Criminal enforcement of intellectual property rights in Moldova, reviewed by the international expert David Lowe

Between the 13th and 17th November 2017, the expert from the EU funded Project “Support to Enforcement of Intellectual Property Rights”, David Lowe, reviewed the criminal intellectual property right enforcement system in the Republic of Moldova.

During the mission, David Lowe, Head of Intellectual Property Enforcement at the Intellectual Property Office in the United Kingdom, met with representatives from the General Police Inspectorate, General Prosecutor’s Office, State Agency on Intellectual Property (AGEPI) and private industry lawyers.

The review included legislation, competencies, structure, statistics, capacity building and modus operandi.

The analysis of the IPR enforcement situation in the Republic of Moldova is extremely important as, since signing the Association Agreement with the European Union, our country is committed to creating a functioning legal framework similar to the Community acquis. According to the 2016 AGEPI Annual Report, prosecutors conducted criminal investigations in four cases on infringement of IPR, causing damage to right holders of 1,086,800 lei. Also, during 2016, the Customs Service registered 35 detentions of goods suspected of being counterfeit. The top goods suspected of being counterfeit, detained at the border, included clothes, cosmetics and auto parts. Only 22% of the detained goods were found to be counterfeit.

“*Intellectual property crime damages the economy, attracts organized crime and is a direct threat to the health of consumers. Consequently, as the number one priority of all Governments is to protect their society, it is essential that law enforcement is involved in the fight against fakes*”, believes David Lowe.

Further, an Action plan and recommendations to enhance the implementation of the criminal intellectual property rights system in Moldova will be developed by David Lowe in cooperation with the General Police Inspectorate, General Prosecutor’s Office, State Agency on Intellectual Property and private industry lawyers.

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According to the OECD, counterfeit and pirated products amounted to up to 5 % of imports in 2013 in the European Union, or as much as EUR 85 billion. This suggests that the relative impact of counterfeiting is twice as high for a group of developed countries, such as the EU, than it is for the world as a whole.

The Technical Assistance project "Support to enforcement of the intellectual property rights" in the Republic of Moldova is funded by the European Union and is implemented by a Consortium led by Archidata Srl (Italy) together with European Profiles SA (Greece) and Business and Strategies in Europe S.A. (Belgium) for a period of 2 years until November 2018.

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