



International Chamber of Commerce

The world business organization

Department of Policy and Business Practices

4th of February 2009

Survey on intellectual property related activities in chambers of commerce

Organisation	: FEDERATION OF THE INDUSTRIES OF THE STATE OF SÃO PAULO (FIESP)
Country	: BRAZIL
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1. General comments

The violation of the Intellectual Property Rights is an illegal and unfair practice that affects the world economy, consumers and manufacturers, and poses risks to public health and safety. It is a crime that disrupts legitimate markets, generates unemployment and informality, and decreases tax revenues.

In our understanding, the promotion measures of the IP rights in Brazil should focus on educating and raising awareness of the population, improving the effectiveness of current legislation, strengthening of law enforcement actions and punishing offenders.

In order to defend the IP rights, the Federation of Industries of the State of São Paulo (FIESP) has elected the anti-piracy activities as one of its priorities.

FIESP understands that promoting intellectual property rights, and thus, fighting piracy, must be a permanent effort.

2. Communication Tools

What kind of communication tools concerning IP do you offer? Please elaborate.

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- a) On-line e.g. website

So far, there is no website concerning specifically this matter. There is, though, in the website of the institution, a description of our activities and the contacts for interested parties to get in touch: http://www.fiesp.com.br/derex/defesa_comercial/default.aspx

- b) Hard copy publications (e.g. guides, newsletters)

We have a report on past activities related to the theme

- c) Others
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3. Training

Do you offer any training programs in the IP field? Please elaborate.

FIESP sustains a very strong position regarding the promotion of the intellectual property rights, and, since 2004, has been demonstrating its engagement through the realization of the following seminars/ workshops:

- a) Seminars/ workshops

- **“Training Programs for Public Agents – Fight Against Piracy and other Illegal Practices”:**

These programs are being held since 2006 and are aimed at providing information that can assist and qualify public agents in the identification of counterfeited products and other unfair and illegal practices that are detrimental to Brazilian foreign trade. The programs demonstrate the problem within various segments of the national economy and approach the following aspects: the specific legislation of each sector, the way criminals act, other illicit acts resulting from crime and, mainly, the technical aspects of each industry in the identification of counterfeited products together with other relevant information. Above all, they aim to promote de integration between the public and private sectors.

In 2006 and 2007, the Training Programs were held exclusively for the Customs Agents of the Internal Revenue Office, and, due to the excellent results obtained afterwards, they were extended, in 2008, to the Magistrates and other public agents of the Prosecuting Council, Federal Highway, as well as of the Federal Police.

FIESP is in charge of the organization of the Training Programs for both the Internal Revenue Office and the Federal Police. The other programs are held by partners and rely on the institutional support of FIESP.

- **“Introduction to the Intellectual Property System”:**

Seminar held by FIESP and the National Institute of Industrial Property (INPI) in partnership with the U.S. Embassy and the United States Patent and Trademark Office (USPTO), on April 24th, 2008.

The event, which was attended by 130 people, made feasible the encounter between professionals of the USPTO and the National Manufacturing Sector, in order to promote the learning of the protection of trademarks and obtaining of patents in the USA.

- **“Promotion of the Innovation in an Era ”:**

Seminar organized by FIESP, the U.S. Chamber of Commerce and the American Chamber of Commerce, on November 11th, 2008. It counted with authorities from both Governmental and Industrial sectors and aimed at raising the importance of protection of Intellectual Property Rights (IPR) as an engine towards the development in the international level, as well as to stress the relevance of those rights for the promotion of innovative efforts.

b) On-line tutorials

No

c) Others

4. Consultancy/ Advisory Services

Do you offer any IP-consultancy services? This could include a helpline, legal/ financial/ commercial/consulting services etc. Are intellectual property aspects included in general commercial/business advice provided by your chamber?

We provide “ad hoc” information, when consulted, and the information we provide covers all aspects of intellectual property. The advisory service normally consists in meetings with the most active institutions (law firms, chambers of commerce, associations and public entities), developing critical mass for the improvement and enforcement of IP rights in Brazil.

5. Information gathering/ awareness raising

Do you conduct surveys or gather information about IP activities in any other way? Do you carry out any awareness raising activities? Please elaborate.

As above mentioned, one of the priorities of FIESP is the promotion of the IP rights. In order to keep track of the main IP activities that take course in Brazil and worldwide, we conduct daily and weekly surveys:

- Daily research on IP related matters:
 - Brazil's adhesion to the Madrid Protocol (International Agreement for an effective protection on Intellectual Property)
 - Anti-Counterfeiting Trade Agreement (ACTA)
 - Compulsory licensing of drugs
- Weekly monitoring of IP related laws and norms passed by the Legislature and the Executive Power.
- Weekly monitoring of IP related Bills proposed by the National Congress.

6. SME case studies

Do you publish case studies of SMEs who have actively used IP in their businesses? Can you provide us with any such case studies?

The main concern of FIESP in the IP segment is the promotion of activities regarding general IP enforcement policies. Therefore, we haven't published any case studies of SME's who have actively used IP in their businesses until the present moment.

7. Facilitation of IP business opportunities

Do you provide any services to help businesses trade in IP eg IP business matchmaking, marketplaces etc?

FIESP actions are related to education, improvement of effectiveness of current legislation, strengthening of law enforcement actions and punishing offenders. Therefore, we are not used to providing services to help businesses trade in IP eg IP business match making etc.

8. Policy advocacy

Do you engage in policy advocacy in the IP field? Please provide details.

FIESP concerns are not focused on engaging in policies advocacy in the IP field. However, it promotes integration between public and private sectors, and other general measures. Through its Department of International Relations and Foreign Trade (DEREX), FIESP is always available to guide, defend and promote the interests of manufacturers.

As the first institution to be admitted to the Panel of Collaborators of The National Council to Combat Piracy (CNCP) of the Ministry of Justice, FIESP has been working closely with the Council and other institutions, promoting seminars, studies, surveys and exhibitions.

Monitoring of the activities and participation in the Special Committee to Combat Piracy of the Chamber of Deputies, created on March, 2008. Its main purpose is to promote improvements in the legislation regarding Intellectual Property

9. Encouragement of innovation and IP asset development

Do you have any initiatives to encourage innovation or the development of IP assets e.g. awards, competitions, technology showcases etc ?

FIESP's Department of International Relations and Foreign Trade (DEREX) 2009 Agenda on IP matters elected encouragement of innovation and IP asset development as one of its priorities. This program includes education, improvement of effectiveness of current legislation and IP registration processes, mainly through integration between public and private sectors.

10. Others

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We consent to the above information being posted on the ICC (International Chamber of Commerce) website.

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