Joint Letter to European Commissioner Malmström on EU Counterfeiting and Piracy Watch List

Joint Letter | 16 April, 2018 | Download PDF

Dear Commissioner Malmström,

We write to you to express our concerns regarding the European Commission's recent announcement on 12 March 2018 to create a "Counterfeiting and Piracy Watch-List" to target third countries for allegedly failing to provide adequate and effective protection of intellectual property rights. We understand that the "Commission Staff Working Document: Report on the protection and enforcement of intellectual property rights in third countries" (hereinafter referred to as the "Commission IPR Report"), published on 21 February 2018, is intended to "identify third countries in which the state of IPR protection and enforcement gives rise to the greatest level of concern and thereby to establish an updated list of so called "priority countries". The Commission IPR Report, however, conflates counterfeiting and piracy with the legitimate use of the flexibilities of the World Trade Organization's (WTO) Agreement on Trade-Related…

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