

Intellectual Property Rights Initiatives and Trade Facilitation

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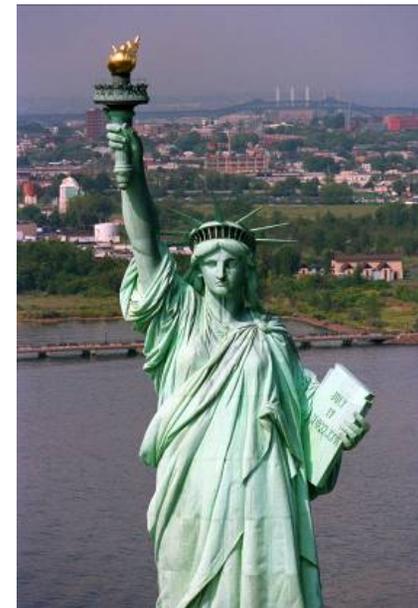
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U.S. Customs and Border Protection
2008 Trade Symposium

CBP's Mission

- To secure America's borders to protect the American people and our economy while promoting the flow of legitimate trade and travel.



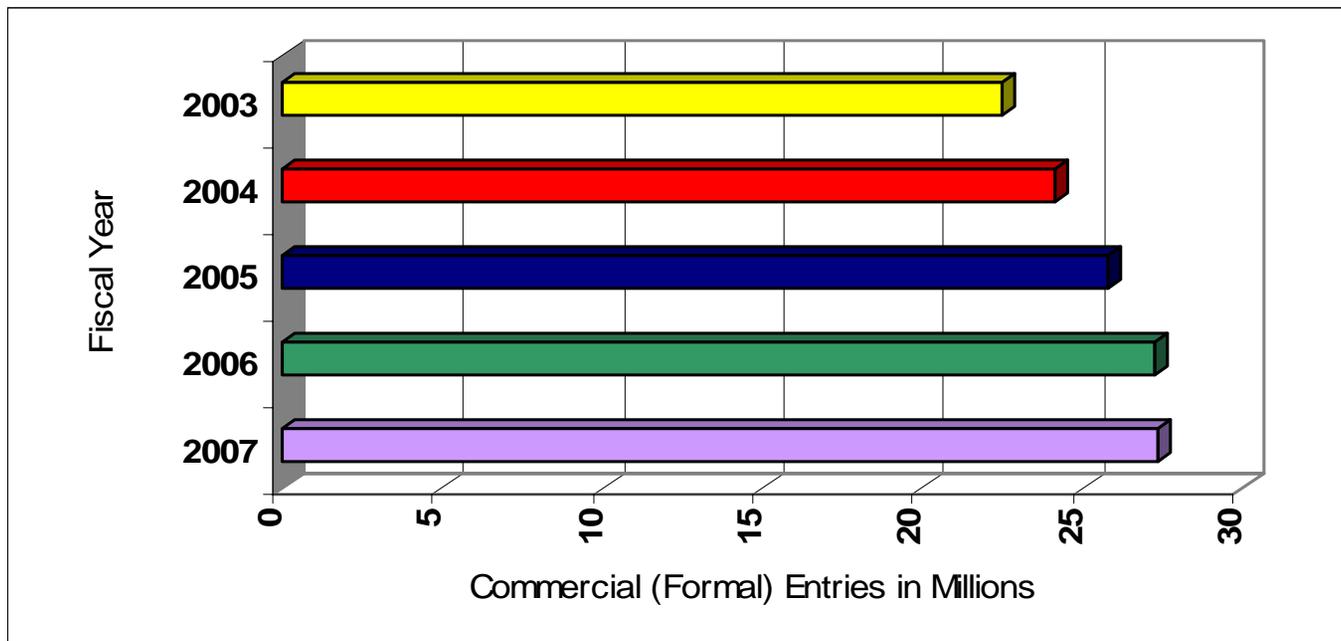
A Challenging Task:

- ❑ 326 Ports
- ❑ About 10 Million containers FY 07
- ❑ Over 31 Million entries FY07
- ❑ 6,900 miles of land border
- ❑ 95,000 miles of shoreline



