



POLITIET



PATHWAYS TO SOLUTIONS:

REPORT ON INTERNATIONAL
IP CRIME CONFERENCE, 2023

NOVEMBER 2023



INTRODUCTION

“In intellectual property crime, there’s not one path. There is such diverse criminality in IP crime that we require multiple pathways”.

Thus an INTERPOL leader summarized the demands in addressing intellectual property (IP) crime, which, at INTERPOL, covers multiple areas of criminal activity.¹ The multifaceted nature of IP crime--and the equally multifaceted avenues for combating it--was the central theme of the 2023 International Law Enforcement IP Crime Conference. Most speakers noted the need for collaboration among myriad stakeholders. Promoting capacity building and finding innovative ways to fight IP crime were also common subjects, while addressing the environmental impact of counterfeit products was a concern as well.

The conference, held in Lillestrøm, Norway, from 25 to 27 September 2023, focused on three pathways to halting IP crime: applied research and technology, leadership and diversity, and environmental impact. Across all pathways, several solutions--and further questions to address--emerged.

¹ “Illicit good – the issues”, <https://www.interpol.int/Crimes/Illicit-goods/Illicit-goods-the-issues>.

As with many other aspects of life, globally, IP crime and efforts to combat it are increasingly moving online. With respect to artificial intelligence (AI) in particular, an intellectual property rights attorney stated: **“AI is a neutral technology. It can be used for good or bad.** It’s a double-edged sword. How somebody wields the sword will dictate the impact of AI”.

Speakers noted that the “bad” has grown with the technology. An entertainment industry executive observed that piracy has shifted from the “activist kid who thinks everything needs to be free online” to a “pay model” adopted by those seeking to profit and hide their identity. Indeed, a digital safety research leader revealed that more than 100 advanced, persistent threat syndicates worldwide are training criminals in exploiting online services to commit cybercrimes.

In this regard, the boundaries between acceptable and unacceptable uses of AI may become more nebulous. Speakers pointed out that AI can enable a variety of deep fakes. Some may be as comical as videos of Pope Francis playing basketball with Kim Jong-un or Freddie Mercury covering Celine Dion, while other uses may be nefarious. The digital safety research leader also noted that AI may not only infiltrate corporate networks but enable “phishing” emails. Likewise, instances of ransomware mimicking trusted brands will also rise with AI.

A music industry attorney noted that “AI isn’t new in the music industry, but now there are lower barriers to using it.” For example, AI can be used to share a message or affiliation an artist never intended or to otherwise create a damaging message. A technology creator also highlighted the “grey area” surrounding legal protections for living persons compared to those deceased for many years.

As the issues in this area continue to evolve, they will require attention, and the proliferation of AI-driven technology is propelling efforts to address the emerging challenges. A Norwegian police leader noted that a “high standard of living and adoption of technology means every child from the age of 9 has a smartphone, making them vulnerable to exploitation” online. To combat this threat, Norwegian police had initially focused on the dangers of sexual exploitation but realized the need for other forms of preventive policing as well.

It is worth noting that technology has also yielded good in the fight against crime, including IP crime. A software developer claimed virtual training has helped reduce training costs by 65 per cent, training time by 70 per cent, and IP crime-related incidents by 40 per cent. Virtual training, including immersive training, can help with learning repetitive tasks and ensuring tasks follow a proper sequence. It can mitigate the “forgetting curve” and be available when workers most need it. It can also reach new regions in new languages. In this way, it can support the INTERPOL Capacity Building and Training Strategy.



INTERPOL CAPACITY BUILDING AND VIRTUAL TRAINING

Capacity building is one of the most sought-after areas of INTERPOL support by member countries. The current Capacity Building and Training Strategy seeks to meet this demand and reinforce the INTERPOL Strategic Framework.

The Capacity Building and Training Strategy continues to centralize capacity building and training, improve quality standards, and harmonize organizational practices. It aims to expand training delivery to new regions and to ensure a hybrid model of capacity building based on the principles of adaptability, scalability, sustainability, and ownership. This includes the incorporation of new simulation technologies and immersive learning into the INTERPOL Virtual Academy.³

The INTERPOL Virtual Academy was launched in April 2020, amid the COVID-19 pandemic, which highlighted the need for remote training. It offers courses on policing capabilities, transnational crimes, and professional policing skills over a range of platforms. In 2022, more than 10,000 law enforcement officials took over 10,000 courses through the INTERPOL Virtual Academy, including courses from the International IP Crime Investigators' College, which was launched in 2010.

