

P R E S S R E L E A S E

Hong Kong - European Union Cooperation in Protecting and Developing Intellectual Property and Brands: Current Situation and Future Trends (2 September 2013)

On 2nd September 2013, the **European Union Academic Programme (EUAP) Hong Kong**, in collaboration with the **European Chamber of Commerce**, the European Brands Protection Council and with the support of the IP Department of the Hong Kong Government, the Office of the European Union to Hong Kong and Macau, the Hong Kong Design Institute, the Hong Kong Design Center, the Department of Marketing, the Academy of Visual Arts and the Academy of Film at Hong Kong Baptist University, and a number of private enterprises today launched a **series of conferences, public seminars and a creative arts competition with the general theme of protecting IPR and Brands in business and creative industries in Hong Kong**. The series, which will last until December 2013, was opened Monday morning by a mini-conference with eminent guest speakers from the European Union and the HKSAR Government:

Event Information

HK/EU Expert Conference

**“Cooperation in Protecting & Developing IP and Brands:
Current Situation & Future Trends”**

Main Discussants:

**Mr. Anders Jessen, Head of Unit for Public Procurement & Intellectual Property, Directorate General
Trade, European Commission Brussels**

**Mr. Stefan Amarasinha, Head, Trade and Economic Section, European Union Office to Hong Kong
and Macau**

Mr. Peter Cheung, Director, Intellectual Property department, HKSAR Government

Mr. Albert Ho, Assistant Commissioner, Intelligence and Investigation Branch, HK Customs

Mr. Mayan Vaid, IP Director, Louis Vuitton Asia-Pacific Ltd.

Mr. Matthew Laight, EU China IPR SME Helpdesk Expert & Head, Bird & Bird’s IP Group for China

The discussions were chaired by EUAP key members Prof. Martin Doris of the Faculty of Law, Chinese University of HK, and Dr. Emmanuel Gillet, EUAP Visiting Scholar

Date/Time: 2 September 2013, 9:30am – 1:00pm

Venue: AAB 201, Academic & Administration Building, Hong Kong Baptist University



P R E S S R E L A S E

Background: *Hong Kong's protection and enforcement of intellectual property rights has improved considerably over the last decade, and the EU and Hong Kong cooperate closely in this field. Nonetheless, the EU Customs Report 2012 still notes that over 70% of intercepted counterfeited goods seized at EU borders originated in China, a further 10% in value came from Hong Kong. This continues to affect above all European producers of high-end products and top brands, violates labor, health and safety regulations at both ends of the illegal trade, and damages tax income. Weak enforcement of IPR may also affect the further development of cultural and creative industries, named as one of the six main pillars of the long-term economic development of Hong Kong.*

The conference discussed the current state of IPR enforcement and ways of closer cooperation. It also debated the current trend of monetizing intellectual property, through which Hong Kong is in the process of establishing itself as an international hub in trading IP, IPR protection and IPR arbitration.

Main insights: *Mr. Jessen, Mr. Vaid and business representatives welcomed Hong Kong's comprehensive, constructive IPR measures. They also appreciated the enormous progress made by the mainland Chinese government. Nonetheless cases of counterfeiting and smuggling are actually increasing up to a point where they may threaten Europe's innovative industry and therefore EU-China trade relations as a whole. The apparent lack of actual IPR enforcement on sub-central levels in China remains a concern, which the EU now tries to address by supporting IP enforcement authorities on the regional and local levels in China as well as providing assistance to companies to protect IPR (IPR SME Helpdesk). As international supply chains are increasingly split, Hong Kong continues to be an important transshipment link for fake products, half-finished goods and materials. Organized crime apparently uses Hong Kong precisely because of its efficiency and its high international reputation (shipments from Hong Kong are less likely to be suspected of fraud and therefore less likely to be controlled). In reply, Mr. Ho outlined various existing systems of intelligence and monitoring criminal activities in cooperation with mainland and EU authorities. He observed a growing sophistication of criminal syndicates making use of technology (the Internet), non-traditional channels of distribution and organization forms, which defy easy detection and law enforcement. Mr. Laight emphasized that companies can protect themselves to a considerable degree by meticulously paying attention to IPR registrations in China and internationally as well as contract-based relationships with Chinese partners and, not the least, internal company organization. In actual cases of fraud, however, the enforcement of registered IP rights remains a lengthy process*



P R E S S R E L E A S E

(though not without good chances to succeed). In that context, Mr. Cheung explained new efforts undertaken by the HK Government as well as innovative entrepreneurs to assist in ‘monetizing’ (i.e. defining, registering and protecting) sensitive knowledge of and within companies. All speakers repeatedly stressed that IPR and brands protection can be achieved only by continuous day-to-day cooperation and information exchange between authorities in all jurisdictions concerned and (crucially) the active participation of enterprises with these authorities. There is also a need to achieve further IP-related standards by international agreements.

Upcoming Events: The *IP Hong Kong – European Union Series 2013* will be continued with public seminars on European Brands in Hong Kong, brand building and brand protection as well as seminars on protecting creative output in HK and the EU. In late September, the EUAP will launch a creative arts competition about IPR protection (visual arts and film). The European Chamber of Commerce will sponsor three main prizes. Winning entries may be used in wider public IPR awareness campaigns.

For more details, please contact the EUAP Office directly (Mr. Leung Kin Pong (Senior Research Assistant Business) or follow us on our website <http://europe.hkbu.edu.hk/euap/> or Facebook <https://www.facebook.com/HKEUAP>

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