

Third Global Congress on Combating Counterfeiting and Piracy

Opening Remarks of Dee Ann Weldon-Wilson President International Trademark Association

**January 30, 2007
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DIRECTOR GENERAL IDRIS:
SECRETARY GENERAL NOBLE:
SECRETARY GENERAL DANET:

HIS EXCELLENCY MR. BLOCHER:

DISTINGUISHED GUESTS AND ATTENDEES:

A VERY GOOD MORNING TO YOU ALL.

THE CELEBRATED SWISS PSYCHOLOGIST, DR. CARL JUNG, ONCE SAID ... THAT 'CONFERENCE BETWEEN TWO PERSONALITIES IS LIKE THE CONTACT BETWEEN TWO CHEMICAL SUBSTANCES – IF THERE IS ANY REACTION THEN BOTH ARE TRANSFORMED'

VALUING THE ADVICE OF DR. JUNG ... IN THE CONTEXT OF THIS 3RD GLOBAL CONGRESS TODAY ... ONCE AGAIN ... BOTH THE PUBLIC AND PRIVATE SECTOR STAKEHOLDERS ... HAVE ANOTHER OPPORTUNITY TO MEET, REACT AND BECOME TRANSFORMED.

THE MOST IMPORTANT COMMON GOAL FOR ALL OF US TODAY IS TO FIND NEW SOLUTIONS AT THE GLOBAL LEVEL TO COMBAT TRADEMARK COUNTERFEITING.

SOLUTIONS THAT WILL BE RECOMMENDED BY THE SPEAKERS AT THIS CONGRESS MUST RESULT IN CONCRETE ACTIONS ... OTHERWISE HISTORY WILL IDENTIFY US AS ONLY A DEBATING CLUB.

TO ENSURE THAT WE AVOID SUCH AN IGNOBLE LABEL, I WOULD LIKE TO BRIEFLY DISCUSS THREE PROPOSED STRATEGIES AS SOLUTIONS TO COMBAT TRADEMARK COUNTERFEITING TO WHICH INTA IS DEDICATING ITS ENERGIES AND RESOURCES.

INTA'S FIRST PROPOSED STRATEGY IS THE ESTABLISHMENT OF A HARMONIZED AND EFFECTIVE INTERNATIONAL LEGAL FRAMEWORK FOR CRIMINAL SANCTIONS AGAINST INTELLECTUAL PROPERTY CRIMES. WHILE THE GLOBALIZATION OF NATIONAL ECONOMIES IS SPURRING EXPONENTIAL ECONOMIC GROWTH, IT IS ALSO GENERATING VASTLY SOPHISTICATED CROSS-BORDER NETWORKS OF CRIMINAL GROUPS WHOSE COUNTERFEITING ACTIVITIES AFFECT MANY COUNTRIES, THUS TURNING WHAT WAS ONCE A MORE LOCAL PROBLEM INTO A TRANSNATIONAL CRIME.

THE INTERNATIONAL HARMONIZATION OF CRIMINAL LAWS AGAINST COUNTERFEITING, WOULD STRENGTHEN ENFORCEMENT EFFORTS BY SETTING MINIMUM STANDARDS FOR: PROSECUTION, ADJUDICATION AND SANCTIONS; IDENTIFICATION, TRACING, FREEZING OR SEIZURE OF ASSETS AND CONFISCATION OF THE PROCEEDS OF CRIMINAL ACTIVITY; AND JURISDICTION OVER OFFENCES.

INTA'S SECOND PROPOSED STRATEGY IS THE DISRUPTION OF THE TRANSSHIPMENT AND TRANSIT OF COUNTERFEIT GOODS THROUGH FREE TRADE ZONES AND FREE PORTS AROUND THE WORLD. MEMBERS OF INTA STRONGLY BELIEVE THAT UNRESTRICTED REGIMES FOR TRANSSHIPMENT AND TRANSIT OF GOODS THROUGH FREE TRADE ZONES AND FREE PORTS SIGNIFICANTLY CONTRIBUTE TO THE GLOBAL TRAFFICKING OF COUNTERFEIT GOODS.

INTA URGES ALL GOVERNMENTS TO ENACT AND ENFORCE LAWS TO PROHIBIT THE PASSAGE AND PROCESSING OF COUNTERFEIT GOODS THROUGH FREE TRADE ZONES, IRRESPECTIVE OF THE COUNTRY OF ORIGIN OF SUCH GOODS, THE COUNTRY FROM WHICH SUCH GOODS ARRIVED, OR THE COUNTRY OF DESTINATION.

AND THE THIRD STRATEGY, THAT INTA HAS ENDORSED SINCE THE 1ST GLOBAL CONGRESS, IS FOR BOTH GOVERNMENT AND PRIVATE INDUSTRY TO MOUNT WIDESPREAD AND SUSTAINED CAMPAIGNS TO MAKE CONSUMERS AWARE THAT PURCHASING A COUNTERFEIT PRODUCT IS NOT A "VICTIMLESS CRIME". IT CAUSES WORLDWIDE ECONOMIC HARM, SUSTAINS THE OTHER ACTIVITIES OF CRIMINAL AND TERRORIST GROUPS AND THREATENS THE HEALTH AND SAFETY OF CONSUMERS. TAKE, FOR EXAMPLE, THE SALE OF COUNTERFEIT MEDICINE OVER THE INTERNET, WHICH RAISES SERIOUS PUBLIC HEALTH PROBLEMS ACROSS BORDERS OF BOTH DEVELOPING AND DEVELOPED COUNTRIES.

INTA LOOKS FORWARD TO CONTINUING ITS WORK WITHIN THE STEERING GROUP, AND INDEED THE ENTIRE CONGRESS, TO IMPLEMENT THESE STRATEGIES, WHICH ARE CRITICAL TO WINNING THE GLOBAL FIGHT AGAINST COUNTERFEITING.

THANK YOU FOR THE OPPORTUNITY TO ADDRESS THIS DISTINGUISHED CONGRESS.
