



Convened by:



An ICC initiative
BASCAP
Business Action to Stop
Counterfeiting and Piracy



Hosted by INTERPOL and

5th Global Congress on Combating Counterfeiting and Piracy

Cancun, Mexico 1-3 December 2009

AGENDA

“Bridging Boundaries for Shared Solutions”

Day One: Tuesday 1 December 2009

08.00 – 09.00

Registration and coffee

09.00 – 09.15

Welcome and Opening

Master of Ceremonies - Dr. Mauricio Jalife (PHD) – Lawyer, Journalist, Broadcaster, Author, Professor

09.15 – 10.50

Keynote Speeches – Opening Remarks

- Mr. Felix González – Governor of the State of Quintana Roo
- Mr. Ronald K. Noble – Secretary General, INTERPOL
- Mr. Jorge Amigo – Director General IMPI, Ministry of the Economy
- General Urbano Pérez Bañuelos – Secretario Municipal de Seguridad Pública y Tránsito, Benito Juárez, Quintana Roo
- Mayor of Cancun (TBC)

Keynote Speeches – Leaders of the Global Congress

Progress made against counterfeiting and Piracy since the Fourth Global Congress in Dubai (February 2008)

INTERPOL has initiated an anti-counterfeiting program for Africa. WIPO has established IP enforcement as a strategic platform. The WCO is embarking on a new strategy. Two of the three International Intergovernmental Organizations have new leaders. The private sector has increased its efforts to fight counterfeiting and piracy, including additional resources and new strategies internally, and new industry and public/private partnerships externally. What are the current priorities? What is being done? What needs to be done? Remarks from the leaders of the Global Congress Founding Organizations will provide their perspectives on these questions, followed by a roundtable discussion with the moderator.

- **Mr. Ronald K. Noble – Secretary General, INTERPOL (*Having made his remarks in the previous session, Mr. Noble will participate in the Congress Leaders roundtable discussion*)**
- **Mr. Yo Takagi, Assistant Director General, World Intellectual Property Organization (WIPO)**
- **Mr. Michael Schmitz – Director Compliance/Facilitation, World Customs Organization (WCO)**
- **Mr. Mark Cobben – Representative International Chamber of Commerce BASCAP Initiative; Regional Director, the Americas British American Tobacco**
- **Mr. Richard Heath – INTA President 2009; VP Legal - Global Anti-Counterfeiting Counsel, Legal Group, Unilever PLC**
- **Mr. Lou Alexander – ISMA**

10.50 – 11.00

Keynote Speech

Comments on the Fourth Global Congress held in Dubai - Mr. Ahmed Butti Ahmed – Director General, Dubai Customs

11.00 – 11.30

Coffee Break

During the coffee break the Congress Member Organization Leaders and Mexican Dignitaries will brief the media

11.30 – 12.30

Keynote Speeches

Dealing with Counterfeiting and Piracy in a Period of Economic Crisis

Leaders in the public and private sectors will present and discuss their views on the key issue of can and should be done about the global menace of counterfeiting and piracy during the current global recession, focusing on the following: *Will IP Protection be a priority for governments, businesses and consumers during this time of global economic instability and uncertainty? Can the problem of counterfeiting and piracy wait until the global economy improves? What can be done to maximize current resources and programs that are working and can be reapplied?*

- **Mr. GAO Feng Deputy Director General of Economic Crime Investigation Department, Ministry of Public Security, China (China Perspectives)**
- **Mr. Daniel Baldwin – Assistant Commissioner Office of International Trade, U.S. Customs (Customs Enforcement Perspectives)**
- **Mr. Horacio Altamirano Gonzalez - Director General of Distrimax, Mexico**

12.30 – 13.00

BASCAP Briefing on IP Guidelines for Business – Latin America Launch (Optional)

The ICC's Business Action to Stop Counterfeiting and Piracy (BASCAP) initiative has published a set of IP Guidelines providing information to businesses on practical steps for assessing and improving the effectiveness of their IP management policies, focused on copyrights and trademarks. International and Mexican business and government leaders will present their views on how this new tool can be used by the private and public sectors to help businesses, especially small and medium enterprises, to protect their IP assets and strengthen their programs to defend their brands against counterfeiting and piracy.

- **Jeffrey Hardy, Coordinator, ICC BASCAP**
- **Allen Dixon, President, International Intellectual Property and Technology Consulting**
- **Richard Heath, VP Legal - Global Anti-Counterfeiting Counsel, Legal Group, Unilever PLC**
- **Carmen Quintanilla, Televisa**
- **Jorge Amigo, Director General, IMPI, Mexican Ministry of the Economy**

12.30 – 14.00

Lunch

14.00 – 18.00

Challenge 1: Cooperation and Coordination

Over the years, Congress participants have reaffirmed that the global problems of counterfeiting and piracy are too great to be solved by individual governments, enforcement authorities, business sectors or companies. While some progress has been made, and there are an increasing number of achievements, the consensus is that more can, and should be done to improve cooperation and coordination among and between government authorities and the private sector. This session will explore current global and regional initiatives on counterfeiting and piracy and their prospects for success. Case studies will showcase how the public and private sectors are working together to implement practical solutions.

