Intellectual Property Rights session

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EU-Georgia relations and IPR

EU Delegation to Georgia

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General Outline

- IPR is an issue of great importance for the EU: associated to economical, social, political aspects. Protection crucial for the dvt of modern society.
- High level of IPR protection is being pursued in different ways:

  - EU works in the WTO to improve respect of IPR and is a key supporter of TRIPS

  - EU negotiates IPR provisions in its bilateral trade agreements and works closely with its trading partners on IPR issues

  - With some countries, high political dialogue and targeted technical cooperation

IPR – Georgia's legal framework

=> Process of approximation with the EU

EC-Georgia Partnership and Cooperation Agreement:

- Art 42 *"(…)* Georgia shall continue to improve the protection of intellectual, industrial and commercial property rights in order to provide, for a level of protection similar to that existing in the Community, including effective means of enforcing such rights".

ENP Action Plan

- Ensure full conformity of IPR legislation with PCA obligations and TRIPS requirements and its efficient enforcement

Future DCFTA between EU & Georgia

- IPR chapter: strong provisions on IP protection and enforcement are being negotiated

Bilateral Cooperation: DCFTA

- Objective: facilitate production and trade of innovative and creative products
- TRIPS +
- IPR in DCFTA will embody: copyrights and neighboring rights, patents, trademarks, designs, GIs, protection against unfair competition and enforcement (including border)
- High level of protection of IPR and emphasis on **enforcement,** including fight against counterfeiting: obligation to put in place measures, procedures and remedies to protect IPR
- Enhanced cooperation: exchange of information and experience; capacity-building; dialogue

Situation in Georgia

Law and regulations in line with international and European standards

But enforcement is the main problem

Customs:

- Acts upon IP objects registered in the RS database (number should be increased – NB: recently increasing)
- Lack of **administrative capacity** - few investigations initiated

Enforcement bodies:

- I**nsufficient** awareness among enforcement authorities (Police, Prosecutors, Judges)
- **Few IPR court cases** are reported
- Low number of raids
- Few data

Positive steps undertaken

- Massive campaign/public awareness (build 'IPR culture') by Sakpatenti and GCA
- Creation of a Copyright Interagency Council (ensure coordination between stakeholders) and set up of a Strategy/Action Plan
- Education for target groups (judges, customs officers, business)
- Various cooperation modalities with foreign IP offices, business, academies, IO

Technical Assistance

- High EU commitment to assist Georgia
- Active participation to the policy dialogue (EUD part to Copyright Inter-Agency Council)
- Regular awareness-raising workshops
- TAIEX: sharing of experience with EU MS
- Training of stakeholders (training of customs officers foreseen in a 2012 EU Twinning project)

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