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Good morning.

It is a pleasure for me to be here with you today and tomorrow to discuss a subject of such great importance to all of us in the intellectual property community. In times of rapid technological development that facilitate willful violations of IP rights, and allow infringers to make enormous profits, the fight against counterfeiting and piracy is at the heart of policy debates and initiatives in many countries and regions around the globe. It is a growing concern to anyone competing in today's global marketplace. We are all here in Geneva for

these two days to examine the current efforts, and to develop and recommend ways and means how to further improve this action.

Looking around the room this morning, I see an impressive roster of speakers and delegates representing governments, international organizations and associations, industry, and the legal profession, from around the globe. They will all address the fight against counterfeiting and piracy with firsthand knowledge. Overseeing, *inter alia*, WIPO's work in the field of copyright, allow me to make a few remarks from that perspective.

All branches of the copyright industries, from the motion pictures to music, to publishing, or to entertainment and business software, continue to be heavily affected by piracy. The ways in which protected material is pirated and distributed are diverse, and technologies develop fast. A movie, for instance, today may be subject to optical disk piracy, download from illegal websites, file-sharing, camcordered copies, signal theft, and so forth. Internet piracy is estimated to already make up some 38% of the worldwide

film industry losses. As we will hear in great detail during this Congress, the losses of copyright piracy are huge. And they are felt by any copyright industry, whether operating internationally or locally in developed and developing countries.

Not surprisingly, the enforcement of copyright, both as regards updated legislation and the actual functioning of enforcement measures, has become one of the most dynamic issues in current intellectual property debates.

Let me briefly highlight some of the latest developments at WIPO. WIPO has been at the center of many efforts to discuss and define standards for international IP protection and enforcement. Through its Advisory Committee on Enforcement (ACE), WIPO provides a forum for regular international review and discussion of IP enforcement policy issues. To give you an idea of the kind of work of this body, just a few words about its last meeting in 2006. Over two days, representatives of 14 countries from all regions reported in great detail on their enforcement related efforts. These included well-developed training programs for judges and

customs officials, initiatives to help legislators to better understand effective enforcement legislation, and impressive public outreach programs. This was encouraging information, and demonstrated that the enforcement of intellectual property rights is now a priority issue among policy makers around the globe.

Legislative and strategic advice to its Member States is another focus of WIPO's enforcement-related work. Upon request, WIPO renders advice on draft IP laws, in particular to ensure compliance with the international obligations of respective Member States. In the recent past, such draft laws tend to include increasingly detailed provisions on copyright enforcement. They seek to define detailed and balanced legal standards on a wide range of issues, from effective civil remedies and procedures to criminal sanctions and border measures, to technological protection measures, or to protect rights management information. Obviously, all this reflects the ever more complex copyright enforcement reality.

As concerns international norm-setting, some of the topics that are relevant for effective IP enforcement were, as you all

know, already included in the TRIPS Agreement, designed to narrow the gaps in the way intellectual property rights are enforced around the world. Later, it was in the “WIPO Internet treaties,” the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT), that traditional copyright enforcement was supplemented by legal provisions requiring, *inter alia*, to outlaw circumvention means, and to protect the integrity of Digital Rights Management systems.

Currently we can witness important steps forward at WIPO to address the growing problem of signal piracy. Negotiations focus on the updating of broadcasters’ rights, currently provided by the 1961 Rome Convention. In October 2006, the WIPO General Assembly laid out a roadmap for final negotiations, calling for two special sessions of the WIPO Standing Committee on Copyright in 2007, followed by a diplomatic conference to be held in November 2007. I will not enter into details of this complex negotiation process here, but I am pleased to let you know that at the first special session which took place just two weeks ago, WIPO Member States have established a clear process to address the issue,

and have demonstrated political will to conclude the negotiations.

Apart from an adequate legislative framework, effective enforcement requires active involvement from many quarters, including attorneys, judges, customs, police, prosecutors, and administrative authorities. In light of this, WIPO supports the efforts of all countries to train a reservoir of professionals in this field. In 2005 and 2006 alone, WIPO organized some 50 such specific IP enforcement-related training events, in all regions around the globe. In many cases, these events were organized in cooperation with WIPO's partner organizations, most of which I see represented here in this room. Moreover, to facilitate access to IP-related case law, WIPO publishes annotated case law as reference material, and offers on its enforcement website a portal to freely available databases of court decisions in intellectual property disputes. On the WIPO enforcement website, details of these activities are listed.

Finally, a remark on awareness-raising in general. The establishment of an IP culture – one of WIPO's principle objectives - in which there is broad-based understanding of

the role and potential of the IP system, is a key ingredient in promoting greater respect for IP rights. This, coupled with well-functioning IP enforcement mechanisms, are the best means to limit the number of violations of IP rights. In that sense, WIPO undertakes considerable efforts to inform the public of negative consequences of piracy and counterfeiting for economies, right holders and consumers. To quote but one example, WIPO has recently published on its website a set of web-based outreach guides which offer a clear structure for planning IP-related outreach campaigns, including in the field of combating counterfeiting and piracy.

We cannot afford to ignore the significant threats posed by the escalation in counterfeiting and piracy. Given the immense challenges involved in fighting piracy and counterfeiting today, none of us can do it alone. I believe it is on all of us – national governments, international organizations, and the private sector – to work together to ensure that effective enforcement of intellectual property rights becomes a reality.

We will hear many remarks on these and the many other issues that are to be addressed to effectively combat piracy and counterfeiting in the forthcoming sessions. I look forward to benefiting from the experience of all of you here.

Thank you.