



BASCAP *news*

Business Action to Stop Counterfeiting and Piracy

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Spreading the BASCAP messages

Communications and public education are essential in the fight against counterfeiting and piracy. Recognizing this, BASCAP is undertaking a public education campaign to improve understanding of the issue. The results of BASCAP's global perception survey on counterfeiting and piracy, due in September 2006, will provide key information to deliver to our intended audiences. The BASCAP website is also crucial to the campaign (see page 2).

Polymakers and consumers are already being targeted so they understand the full social and economic costs of counterfeiting and piracy, including harm to health and safety.

In July, ICC Chairman Marcus Wallenberg discussed these issues in a meeting with Russian President Vladimir Putin.

ICC Secretary General Guy Sebban has addressed dozens of audiences and has given numerous interviews to the media. Mr Sebban spoke at the World Congress on Information Technology in Austin, Texas in May 2006 and at the 2nd Global Congress on Counterfeiting and Piracy last autumn at Interpol headquarters in Lyon. He called on governments and intergovernmental organizations to make intellectual property (IP) rights enforcement a top priority.

He also took BASCAP messages to the Conference on Protecting Intellectual Property in Amsterdam and the 11th European Forum on Intellectual Property in Paris. In India, Japan and Hong Kong, he enlisted the support of ICC National Committees and urged companies to engage in



ICC Secretary General Guy Sebban at the Lyon Congress

the effort.

ICC's comprehensive communications plan includes a partnership with a global media organization. The aim is to generate sustained media coverage on IP enforcement, highlight BASCAP's activities, and rapidly respond to misleading news stories on IP protection.

Global counterfeiting & piracy survey underway

The much-anticipated BASCAP Counterfeiting & Piracy Survey is scheduled for release in late September 2006. The primary function of the survey is to identify areas that deserve greater attention within national IP protection programs.

Polymakers, among others, are eager for tools that will

help them identify problems, track trends, set priorities and allocate resources.

The BASCAP survey will measure business perceptions of progress made by countries in fighting counterfeiting and piracy and seek to motivate change by indicating where governments are "doing it

right". The survey will also gather multinational companies' experiences and perceptions of the markets where they operate.

City University of London's Cass Business School has been engaged to assist with formulation of the survey, data collection, and analysis of the results.

Uniting efforts by pooling information online

The BASCAP website is a central location for information on IP protection including, facts and figures, good practices, innovative solutions, model legislation, and activities in this global campaign.

Divided into sector and country categories, the information is being gathered and posted daily and is already at the fingertips of members who need it to advance their advocacy work.



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“There’s an enormous amount of valuable information out there, but it often exists on

various websites, isolated from similar efforts in other industries or in different regions of the world,” said ICC Secretary General Guy Sebban. “We are bringing it all together in an online information clearinghouse.”

The website is also a place for companies to share information they’ve collected. To submit material to the website, please contact Jeff Hardy, jhd@iccwbo.org.

An ICC initiative

BASCAP
Business Action to Stop
Counterfeiting and Piracy

“Counterfeiting and piracy result in economic, social and developmental costs that are broader than profit losses to a single company or sector and are more damaging to economic growth than may be currently understood.”

— Jean-René Fourtou
Chairman of the
Supervisory Board of
Vivendi
ICC Honorary Chairman
and
Co-Chairman of BASCAP

Making the case for enforcement

While the problem of counterfeiting and piracy is growing, how it harms individuals and societies remains poorly understood. Making the case and providing the public with real examples of the harmful effects is essential to BASCAP’s success. Governments need a stronger impetus to act. Like the public, they have not yet fully understood the imperative to enforce intellectual property (IP) rights.

To help business leaders and industry actors strengthen and focus this message, BASCAP is creating a database-driven collection of case studies and anecdotes to support arguments made to policymakers, the media and the public.

Many in the public link IP issues with pirated DVDs but relatively few recognize that IP rights protection is needed to

ensure the integrity of airplane parts, food, batteries, medicine and more. Industries experiencing the problem know the arguments from their own context; but collectively, the wider economic, social and developmental costs also need to be understood and communicated.

Piracy and counterfeiting are responsible for a widespread loss of lawful employment opportunities. They cause massive deterioration of government tax revenues. They rob the creative community of reward for effort and innovation and undermine local culture by reducing the incentive for international companies to invest in certain countries.

Despite these and other seri-



ous economic and social losses — few governments have been successful (or even willing) to take sufficient action to protect IP.

BASCAP stakeholders identified a need to offer tangible examples people can relate to. They have engaged the Counterfeiting Intelligence Bureau of ICC’s Commercial Crime Services division in a partnership to create the collection of case studies and anecdotes.

The effort will include periodic reports on topics such as loss of lawful employment opportunities or risks to health and safety. There will also be a searchable database of examples for members to pull from as they prepare policy papers, speeches, press releases and research reports aimed at increasing public and political awareness of the problem.

BASCAP CEOs meet in London

The first meeting of BASCAP's CEO Group was co-chaired by Jean-René Fourtou (Vivendi) and Eric Nicoli (EMI Group) on 4 October 2005, in London. Business leaders participated in an open exchange of views on the growing problem of counterfeiting and piracy and discussed steps to establish and expand a CEO-level leadership group to strengthen the BASCAP program.

