

Lord Triesman
Intellectual Property Crime Report 2007
Chelsea FC, London
12 December 2007

I am pleased to be here today at Chelsea Football club to launch the IP Crime Report for 2007.

We have come a long way since the launch of the national IP Crime Strategy in August 2004 where we set out the Government plans to combat IP crime. We have always made it clear that effective action against IP crime requires commitment from Government, enforcement agencies and rights holders – only by working together can we have maximum impact. This Report outlines the details of our successes so far, and particularly notes the productive collaboration between Government enforcement agencies and various parts of industry. It also looks at what more we need to do – setting out some challenges for **all of us** for the year ahead.

We have seen a major increase in the number of prosecutions under the Trademarks and Copyright Designs and Patents Acts which had been around 5-600, until the launch of the IP Crime Strategy, and this Report shows has risen to over 1000.

The enactment of Section 107A of the Copyright, Designs and Patents 1988 in April this year along with the five million pounds funding for trading standards officers demonstrates that we are serious about tackling IP crime. This additional funding was also supplemented with a national training programme for trading standards officers which was undertaken by the Mechanical Copyright Protection Society and the UK-IPO.

I am very pleased to say that we are following this up with a commitment to fully fund the copyright enforcement work of trading standards officers to a tune of £7.922 million next year. There will be ongoing rises over the rest of the comprehensive spending round period.

One of the most important pieces of legislation we have in the fight against IP crime is the Proceeds of Crime Act. This Act empowers the enforcement agencies to deal with criminals who enjoy a luxurious lifestyle based on their dishonesty by confiscating their property and subsequently disposing of it. As well as acting as a strong deterrent and additional punishment these funds provide valuable resources to channel back into enforcement efforts. The IP criminal is only interested in his own financial gain and we need to disrupt and stop these organised criminals benefiting from their actions. The Report includes an article from the Assets Recovery Agency, which is soon to be absorbed into the Serious Organised Crime Agency, detailing the benefits to be gained from using this legislation. There are several case studies which demonstrate the effectiveness of the legislation and the benefits to be gained from partnership working, which is a theme that runs throughout the Report.

However one of the biggest problems we face is convincing the public that buying counterfeit and pirated goods is not ethical for many reasons. Most of these counterfeit goods are produced in unsafe premises with unsafe machinery by enforced labour. The public need to be educated to look at the wider negative implications of purchasing “snide” goods. They should be persuaded that the benefits of purchasing legitimate goods shows a good understanding of social consciousness and the positive impacts on the UK economy has a direct link to their actions.

This means we have more work to do, but we are making progress. Some of the recommendations coming out of this Report focus on how further research should be coordinated by the UK-IPO and the new Strategic Advisory Board for IP Policy (SABIB). This will allow us to use resources more efficiently and avoid duplication of effort by both industry and Government. We have been successful in joining forces on enforcement actions and we can be successful when it comes to jointly researching the impact of IP crime.

The Government will also begin a programme of work on agreeing a national standard measure of the level of IP crime, including industry revenue loss, industry profit loss, criminal market size and criminal gain.

The UK-IPO will also record all seizures of counterfeit and pirated goods from all the enforcement authorities and publish the results of prosecutions and Proceeds of Crime Actions on an annual basis. So in the future we will have a more accurate measure of the impact the national IP crime strategy is having.

And to further aid those involved in enforcement actions the UK-IPO will develop and host a secure web-based resource that allows access by enforcers to counterfeit product identification guidelines and a contacts database, listing brand protection departments and rights holder’s representatives details.

The Report details a lot of good things that are happening and it is a positive document however we must not become complacent. I am disappointed with the lack of participation from some sectors in supplying information for this Report and we need to overcome this lack of engagement. It is clear that while certain sectors are proactive in helping enforcement agencies to better understand IP crime and to progress cases others are more reluctant. We need to work to overcome this reluctance and to ensure that all sectors are playing their role. One of the most important tasks for the Government in the coming year will be communicating with UK businesses at a corporate level to ensure an understanding of the responsibilities and work programme being progressed by the UK-IPO and the IP Crime Group and to encourage greater activity and cooperation. The Government is putting a lot of time and resource into the fight against IP crime. My biggest concern is that some sectors of UK business are not as engaged at boardroom level with what is a major threat to the UK both in terms of the economy and possible job losses and to local community safety.

I am also pleased to announce that Assistant Chief Constable Giles York of South Wales Police, who is the Association of Chief Police Officers (ACPO) lead on IP crime, has agreed to chair the IP Crime Group. Giles will bring with him a lot of experience and skill from the enforcement world. I am very pleased that he is able to join us today.

We were one of the first countries in the world to introduce a national strategy for dealing with IP crime, because we have the foresight. This is a global problem and will not go away overnight; we are continually engaging and joining forces with our international partners to develop awareness, skills and expertise so consumers, businesses and innovators are all better protected.

We are leading the field and this is something to be proud of and it is largely due to the energies of the IP Crime Group members, you are to be congratulated for your commitment.