Cooperation with Right holders

WCO National Seminar for
the Bangladesh National Board of Revenue (NBR)
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Contents

◆ Cooperation in Enforcement procedure
  – Application for Suspension
  – Identification Procedures

◆ Revisions of Enforcement system

◆ Others
  – Customs Seminar
  – Joint Seminar/Campaign
  – Customs website
Application for Suspension

- Type of right
- Evidence of the right
- Name of goods
- Prima facie evidence of infringement
- Difference between genuine and fake
- Country of production and routes used by traffickers
- Assumed importers’ and/or exporters’ name and address, etc.

Please suspend these copy goods!!! Which look like...

Customs

IPR specialists

Right holder
Consultation with Right holder
~Trademark case~

Right holder really possess the right?
*Prima facie* evidence?
Can distinguish between genuine and fake?
Any other useful information?
How to prepare the document

IPR specialists

Please suspend these copy goods!!!
What should I do?

Regional Customs

Head Quarter

Visit Customs’ HQ

Right holder

**Consultation with Right holder**

~Trademark case~

Right holder really possess the right?
*Prima facie* evidence?
Can distinguish between genuine and fake?
Any other useful information?
How to prepare the document

etc…
Consultation with Right holder ~Trademark case~

Agent (patent attorney)

Customs

Patent Attorney

Right holder
Advantages for right holders

Advantages of application for suspension

Customs enforcement is convenient and effective for IPR protection!

- **No fees** for lodging applications and conducting Identification Procedures.  
  *(Trigger for cooperation)*

- **Simplified Identification Procedures** may be taken for the goods covered by applications.  
  *(Reduced burden)* except for Patents, etc.

- Some information contained in the approved applications is disclosed on the web.  
  *(Public awareness)*
Identification Procedures are the process for Customs to decide whether the goods are infringing or not based on opinions and evidence from importers and right holders.
Cooperation with Right Holders

【In-House Training by Right Holders】

2014
- 169 training seminars
- A total of 2,462 participants
Cooperation with Right Holders

【In-House Training by Right Holders】
Evidence & Information Identification Techniques through seminar training

Evidence & Opinions for identification

Update the information of the application through feedback process
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Revisions of IPR Border Enforcement system

2003 Expand the scope of the application (Patent, Design right etc...)

2006 Introduce “Opinion hearing system from the IPR Expert Advisor”

2007 Introduce “Simplified Identification Procedures”

2015 Extend the period of Application
   2 year → 4 year
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2014
In Tokyo, Nagoya, Kobe, Osaka, Moji Customs
A total of 438 participants
(right holders, lawyer, patent attorney etc...)
Customs Seminar
Joint Seminar & Campaign

With…
Japan Patent Attorney Association
Right holder’s Association
Joint Seminar & Campaign
Information on Customs website

For Right holders

Provides Information such as…

- IPR Border Enforcement Procedure
- Information about Application for Suspension
- Laws & regulations, Customs form
- Contact point (IPR Section)
- Q&A etc.
Thank you for your attention.

Japan Custom’s official character
“Custom-kun”

For more information,
http://www.customs.go.jp/english/index.htm