

IN FOCUS

High Level Officials Visiting Denmark and Armenia

Two 2-days high level visits were carried both in Denmark and in Armenia respectively in September and in November 2012.

During the two days visit to Denmark the Armenian delegation had the opportunity to meet with their relevant colleagues from the corresponding institutions of Denmark and discuss the common challenges, as well as other issues related to the IPR enforcement.

The first day the delegation had joint meetings in the Danish Patent and Trademark Office, where they have been introduced to the Danish judicial system, the liabilities of each institution (Customs, Police, Prosecutor's Office, Danish Patent and Trademark Office), and their cooperation model for the IPR enforcement. Among the topics discussed was the Danish cooperation model, the 24/7 cooperation concerning the cyber

crime and the IP crime investigation methodology through study cases, as well as the global tendencies of the IPR infringement and the IPR enforcement. Short presentations on respectively protection and enforcement in Armenia by Armenian participants were made in Denmark.

As a result of the seminar, it turned out that in Denmark the Courts are under the Ministry of Justice, while in Armenia the Judicial system is independent, also the Customs service has an ex-officio power, while in Armenia the Customs service can act only if there is an application for action from relevant right-holders.

Back in Armenia, short presentations on the current and forthcoming IPR related legislation in Armenia were done, as well as the structure of the RA Police, the specialized department of struggle against crimes in the sphere of IP and the

preventive measures were introduced.

As a result of the visits apparently the Danish system can serve as inspiration for improving the interagency cooperation and the IPR enforcement system in Armenia.



High Level Visit Participants in Danish Patent and Trademark Office

Improving Skills in Recognizing Fake Copies from Real Brands

From October 10th to 12th, a training course on how to distinguish between fake and original products was carried out in the RA Customs Educational Center in Yerevan. Twenty-two operational Customs officers from all over Armenia were invited to participate in the three day workshop organized by the Twinning Project.

The training was carried out by two very experienced Customs Officers from UK and Denmark. Both experts have more than 30 years of experience working as Customs Officers and are both specialized in the enforcement of Intellectual Property Rights.

At the course a number of counterfeit products were analyzed and compared to

the real products.

The participants were given the principles of how to examine goods in order to establish if it is a fake copy and how to consult databases to learn more about the details of the original products.

Issues such as the interpretation of cargo documents, understanding the mind-set of the infringer, including best practice examples were also discussed. As well as presentations and discussion of practical case studies from EU and Armenia were held during the workshop.

Cooperation models between public and private sector were also tackled including challenges and benefits from the point of the EU Customs.

In this issue:

- Improving Skills in Recognizing Fake Copies from Real Brands p. 1
- Strengthening Capacity Building in the Judiciary and Prosecutor's Office p. 2
- EU Experts Supporting Armenia in Creation of a New CMO p. 2





The World Intellectual Property Organization (WIPO) is the United Nations agency dedicated to the use of intellectual property (patents, copyright, trademarks, designs, etc.) as a means of stimulating innovation and creativity.

Strengthening Capacity Building in the Judiciary and Prosecutor's Office

At the beginning of October 2012, four judges and four prosecutors were appointed by the RA Judicial Department and the RA Prosecutor General's Office to take part in the Train-the-Trainers course, organized by the Twinning Project. The two experts conducting the training were Mr. Stephen Ruffle from UK, a trainer with extensive experience working in numerous international organizations including the UN and OSCE, and Mr. Vittorio Ragonesi from Italy, who is a Supreme Court Judge and a professor of Law.

This course was a follow-up to the training course on enforcement of IPR in the Republic of Armenia, held in June 2012, and the aim of the training course

was to ensure sustainability and passing on the knowledge of IPR enforcement legislation to relevant colleagues.

During the first course participants were introduced to the international legal frameworks regarding IP enforcement and the EU best practices, how to calculate the damages and fines of IP infringement, how IP crimes support organized crime and the impact of IP crimes to the economy and to the individual customer. Meanwhile, the course was aimed at teaching the didactics methodology of passing on knowledge to other people.

The course was divided into two parts: the first part introduced the participants to

the didactic principles of conducting trainings on IPR enforcement, while the second part aimed at more practical excercises on how to conduct lectures on intellectual property.

The training course was carried out in an untraditional way of leaving it up to the participants to draw their own learnings and conclusions from the trainers.

By the end of the week, all participants were very satisfied with training and expressed hope that similar trainings could be organized in the future.

EU Experts Supporting Armenia in Creation of a New CMO

“The collective management organization (CMO) “ArmAuthor NGO” is a relevantly new institution in Armenia. It's been only 10 years that the CMO is functioning, while in Greece the relevant CMO was established in 1926, and in the year 1851 the CMO was created in France. Meanwhile the Armenian CMO wants to get introduced to the EU best practices”, as was mentioned by Susanna Nersisyan, the ArmAuthor director. She noted there is no need to invent a bicycle in Armenia. The only thing is to get the experience which was made possible by the EU Twinning Project on IPR through the study visit in Greece for the Armenian specialists and then through the EU experts bringing their experience to Armenia.

Susanna Nersisyan noted the fact that Janne H. Wellendorf, the Resident

Twinning Advisor, understands the role of the system of administration of economic rights for the music sphere is quite important since if the institution is powerful, the subjects of the copyright are well protected, and if not, then neither the musician, nor the composer can use their exclusive rights. Susanna Nersisyan mentioned that in the framework of the roundtable discussions held on 5-7 November 2012, the ArmAuthor specialists had the chance to interact with the Twinning experts discussing issues such as what type of contracts are signed with the authors. The first day of the discussions the participants discussed specifically about exact cases. She also noted that the relevant legislation in Armenia is quite normal, and there are no contradictory norms.

During the second day the ArmAuthor

invited legal advisors of their user organizations, mainly the TV companies. A bunch of questions were tackled through Q&A, particularly they discussed about different usages in the internet. The same day the experts also had a meeting with composer Yervand Yerznkyan, the president of the ArmAuthor council, and composer and Artisan of Arts Martin Vardazaryan, the vice president of the ArmAuthor council.

During the 3rd day the experts had brought examples of contracts. Also they spoke about how different types of contracts are signed with the users, the right-holders, and shared about new international norms. As a result of the roundtable discussions the ArmAuthor specialists and the EU experts exchanged with contacts for future cooperation.

EU Twinning Project Strengthening the Enforcement of IPR in the Republic of Armenia

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This project is funded by the European Union.

This project is implemented by the Danish Patent and Trademark Office and EPLO (contractor).

The views expressed in this publication do not necessarily reflect the views of the European Commission.