Panel 1: There are a number of global and regional initiatives and efforts across many continents indicating that governments and their agencies seem willing to tackle counterfeiting and piracy. What are the prospects for these initiatives? Is there an ability to develop consensus to support them? If so, what is the role for the private sector?

- **Chair – Judge Ronald S.W. Lew – Senior U.S. District Court Judge, United States District Court, Central District of California**
- **Ms. Kira Alvarez – Chief Negotiator and Deputy Assistant U.S. Trade Representative for Intellectual Property Enforcement (USTR)**
- **Mr. Luc-Pierre Devigne, Head of Unit for Public Procurement and Intellectual Property, Directorate General for Trade, European Commission (EC)**
- **Mr. Roger Kampf – Counsellor, World Trade Organization (WTO)**
- **Counsellor Fabrizio Mazza – Chairman of the Intellectual Property Expert Group of the Italian Presidency of the G8**
- **Mr. Koji YONETANI – Director, Intellectual Property Affairs Division, Economic Affairs Bureau, Ministry of Foreign Affairs, JAPAN**

Panel 2: On a practical level, what case studies exist that demonstrate how police, customs and the private sector are working better collectively on combating counterfeiting and piracy?

- **Chair – Judge Ronald S.W. Lew**
- **Mr Benoit Godart – EUROPOL IPC Project Manager**
- **Mr. Martin Lerigo – Head of Strategic Relations, Cisco Global Brand Protection Group**
- **Mr. Roberto Manriquez – Operation Jupiter Coordinator South America, INTERPOL**
- **Mr. Miroslaw Zielinski – Director Directorate C (Customs Policy), Taxation and Customs Union Directorate General (TAXUD), European Commission**

Panel 3: Third Party Carrier (Intermediary) Case Study

- **Chair – Judge Ronald S.W. Lew**
- **Mr. David Bowers – Security Expert Universal Postal Union**
- **Mr. Ronald Brohm – REACT**
- **Mr. D’Arcy Quinn – Director Anti-Counterfeiting, CropLife International**

18.00 – 20.00

Reception – Sponsored by the National Chamber of the Tequila Industry (CNIT), Mexico

Day Two: Wednesday 2 December 2009

08.00 – 09.00

Registration and coffee

09.00 – 09.15

Keynote – **Mr. Michael Fawlk – Senior VP for Compliance and Brand Integrity, Philip Morris International**

09.15 – 11:00

Challenge 2 – Improving Criminal and Civil Legislation and Enforcement

In past Congresses, speakers and delegates have called on governments to further improve legislation dealing with the enforcement of IP rights, streamline procedures and implement already existing international obligations. There has also been broad acknowledgment that even if good laws are in place, they are often poorly enforced. In order to update national and regional IP protection regimes and to make the enforcement of intellectual property rights more efficient, decision-makers in the public and private sectors need to be made aware of the requirement to allocate additional human and financial resources. *This session, featuring speakers from the judiciary, legal and enforcement communities, will focus on the role and readiness of the judiciary and explore models of criminal sanctions.*

Panel 1: The Role and Readiness of the Judiciary in Dealing with Counterfeiting and Piracy

- **Chair – Mr. Justice LTC Harms, Deputy President Supreme Court of Appeal, South Africa**
- **Mag. Luz Ma. Anaya Dominguez – President, Magistrate of the IP Specialized Regional Court, Mexico**
- **Ms. Louise Van Greunen – Deputy Director of the Enforcement and Special Projects Division, World Intellectual Property Organization (WIPO)**
- **Judge Jayin Sunthornsingkarn – Judge and Secretary of the Central IP and IT Court, Thailand**

Panel 2: Criminal Sanctions Against Counterfeiting and Piracy – What Models Exist for Deterrent Penalties

- **Chair – Mr. Justice Harms, South Africa**
- **Colonel Félix Rubén Cruz Gómez – Coordinador Unidad Técnica Especializada Ministerio de Industria y Comercio Del Paraguay**
- **Mr. Miguel Margain – President, Asociacion Mexicana Para La Proteccion De La Propiedad Intelectual, A.C. (AMPPI)**
- **Lic. Arturo German Rangel – Deputy Attorney General of Specialized Investigations on Federal Crimes, Attorney General's Office, Mexico**
- **Mr. Michael Fawlk – Senior VP for Compliance and Brand Integrity, Philip Morris International**