Growth of U.S. Imports

Number of shipments to be screened increases annually

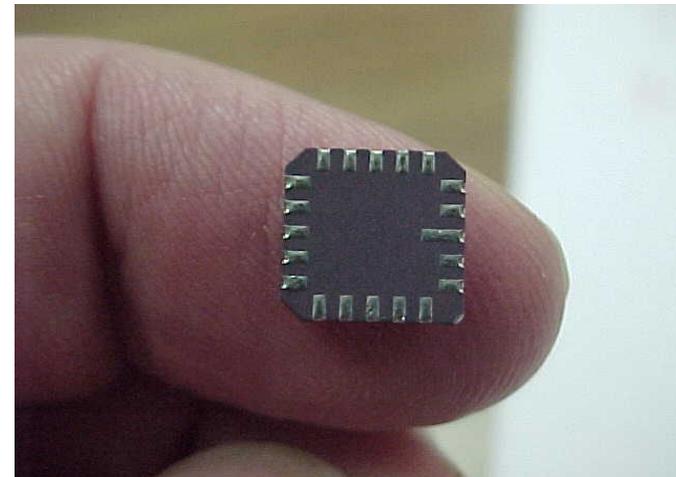


Disclaimer

The information contained on this page does not constitute the official trade statistics of the United States. The statistics, and the projections based upon those statistics, are not intended to be used for economic analysis, and are provided for the purpose of establishing CBP priorities and workload.

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Growing Safety, Security, and Economic Threats



CBP IPR Enforcement Officials

- Attorneys
- Auditors
- CBP Officers
- Import Specialists
- International Trade Specialists
- Scientists



Strategic, Multi-Layered Approach to IPR Enforcement

- Stop infringing goods at the borders
- Expand the border
- Partner with industry, other federal agencies, international organizations, and trading partners



Stop Infringing Goods at the Border

- Innovative tools: IPR risk model
 - Goal: Enhance identification and interdiction of counterfeit and pirated goods at the border by improving IPR risk analysis



