

**WORK PLAN OF THE COUNCIL FOR THE PROTECTION OF INTELLECTUAL  
PROPERTY RIGHTS WITHIN THE INSTITUTE FOR INTELLECTUAL  
PROPERTY OF BOSNIA AND HERZEGOVINA  
FOR THE YEAR 2011**

## **Council for the Protection of Intellectual Property Rights**

The Council for the Protection of Intellectual Property Rights was established by the decision of the Council of Ministers of B&H of June 2010, with the aim to:

- Create methodology of collecting information on the sanctioning of the intellectual property rights infringement in B&H from courts, inspectorates and customs authorities;
- Introduce a system for the collection of information on the sanctioning of the intellectual property rights infringement in B&H from courts, inspectorates and customs authorities;
- Concentrate and analyse information on the administrative and judicial sanctioning of the intellectual property rights infringement in B&H, for the purpose of the publication thereof in the form of annual reports;
- Analyse the experience of courts, inspectorates and customs authorities in the sanctioning of the intellectual property rights infringement;
- Contact the entities suffering major damage from piracy and trafficking in counterfeit goods in B&H, with the intention to collect suggestions as to how to sanction the infringement of intellectual property rights more effectively;
- Monitor relevant annual surveys of the spread of piracy and trafficking in counterfeit goods in B&H, made by the international nongovernmental organizations and government agencies;
- Monitor initiatives and processes in the world, and particularly in the EU, aimed at fighting piracy and trafficking in counterfeit goods;
- Ensure that the practice of combating piracy and trafficking in counterfeit goods in B&H is harmonized with the EU practice;
- Initiate promotional actions aimed at combating piracy and trafficking in counterfeit goods.

### **Work Plan of the Council for the Intellectual Property Rights Protection**

The Council shall hold its first constituent session in 2011, at which it shall verify its members, adopt the Rules of Procedure and Work Plan for the year 2011. Following that, the Council shall work according to the following Work Plan:

a) **Training of the members of the Council in the field of intellectual property rights.** The training is general in nature and it covers the following topics:

- Notion and types of intellectual property;
- Economic basis of intellectual property rights;
- Current social and political context of intellectual property rights in the world, Europe and B&H;
- Economic exploitation of intellectual property;

- Enforcement of intellectual property rights;
- Role of the Council.

b) **Training of the members of the Council in the field of administrative and judicial protection of intellectual property rights.** The training is specialized and it covers the following topics:

- a. Notion of the infringement of intellectual property rights;
- b. Notion of the infringer of intellectual property rights;
- c. Liability for the infringement of intellectual property rights;
- d. Intellectual property protection in the administrative procedure
  - Inspection
  - Customs (the so-called border measures)
- e) Protection of intellectual property rights in civil judicial procedure
  - Claims
  - Provisional measures
  - Measures for the preservation of evidence
- f) Protection of intellectual property in criminal procedure
- g) Specifics of the Protection of Intellectual Property Rights on the Internet

c) **Session dedicated to deliberation on the establishment of a state coordinating body for the protection of intellectual property rights at the operational level.** The representatives of the State Investigation and Protection Agency (SIPA), the Indirect Taxation Authority, the respective market inspections of the entities and the Brčko District, the Market Surveillance Agency of B&H, the Prosecutor's Office of B&H, the Court of B&H, the Communications Regulatory Agency and other bodies within B&H, involved in the enforcement of the regulations in the field of intellectual property rights should participate in the session. The representatives of the relevant coordinating bodies of other countries in the region should be invited to participate in the session. The representatives of the said institutions should make a short presentation on their involvement in the field of intellectual property protection and pinpoint the problems they encounter. Also, they should assess the suitability of establishing a certain form of mutual, continued institutional cooperation at the level of information exchange and taking joint actions. The aim of this session is that the Council drafts a recommendation, to be put forward to the Council of Ministers of B&H, for the establishment of a standing coordinating body for the protection of intellectual property which would ensure operational coordination among the mentioned institutions on a permanent basis.

d) **Session dedicated to the problem of collecting and processing the information on the administrative and judicial cases involving intellectual property protection in BiH.** The representatives of SIPA, the Indirect Taxation Authority, the respective market inspections of the

entities and the Brčko District, the Market Surveillance Agency of B&H, the Prosecutor's Office of B&H, the Court of B&H, the respective ordinary and commercial courts of the entities and the Brčko District, the Statistics Agency of B&H, the Federal Institute of Statistics and the Republic Institute of Statistics of RS. The representatives of the said institutions should inform the Council if and in which way they keep records of cases in the field of intellectual property protection, if and in which way such records are systematized and published. The session should also discuss the form and content of the form to be used by every institution for recording the said cases, which would be submitted to the Institute for Intellectual Property of B&H for the purpose of the preparation of the appropriate annual statistical report. The aim of this session is that the Council launches, by a recommendation, the initiative to draft and adopt the official forms, and specify the obligation of record keeping on the administrative and judicial cases involving the protection of intellectual property.

#### **4) Organizational Notes**

The proposed Work Plan of the Council may be implemented within 3-4 sessions of each council. It is possible that a part of the specialized training of each council is joined with one thematic session of the same council.

Should the financial or other organizational reasons necessitate less number of sessions, first priority topics from the Work Plan will be selected, and the Work Plan will not be completely implemented in 2011.

It would be rational if the Councils held the first constituent session on the same day in the same place, so that the introductory training could be conducted for all three councils at the same time.

Meeting schedule for each council shall be fixed by the Institute for Intellectual Property of B&H in collaboration with the USAID IPR Project.

In Sarajevo, February 22, 2011

Chairman

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Zorislav Zadrić