The participants shared their deep concern about the significant economic losses imposed on business as a result of widespread counterfeiting and piracy and stressed that the problem also created significant dangers for consumer health and safety in some sectors. They discussed steps taken by their companies to work with governments and customs officials and to uncover illegal networks. They stressed that the problem is

not limited to major multinational companies but also poses a serious threat to small companies, especially those working to establish legitimate business in developing countries. The group discussed the need for better laws

governing the protection of intellectual property, but noted that enforcement (and the capacity to enforce) still tends to be a low priority in many countries.

The business leaders all agreed that the BASCAP mission, embodied in its cross-sector, cross-border approach, is a very important initiative for companies large and small. They pointed out that this collective approach to communicating with consumers and urging govern-



ment action is especially valuable to individual companies because arguments that are not specific to products or sectors can be used without compromising consumer confidence in established brands.

The group made a number of key decisions, including endorsement of the BASCAP work plan, commitments to reach out to the media and to recruit other companies to expand geographical representation. The group will next meet on 29 January 2007.

BASCAP CEO Group

Jean-René Fourtou

Vivendi, France
BASCAP Co-Chair

Eric Nicoli

EMI Group, UK
BASCAP Co-Chair

Steven A. Ballmer

Microsoft, US

Peter Brabeck-Letmathe

Nestlé, Switzerland

David Brennan

Astra Zeneca, UK

Stephen Brogan

JonesDay, US

Pierre Dufour

Air Liquide, France

David Iakobachvili

Wimm-Bill-Dann Foods,
Russia

Sudhir Jalan

SICPA India Ltd, India

Randy Pond

Cisco Systems, US

Tariq M. Rangoonwala

Home Products
International, Pakistan

Marcus Wallenberg

SEB, Sweden

Andrew Witty

GlaxoSmithKline, UK

Bob Wright

NBC Universal & the
General Electric
Company, US

CEOs urge EU President Barroso to action

In a letter to EU President José Manuel Barroso, the BASCAP CEO Group identified fighting product counterfeiting and copyright piracy as one of the most critical steps the EU can take to increase economic competitiveness.

Welcoming recent European Commission initiatives to tackle this illegal activity, the letter from more than a dozen top executives of ICC member companies urged the com-



mission to ensure these initiatives are followed through and given the sufficient political support and resources necessary to be effective.

The BASCAP Group noted: "Unfair competition from

counterfeiting and piracy worldwide drains billions annually from the 'virtuous circle' of economic growth that intellectual property generates, and costs the EU more than 100 000 lost jobs."

The executives offered their support and assistance to the European Commission, saying, "There is much more that can be done to tackle this serious economic and social problem."

Film piracy conference draws record numbers

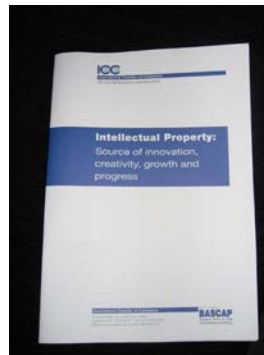
During this year's Cannes Film Festival, ICC/BASCAP hosted a conference entitled **Film Distribution, New Technology and Piracy: Surviving in a Brave New World** on 18-19 May. Panellists included Dan Glickman, CEO, Motion Picture Association of America; Viviane Reding, EU Commissioner for Information Society and Media; and Nicolas Seydoux, CEO, Gaumont, the European distribution company. For a full story, go to www.iccwbo.org/icchegei/index.html

Upcoming events

ICC will co-sponsor the 3rd Global Congress on Combating Counterfeiting and Piracy, along with WIPO, WCO, Interpol and other business organizations, at WIPO headquarters in Geneva, 30-31 January 2007...♦♦...**On the web:** Look for BASCAP Intelligence Reports on counterfeiting and piracy incidents, brands involved, sector statistics, country locations and estimated seizure values.

Standing up for intellectual property

The first BASCAP product was released in July 2005. It is a useful brochure outlining the issues, providing arguments and giving examples business can use when making the case for protecting intellectual property rights. The product involved contributions from more than 20 experts from almost as many industry sectors and addresses the issues in layman's terms. The document, *Intellectual Property: a Source of Innovation, Creativity, Growth and Progress*, can be found on the BASCAP website in PDF format. www.iccwbo.org/bascap



Business Action to Stop Counterfeiting and Piracy

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ICC National Committees focus on BASCAP

Located in 90 countries, ICC national committees form the network that makes ICC the world's largest, most representative business organization. Operating at the doorstep of local and national legislatures, ICC national committees provide powerful on-the-ground resources for reaching and influencing national and local policymakers.

Over the past year, a number of ICC National Committees held BASCAP events in order to begin working on the problem from the local perspec-

tive. Many more national committees will hold BASCAP events from now through the end of next year. ICC will join forces with our Counterfeiting Intelligence Bureau (CIB) to arrange these events.

On 1 December, ICC India will host an important BASCAP meeting designed to convey messages to Indian government officials and to generate greater BASCAP participation in the Asia-Pacific region. ICC's Chairman, Secretary General, and a number of CEOs will be in attendance.

The events will tackle issues like devising an effective anti-counterfeiting strategy, using law enforcement to detect and deter, and using technology to protect and authenticate products.

The sessions will be presented by a variety of experts from the CIB, government and industry. To host or participate, please contact: Peter Lowe, Tel: +44 (0)20 8591 3000; p.lowe@icc-ccs.org.uk ICC Counterfeiting Intelligence Bureau
www.icc-ccs.org



International Chamber of Commerce
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