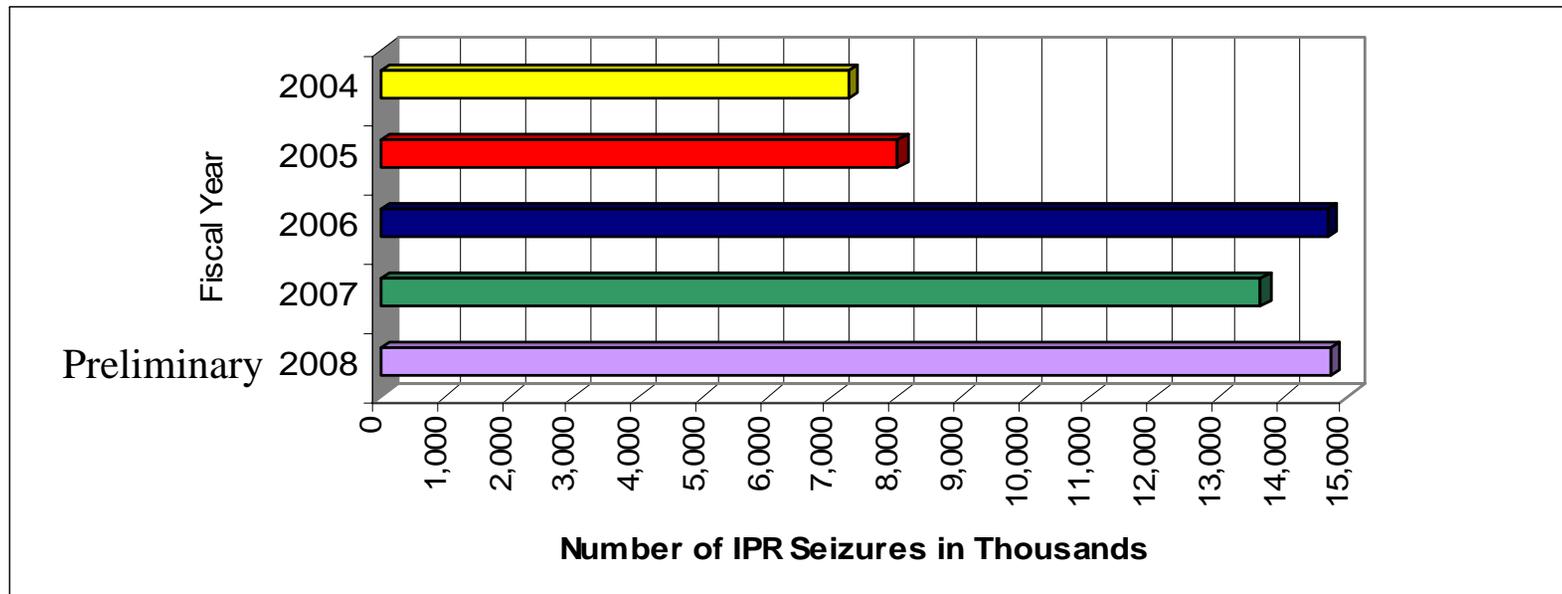
IPR Targeting and Risk Analysis

- Sharpen focus on high-risk shipments to increase interdictions
- Reduce unproductive examinations of low-risk shipments
- Use IPR enforcement resources more efficiently
- Reduce delays and costs to importers



Customs IPR Seizures

U.S. border enforcement agency IPR seizures rise annually



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IPR Border Enforcement Seizures

- Fiscal Year (FY) 2007: \$196 million in domestic value, a 27% increase over FY 2006
- Preliminary FY 2008: \$266 Million, a 30% increase over FY 2007
 - 100% increase in value of seizures of infringing products posing safety and security risks



Expanding the Border

- International Cooperation
- IPR Audits



International Initiatives

Ongoing bilateral and multilateral initiatives include:

- Memorandum of Cooperation with China Customs
- U.S. – EU IPR Action Plan
- G8 IPR Projects
- Security and Prosperity Partnership (SPP) IPR Working Group
- World Customs Organization
- Anti-Counterfeiting Trade Agreement (ACTA)



International Objectives

- ❑ Enhance networks of border officials
- ❑ Share information and best practices for enforcement
- ❑ Develop and implement joint initiatives
- ❑ Build IPR enforcement capacity



IPR Audits – Post-Entry Verification

- Increase effectiveness by addressing counterfeiting and piracy at the organizational level
- Shift focus from transactions / individual shipments to business engaged in trade in fakes
- Apply audit techniques to IPR enforcement



IPR Audits

- IPR Audits (FY 2005 through June 2008)
 - 46 completed audits of companies at high risk for IPR infringement Place holder for Audit Information and Stats
 - 37% of importers had inadequate or no IPR internal controls
 - \$6 million in penalties assessed for IPR infringements found in audits



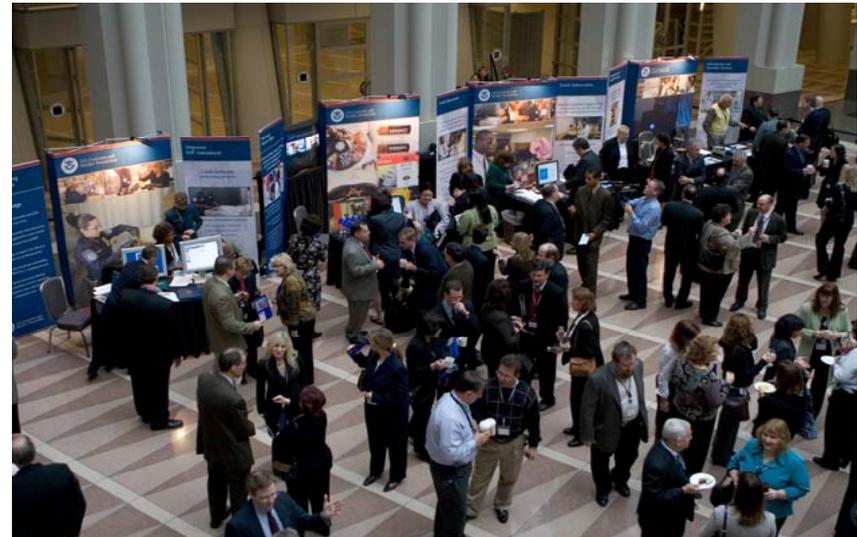
Partner with Other Agencies

- Strategy for Targeting Organized Piracy (STOP!)
- National Intellectual Property Rights Coordination Center (IPR Center)
- Intellectual Property Enforcement Coordinator (IPEC)



Partner with Industry

- ❑ COAC IPR Enforcement Subcommittee
- ❑ Collaborate with right holders on IPR training & info sharing
- ❑ e-Allegations
- ❑ e-Recordation





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Intellectual Property Rights: Initiatives and Trade Facilitation

Thank You

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