



Australian Customs Border Enforcement of IPR

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Intellectual Property Rights





Overview

- Australian Customs Role in the Enforcement of IP rights
- The Notice of Objection Scheme
- International Developments
- Work with other Government Agencies and Industry





Australian Customs Role

- Specific powers under the *Trade Marks Act 1995*, the *Copyright Act 1968* and the *Olympic Insignia Protection Act 1987*
- No similar provisions in the *Patents, Designs, or Plant Breeders Rights Acts*



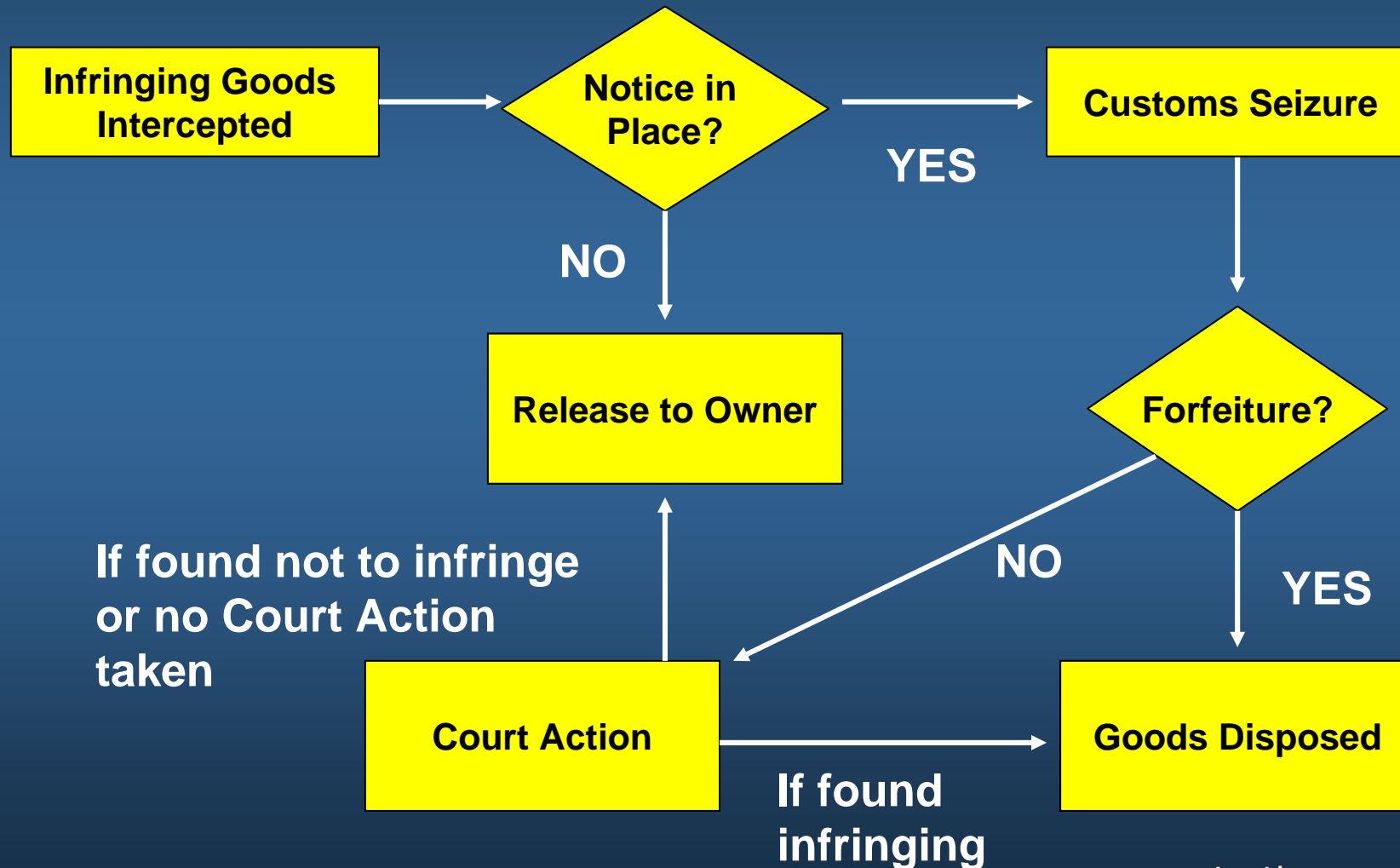


Notice of Objection Scheme

- Notice of Objection lodged with Customs
- Once accepted, valid for 4 years
- May be renewed indefinitely
- No application fee, however, undertaking must be provided by Right holder agreeing to pay costs of seizure



Notice of Objection Process





Results

2007

1500 seizures of over 600,000 items including:

- Clothing and footwear, (600 seizures)
- DVDs, (70 seizures)
- Toys (40 seizures)
- Handbags (320 seizures)
- Sporting goods (17 seizures)





International Developments

- Free Trade Agreements
- World Customs Organisation
 - SECURE framework
- Anti-Counterfeiting Trade Agreement (ACTA)



Trends?

- Counterfeiters are becoming more sophisticated and organised
- Any type of commodity is being copied
- Larger shipments
- Smaller shipments



Work with other Government Agencies and Industry

- Customs works closely with many Government Agencies
- Customs enjoys support and assistance from Industry





Australian Government
Australian Customs Service

Need More Information?

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Australian Government
Australian Customs Service

Questions?



protecting our borders