

The WIPO Disposal Study

Comparative Scope of the Problem and Methodologies used
for Destruction in the Asia Pacific Region

WIPO/UN ESCAP/UNEP Regional Workshop on the Environmentally Safe
Disposal of IP – Infringing Goods

Bangkok, Thailand – 21 & 22 November 2013

Disposal & Destruction

- ▶ It is a contemporary problem that is driven by the convergence of a number of discrete influences
- ▶ Conclusions of a study conducted with the assistance of ASEAN Members form the basis for this presentation
- ▶ Prepared against a background of increased pressure on storage facilities and associated costs relating both storage and destruction



Increased seizures

- ▶ Progressive implementation of the TRIPS provisions
- ▶ IPR enforcement is more visible within Customs strategic/operational priorities
- ▶ Impact of technical assistance
- ▶ Maturing relationship with private sector
- ▶ Continued private sector investment in investigation and enforcement activities
- ▶ Improved bi-lateral, multi-lateral information sharing

The range of infringing goods is increasing

- ▶ It affects almost all industry sectors
- ▶ Disposal procedures are becoming more technically complex, costly and onerous for both governments and rights holders
- ▶ Counterfeit products increasingly present a direct threat to consumers and the wider environment
- ▶ A number of public policy sectors have an interest in having effective/efficient destruction and disposal methods for counterfeit goods

Public policy interests

The following areas of public policy intersect:

- ▶ Enforcement of IP rights
- ▶ Fiscal
- ▶ Public Health
- ▶ **Environmental**
- ▶ Economic
- ▶ Judicial

Protecting the environment

- ▶ Growing consciousness of the need to manage the environmental impact of IP infringing goods
- ▶ Some counterfeit goods present a direct and toxic threat to the environment: insecticides, pesticides, ozone depleting substances
- ▶ Requirement to use careful, environmentally friendly destruction methods
- ▶ Maximize the use of recycling

How should the following goods be destroyed?

- ▶ Adhesives
- ▶ Television sets
- ▶ Electronic batteries, semi conductors
- ▶ Agro-chemicals
- ▶ Fire extinguishing equipment
- ▶ Refrigerants
- ▶ DVD's

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