



Enforcement of Intellectual Property Rights through Border Measures: Law and Practice in the EU

Olivier Vrins, Marius Schneider

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Providing a practical analysis of anti-counterfeiting and anti-piracy measures at the borders of the European Union, this book deals with all aspects of border measures under Regulation (EC) 1383/2003. It includes a thorough description of the implementation of the regime and also looks at areas of national law, giving a coherent and comprehensive overview of the application of the border measures regime within the European Union.

Fully updated in the second edition to include the two more recent Member States of Bulgaria and Romania, the work provides important guidance for intellectual property rights-holders on the practical application of border measures in these two Member States. Coverage of the legislation and guidance is also updated to include commentary on Commission Regulation 1172/2007, which created a new application for action form for the applications based on a "Community right", as well as the DG TAXUD manual for filing applications for action under Regulation 1381/2003. Updates to case law include important recent decisions in relation to goods in transit, sanctions against traffickers when a case has been settled under the simplified procedure, Community applications for action, and the ECJ's Advocate-General's opinion on the use of information provided to an intellectual property rights-holder during a border seizure of goods. This second edition also considers the UK HMRC's fundamental changes to its detention and seizure procedures in respect of goods infringing trade mark and copyright.

New material includes a new stakeholder mapping section explaining the respective roles of the many international organisations that are active in the enforcement of intellectual property rights such as WIPO, WCO, WHO, OLAF, EUROPOL, and INTERPOL as well as a new chapter on organized crime in light of its increasing occurrence within counterfeiting networks.

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