11.00 – 11.15

Coffee Break

11.15 – 13.00

Challenge 3: The Health and Safety Risks Counterfeit Products Pose to Consumers

Past Congresses have widely recognized that counterfeiting and piracy harm society in many ways that are not immediately obvious. This is particularly true for counterfeit medicines and over-the-counter drug products and consumer goods that are not tested to the same safety standards as genuine products. These fake products can seriously injure or even kill consumers, and at a minimum, do not deliver the expected and promised health benefits of the real products. In addition to health hazards presented by medicines, other consumer product

categories, such as foods, beauty and health care products, agricultural products, fake auto parts and electrical goods, present significant risk including the fact that consumers often act in good faith and are not aware of, and therefore not in a position to assess, the risk. *This session will include public and private sectors speakers dealing with the enormous challenges and risks presented by the dramatic rise in counterfeit medicines, especially in the developing markets such as Africa. Experts will present examples of what is working and what challenges are getting in the way of progress, not only with regard to medicines and drugs but a range of other counterfeited goods that present health and safety risks to consumers and society in general.*

Panel 1: Africa Case Study

- **Chair – Mr. John Newton, IPR Program Manager, INTERPOL**
- **Ms. Christine Huber - Senior Director Anti-Counterfeit Projects, Sanofi-Aventis**
- **Ms. Paula Nelson – Africa Matters**
- **Mr Jayesh M. Pandit – Clinical Pharmacist, Head of the Department of Pharmacovigilance at the Kenya Pharmacy & Poisons Board**
- **Ms. Aline Plançon – INTERPOL-IMPACT Project Manager**
- **Mr. Christophe Zimmermann – Coordinator Fight against Counterfeiting and Piracy, World Customs Organization (WCO)**

Panel 2: Private Sector Case Studies

- **Chair – John Newton**
- **Mr. Ramón González Figueroa – Director General of the Tequila Regulatory Council (CRT), Mexico**
- **Mr. Rajiv Gulati – Director Global Anti-Counterfeiting Operations, Eli Lilly**
- **Ms. Kirsten M. Koepsel – Director, Intellectual Property & Industrial Security, Aerospace Industries Association**
- **Mr. Brian Monks – Vice President, Anti-Counterfeiting Operations, Underwriters Laboratories, Inc. and Co-Chair Certification Industry Anti-Counterfeiting (CIAC) Initiative CIAC**

13.00 – 14.00

Lunch

14.00 – 15:45

Challenge 4: Building Anti-Counterfeiting Capacity and Capabilities

Successive Congresses have recognized that a country's effectiveness in protecting IP rights is partially dependent upon its capacity to enforce them. Therefore, in addition to prescriptions for better legislation, stronger enforcement and penalties, speakers also suggested methods for improving knowledge, enhancing training and developing skill capacities.

Panel 1: Country Case Studies

- **Chair – Mr. Brad Huther – Director of Counterfeiting and Piracy American Chamber (AMCHAM) and Private Sector Chair, Security and Prosperity Partnership (SPP) North America**
- **Mr. Eduardo Rodríguez Apolinario – Technical Deputy Director Customs, Dominican Republic**
- **Mr. David Finn – Associate General Counsel, Anti-Piracy & Anti-Counterfeiting Microsoft**
- **Mr. LV Guoqiang – Director General Shanghai Intellectual Property Administration**
- **Ms Lucy Nichols – Vice Chair, China Quality Brands Protection Committee (QBPC), Chair, Anti-Counterfeiting and Enforcement Committee, INTA and Global Director of IPR, Brand Protection, Nokia**

- **Mr. Li Qunying – Director of IPR Division, Department of Laws & Regulations, General Administration of Customs of People’s Republic of China (GACC)**
- **Mr. Michael L. Smith – Attorney-Advisor Office of Intellectual Property Policy and Enforcement, USPTO**

Panel 2: Security and Prosperity Partnership of North America

- **Chair – Mr. Brad Huther**
- **Ms. Gilda Gonzalez – Director IP Protection, IMPI and IP Representative, Security and Prosperity Partnership (SPP) North America**
- **Ms. Edith St-Hilaire – Director Intellectual Property, Information and Technology Trade Policy Division, Department of Foreign Affairs and International Trade Canada and IP Representative, Security and Prosperity Partnership (SPP) North America**
- **Ms. Susan F. Wilson – Director, Office of Intellectual Property Rights U.S. Department of Commerce**

15.45 – 16.00

Coffee break

16.00 – 17:45

Challenge 5: Raising Awareness on the Full Economic and Social Costs of Counterfeiting and Piracy

