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Organisation de Coopération et de Développement Economiques
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English - Or. English

**DIRECTORATE FOR SCIENCE, TECHNOLOGY AND INDUSTRY
COMMITTEE ON INDUSTRY AND BUSINESS ENVIRONMENT**

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COUNTERFEITING AND PIRACY : CUSTOMS SURVEY

The attached survey is being circulated by the World Customs Organisation, in support of the OECD project on counterfeiting and piracy.

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English - Or. English

COUNTERFEITING AND PIRACY PROJECT

Customs survey

Background

1. The OECD, which is an intergovernmental organisation (see <http://www.oecd.org>), is conducting a study on the magnitude, scope and effects of counterfeiting and piracy on producers, consumers and governments. The study will focus specifically on trademark, copyright, patent and design violations. Further information on the project can be accessed on the Internet at <http://www.oecd.org/sti/counterfeiting>.

2. The OECD research team has met with customs officials to discuss how information on customs seizures could be used in the study. Whilst acknowledging there were significant limitations, it was agreed that such information could be highly useful and that the knowledge and experience of customs officials could provide informed insights that could clarify a number of points, and that this could best be done through a survey.

3. The WCO has agreed to distribute this questionnaire to customs organisations as part of its work on counterfeiting and piracy.

4. Your co-operation in responding to the survey, which is voluntary, would be greatly appreciated.

5. We understand that there is no standardised way of collecting data that can be used by customs authorities, and we would welcome receiving the data in whatever format is available to you. However, we would be grateful for any advice you can give us on possible limitations of specific characteristics of your data that we should take into consideration when analysing it.

6. In addition to statistical information, please note that we are requesting customs officials to make estimates and judgements in a number of areas. We recognise the limitations of this approach, and the difficulties that it may pose, but we believe that your judgements in most instances will represent the best information available.

7. In addition to completing the questionnaire, submission of reports or studies related to the project would be welcome.

8. If you have any questions regarding the survey or the project please contact:

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or Mr. Peter Avery e-mail: Peter.Avery@oecd.org Tel: 331 45 24 93 63	Fax: 331 44 30 62 57

QUESTIONNAIRE

Replies to this questionnaire are requested by no later than **17 February 2006**. The replies should be sent preferably by email to: counterfeit@oecd.org. Alternatively, completed questionnaires could be faxed to the OECD at (331) 44 30 62 57, or be sent by mail to the attention of Ms. Haie-Fayle, at the OECD address indicated above.

1. What is the reporting country/economy? _____
2. Who could be contacted for any follow-up questions?
 - (a) Name of contact person: _____
 - (b) E-mail of contact person: _____
 - (c) Telephone number of contact person: _____

3(a). The research team is interested in compiling a **detailed** list of *(i)* the specific counterfeit and pirated products that have been seized in recent years (at any time during 1999-2005), and *(ii)* the countries from which the seized products originated. The level of detail would preferably be comparable to the Harmonized System (HS) classification, at the **six-digit** level. Information on the type of infringement and the HS classification would also be appreciated. An example follows:

Product:	Countries:	Type of infringement	HS item number
Automotive gear boxes	Country A, Country B	Trademark	8708.40

Information on the products seized should be provided, even if other information (on countries, type of infringement and HS item number) are not available.

3(b). If available, information on the quantity and value of the individual products seized would also be appreciated. This would preferably be provided on a country-by-country basis. Such information could be for a recent year or, if possible, for a series of years. The information could be provided in whatever format is readily available.

4(a). To the extent possible, please provide data on the **number** and estimated **value** of seizures of counterfeit and pirated goods for the following years. Please report the “**Total**” number and value of seizures, even if data on the different types of seizures are not available. If data are not available, please indicate by entering “NA”. If data for all years (1999-2005) are not available, please provide information for those years where such data are available.

Types	1999	2000	2001	2002	2003	2004	2005
Number of seizures							
Trademark							
Copyright							
Patent							
Design							
Total							
Estimated value of seizures							
Trademark							
Copyright							
Patent							
Design							
Total							

4(b). What currency is the value of seizures expressed in? _____

4(c). Please indicate whether the total value you report is in denominations of thousands, millions, or otherwise: _____

4(d). What is the method used to compute the value of seized goods (e.g., value of “legitimate” articles, market value of counterfeited and pirated items, etc.)? _____

4(e). If data on the total number of seizures are incomplete or unavailable, please provide your views (based on your observations and experience) on how the number of seizures of counterfeit and pirated goods seems to have changed between 1999 and 2005:

The overall number of seizures has (check one and complete, as appropriate):

increased, by about _____% between 1999 and 2005;
(Note: percent can be expressed as a single number, or a range.)

or

decreased, by about _____% between 1999 and 2005;

or

remained **about the same** between 1999 and 2005.

5. Changes in the number of seizures between 1999 and 2005 reflect (i) changes in counterfeiting and piracy activity, (ii) improved detection methods, (iii) changes in the laws governing infringements, and (iv) other factors, or a combination thereof.

Based on your observations and experience, how much do you estimate the number of seizures changed between 1999 and 2005, due *only* to changes in counterfeiting and piracy activity (check one and complete, as appropriate)?

Increased, by approximately _____%.

(Note: percent can be expressed as a single number, or a range.)

or

Decreased, by approximately _____%.

or

No change.

6. How has the range (or types) of counterfeit and pirated products that have been seized during the past 5 years changed? (Check one)

The range of counterfeit and pirated products being seized:

has become more limited.

is basically the same.

has been expanding steadily.

has been expanding rapidly.

