is directly linked to the information exchange forum.

The «*Public* One Stop Shop» is under the management of the Federal Institute of Intellectual Property and acts as the liaison between the Contact Point and the federal agencies involved.

The working group is made up of representatives from business and government. It is responsible for the conception and implementation of the plan of action.

### 4. Tasks

The activities of the Swiss Anti-Counterfeiting and Piracy Platform are as follows:

#### 4.1 *Coordination*

- The «Public One Stop Shop» coordinates with the governmental agencies involved.
- The «Private One Stop Shop» coordinates among businesses and Swiss trade organizations.
- The working group has a coordinating function between the Swiss governmental agencies and the Swiss industry. As it is made up of representatives of both government and indus-

try, its purpose is to hear recommendations from its members regarding implementation of laws, and other activities involving the public, including the awareness-building campaign.

#### ***4.2 Information pooling***

##### **Information exchange forum**

The «Private One Stop Shop» maintains the information exchange forum which is fed by the various participating businesses and trade organizations with information such as:

- details on domestic and foreign contacts for setting up an information network;
- reports on actual experiences;
- information regarding current situations, strategies; etc.

##### **Contact Point**

The Contact Point serves the general public. In addition, it is responsible for the following content on the Swiss Anti-Counterfeiting and Piracy Platform website:

- information on the tasks, structure and composition of the platform;
- information on the extent and consequences of counterfeiting and piracy;
- information on the awareness-building campaigns;
- password protected access to the information exchange forum.

#### ***4.3 Awareness-building and education / Plan of action***

The working group is responsible for the website contents and for creating and implementing a plan of action. In particular, the plan of action includes:

- building awareness among the broad public through educational campaigns;
- training governmental agencies, courts and businesses.

If activities will incur costs in the planning and/or implementation phase a budget must be drawn up. To include an activity in the plan of action, approval must be sought from the working group and from all representatives of the funding organizations.

#### **4.4 Projects**

The working group can create *ad hoc* sub-committees for special projects.

Possible topics and projects could be, for example, protecting the use of the geographical indication «Swiss» by:

- monitoring registration of the geographical indication «Swiss» abroad, for instance, by Swiss embassies or through local trademark attorneys specialized in these matters;
- writing bulk letters to foreign trademark offices; and
- realization of targeted actions abroad (investigations, actions against counterfeiters at trade fairs, etc.).

To the extent that a project is not covered under the plan of action it must be authorized by the working group in order for it to be identified as a project of the Swiss Anti-Counterfeiting and Piracy Platform. In addition, the unanimous approval of the representatives of the funding organizations is necessary.

### **5. Composition of and administrative support for working group**

The working group is made up of representatives from the industry sectors (associations, businesses and organizations) and the governmental agencies. It should be representative of all the various parties affected by C&P, which is why it is open to all interested groups. However, to guarantee effectiveness, it should never have more than fifteen members.

Administrative support for the working group is provided by the Contact Point. The Contact Point will prepare any documents necessary for meetings and will be responsible for the meeting protocols. The agenda of the meetings are prepared by the «Public One Stop Shop» and the «Private One Stop Shop» together.

### **6. Financing**

The Institute will finance the website and the Contact Point and provide the necessary personnel. In addition, the Institute will manage the «Public One Stop Shop».

The information exchange forum is to be financed by the private sector. The ICC Switzerland will manage the «Private One Stop Shop» and will provide the necessary personnel. If needed for financial reasons, the ICC Switzerland may charge a user fee.

The working group members must cover their own costs.

The activities carried out according to the plan of action as well as the projects are to be financed according to the plan of action or the project budget.