

Commercial Customs Operations Advisory Committee (COAC)

Government Issue Paper: Intellectual Property Rights (IPR)

August 2019



U.S. Customs and
Border Protection

INTELLECTUAL PROPERTY RIGHTS (IPR)

Action Required: Informational

Background:

- The Commercial Customs Operations Advisory Committee (COAC), through the Intelligent Enforcement Subcommittee Intellectual Property Rights Working Group (IPRWG), provides advice and recommendations on improving intellectual property rights (IPR) enforcement.
- At the February 27, 2019 COAC public meeting, the advisory committee voted on six recommendations that were developed by the IPR Working Group (IPRWG) to address current challenges in IPR enforcement.
- CBP is currently working within the IPRWG to explore and work through these recommendations, which cover the following topics:
 1. Additional Data Elements and Metrics
 2. Small Package Concerns
 3. Automation Needs
 4. Regulatory Changes
 5. Donation Acceptance Program
 6. eRecordation
- CBP is developing an IPR blockchain proof of concept to test the use of the technology for facilitation and enforcement purposes.
- In March, CBP held an IPR blockchain workshop to define the scope of the proof of concept and determine the private sector participation. This two day workshop included representatives from both the trade community and CBP. This has been followed by a series of weekly meetings to discuss the technical requirements and develop the engineering plan for the testing phase.
- In its efforts to address concerns raised in the Presidential Memorandum on combatting online trafficking in counterfeit and pirated goods issued on April 3, 2019, CBP requested feedback and suggestions from the IPRWG. Some members of the IPRWG have provided written comments.

Issues and Next Steps:

- CBP and the IPRWG members are currently discussing the following issues:
 - Potential areas where automation of CBP's processes may be most beneficial for the processing of small packages; and
 - CBP's recordation process and systems.
- CBP will provide further briefings with IPRWG members on CBP's implementation of the E-Commerce Strategy.