

# Commercial Customs Operations Advisory Committee (COAC)

## Government Issue Paper: Intellectual Property Rights (IPR)

December 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.
  1. Additional Data Elements and Metrics
  2. Small Package Concerns
  3. Automation Needs
  4. Regulatory Changes
  5. Donation Acceptance Program
  6. eRecordation
- In August 2019, COAC put forward three recommendations on automation to both the eRecordation system and the ACE Portal:
  1. COAC recommended CBP receive additional resources to make eRecordation improvements.
  2. COAC recommended that functionality be built into ACE for right holders to view detention and seizure information.
  3. COAC recommended for the ACE portal to allow intelligence sharing on the outcome of IPR violations and involved parties.
- The comment period for the August 27, 2019, “Disclosure of Information Regarding Abandonment” NPRM closed on November 15, 2019. CBP is currently reviewing the comments that have already been received.

### **Issues and Next Steps:**

- CBP and IPRWG members are currently conducting a mapping exercise to identify and elucidate best practices companies are using prior to importation to protect against trade in IPR-infringing goods.
- The IPR blockchain proof of concept concluded in October, and CBP is currently drafting the assessment of the program.