Over the years, many Congress speakers and delegates have addressed the need to increase public and political awareness and understanding of counterfeiting and piracy activities and the associated economic and social harm. They also agreed that as a matter of priority, young consumers should be educated about the dangers and consequences of the counterfeiting and piracy trade. Greater steps in raising awareness can lead to informed consumers that better understand the harms associated with purchasing and consuming counterfeit and pirated goods; likewise, well-informed policymakers are in a better position to make appropriate decisions, implement policies and allocate resources. *This session will feature a number of speakers from the public and private sectors showcasing their programs, successes and obstacles. A portion of the session will be dedicated to measuring the full cost of the illegal trade.*

Panel 1: Measuring the true costs

- **Chair – Mr. Jeff Hardy – BASCAP Coordinator, International Chamber of Commerce (ICC)**
- **Mr. Paul Johnson – Senior Economist, Frontier Economics**
- **Mr. Piotr Strykowski – Administrator, Structural Policy Division, Directorate for Science, Technology and Industry, OECD**
- **Mr. TAM Yiu-keung – Assistant Commissioner, Hong Kong Customs**

Panel 2: Awareness Raising Case Studies

- **Chair – Mr. Jeff Hardy – BASCAP Coordinator, International Chamber of Commerce (ICC)**
- **Ms. Cathy Jewell – Senior Information Officer, Media Relations Section, World Intellectual Property Organization (WIPO)**
- **Mr. Abbas Makki – Director External Relations, Dubai Customs**
- **Mr. Jere Sullivan – Chairman, Global Public Affairs, Edelman**

Day Three: Thursday 3 December 2009**08.00 – 09.00**

Registration and coffee

09.00 – 10.15**Challenge 6: Free Trade Zones and Transshipment Countries**

At the Fourth Global Congress in Dubai, the Congress recognized the legitimacy and benefits of Free Trade Zones and the use of countries for transshipment purposes, but noted there is abuse by counterfeiters and organized criminal networks facilitating the movement of counterfeit and pirated goods into third countries. Speakers and delegates encouraged countries to develop and/or apply required legislation, appropriately enforce the legislation, develop risk assessment procedures and criminally punish traffickers of counterfeit and pirated goods. *Speakers in this session will present models of good practices, highlighting the difficulties faced by governments, enforcement agencies and the private sector.*

Panel:

- **Chair – Mr. Christophe Zimmermann – Coordinator Fight against Counterfeiting and Piracy, World Customs Organization (WCO)**
- **Mr. Pat Heneghan – Head of Global Anti-Illicit Trade, British American Tobacco**
- **Ms. Johanna Martínez – Head of IPR, Panama Customs**
- **Mr. Ricardo Prato – Director General Customs, Uruguay**

10.15 – 11.45**Challenge 7: Collaborating on Fighting Counterfeiting and Piracy on the Internet – Are We Making Progress?**

At the Fourth Global Congress, participants overwhelmingly recognized the importance and urgency of finding concrete and practical solutions to this challenge. Congress speakers emphasized that the internet is not “the Wild West” and there is an urgent need to implement concrete practical solutions to eliminate or at least significantly disrupt counterfeiting and piracy transacted over the Internet. This was considered a collective responsibility, requiring action from all including intermediaries and government authorities to enforce IP rights. Speakers in this session will explore the following questions: *What are, if any, key achievements in the last year in controlling counterfeiting and piracy over the Internet? What are the major roadblocks faced in combating the problem? What more is needed to make a meaningful impact? What are some practical best practices and case studies on how the various stakeholders have worked together to address counterfeiting and piracy on the Internet? What more is needed for effective practical collaboration and enforcement?*

Panel:

- **Chair – Ms Lucy Nichols – Vice Chair, China Quality Brands Protection Committee (QBPC), Chair, Anti-Counterfeiting and Enforcement Committee, INTA and Global Director of IPR, Brand Protection, Nokia**
- **Mr. Alejandro Bustos – Director General of Legal Affairs, Televisa**
- **Mr. Emilio Garcia – Consultant for IFPI/ Latin America**
- **Ms. Robin Gruber – Vice President & Counsel The Chanel Company Limited**
- **Mr. Marc-Antoine Jamet – Chairman, Union des Fabricants (UNIFAB)**
- **Mr. Charles H Rankin – Supervisory Special Agent Intellectual Property Rights Unit Federal Bureau of Investigation**
- **Mr. Edward Torpoco – Senior Litigation & Regulatory Counsel, eBay**

11.45 – 12.15

Coffee break

12.15 – 13.30

Key Recommendations

Representatives of the 7 Challenge Sessions will present the key recommendations that have emerged from the discussions during their respective session. Roundtable discussion and questions from delegates will follow.

13.30 – 14.00

Mapping the Road Ahead

Remarks from the leaders of the Global Congress Founding Organizations and the Host Country Mexico.

***** CLOSE*****