

**ADVISORY COMMITTEE ON COMMERCIAL OPERATIONS OF CUSTOMS AND  
BORDER PROTECTION (COAC)  
Trade Enforcement Subcommittee  
Intellectual Property Rights Working Group  
Government Report on Intellectual Property Rights Enforcement  
November 2013**

**Background**

- The Trade Enforcement and Revenue Collection Subcommittee (TERC) and Intellectual Property Rights Working Group (IPRWG) assist the COAC in providing advice and recommendations to CBP on improving IPR enforcement. They have been examining supply chain initiatives to facilitate legal trade while helping CBP improve IPR targeting and enforcement.

**Current Status**

- CBP and the IPRWG continued to assess the feasibility of using GS1 standards, specifically the standard identification key “Global Shipment Identification Number (GSIN)” as an indicator of the IPR compliance of imported shipments. Based on costs to the trade and CBP, challenges with measuring return on investment, and the current level of trade adoption of GS1 standards, CBP and the IPRWG concluded that this concept is ahead of its time, and that work should be suspended to allow focus on other projects.
- As an alternate way forward towards the goals of DCM, CBP and the IPRWG are focusing on use of the Document Imaging System (DIS). Importers would voluntarily submit documentation regarding the authenticity of shipments via DIS for evaluation by CBP in determining whether to place a shipment on hold, and to assist infringement determination if the shipment is examined. Although a more manual approach than the DCM concept using GS1 GSIN, DIS offers the advantage of already being in use, allowing quicker progress towards testing.
- A right holder member of the IPRWG proposed a “Safe Ship” social network styled program that would enable right holders on a voluntary basis to advise CBP of their business relationships with the intention of increasing CBP’s knowledge of trusted entities. CBP and the IPRWG noted that this concept was very similar to the social media platform explored in DCM work during the previous COAC term, and poses many of the same challenges – development and maintenance costs, and difficulties with data accuracy for supply chains that involve many licensees and change frequently.
- Going forward, CBP and the IPRWG will engage in bi-directional education with the goal of identifying ways to improve IPR enforcement without unduly burdening trade or CBP resources. Simplified processing for small shipments of counterfeit goods in the express environment has been identified as an initial focus.
- Exclusion order enforcement was also raised. However, the issues surrounding this extend beyond CBP, and the U.S. Intellectual Property Enforcement Coordinator is undertaking work on this.