In 2023, the IIPCIC offered INTERPOL's first immersive training course. This type of virtual training was made possible by the establishment of Digital Training Production Studios at INTERPOL, along with an investment in cutting-edge digital technologies. The enhanced ability to apply skills and knowledge in realistic, simulated environments is expected to boost training retention and engagement. Immersive training will also be useful for providing training on safety protocols, hazardous situations, countering biases, or where there may be an inherent risk to participants.

³ INTERPOL Virtual Academy, <https://www.interpol.int/en/How-we-work/Capacity-building/INTERPOL-Virtual-Academy>.

APPLIED RESEARCH AND TECHNOLOGY

Enhanced training techniques can enable the prosecution of IP crime. An IP rights attorney noted that rapid advances in technology have aided with explaining cases to judges and juries. Yet, this attorney added, the proliferation of technology can also slow its adoption. “If you have 10 different devices that officers are supposed to use, that’s one thing. If you have 200 different devices, it’s a completely different thing.”

Speakers noted the difficulties authorities may have in keeping technological pace with criminals. One observed, “Speed and government are rarely the same, for good reason. Whereas a small company can be nimble and make mistakes and grow, governments have so many more responsibilities . . . we’re in it for the long haul, industry is in it for the long haul. Our opponents are in it for a quick hit”. A software developer also remarked that many “foundational” technologies, such as global positioning systems (GPS) and the Internet, did evolve from public efforts to solve a “big issue”. An INTERPOL official highlighted the importance of ensuring that publicly driven technological advancement adheres to the principles of “lawfulness, mitigation of harm, human autonomy, fairness, and good governance”.



LEADERSHIP AND DIVERSITY

As the tools for fighting IP crime become more advanced, law enforcement officers will require more diverse skills. Yet, many agencies are struggling to fill or diversify their workforces.



ADDRESSING STAFFING NEEDS

Police agencies around the world have been battling staff shortfalls for a variety of reasons. The staffing challenge is complex and involves issues of workload performance, objectives, allocation of resources, recruitment, selection, training, and deployment, among others.

A new initiative from Michigan State University, the Police Staffing Observatory (PSO),⁴ aims to help law enforcement consider their staffing ecosystems as a whole to address staffing challenges. This raises a number of questions:

- How do we know an agency is understaffed?
- How do we address the effects of an understaffed agency?
- Are there solutions other than staffing?

The Police Staffing Observatory has proposed a six-step approach to optimizing resources:

- Determine an efficient staffing allocation level
- Establish workforce goals
- Assess existing circumstances
- Formulate a strategy
- Implement the strategy
- Monitor and assess performance.

The PSO's website has resources from several nations on applying best staffing principles, including on estimating workload demand from the number of investigations an organization must handle.

Another effort, the 30x30 Initiative,⁵ seeks to increase the representation of women in classes of U.S. police recruits to 30 percent by 2030. Proponents note that women officers are less likely to use excessive force, be named in complaints, or make discretionary arrests and are more likely to be perceived by communities as honest and compassionate and to achieve better outcomes for crime victims. More than 300 agencies in the United States and Canada have joined the initiative.

⁴ For more information, see the Police Staffing Observatory at <https://cj.msu.edu/research-excellence/psso/psso-home.html>.

⁵ 30x30 Initiative, <https://30x30initiative.org>.

LEADERSHIP AND DIVERSITY

Several speakers noted that in many places, IP crime may not be an area of focus for law enforcement. A leader of the Norwegian Police Service explained that much of the difference in how police address crime may be influenced by whether the body is a “police force” or a “police service,” which can lead to different sets of skills among officers. A police service, for example, may be more likely to prioritize diverse skills and broaden its workforce. It may explore different ways of responding to changing communities or changing crimes and may actively seek to recruit women to reflect their presence in the community.

Many speakers focused on the recruitment of women and the talent they can bring to law enforcement and the fight against IP crime. A leader of a U.S. initiative to increase the number of women in law enforcement highlighted a recruiting advertisement from one agency, featuring a man with a rifle jumping out of a helicopter. In reality, this agency, the speaker said, did not have a drone, much less a helicopter. Thus, “they were telling a story of what policing is that isn’t accurate”, and that was not likely to appeal to qualified women candidates. Another advocate of the initiative pointed out that a woman looking at that advertisement might not be willing to jump out of a helicopter, but might be drawn to an agency that emphasized its public service focus rather than a message of force.



LEADERSHIP AND DIVERSITY

The former chief of a U.S. police agency related similar concerns, particularly upon noticing that women were likely to drop out at certain junctures of the recruitment process. As a result, a U.S. initiative developed several low- to no-cost means to help women thrive in policing. For example, rather than altering physical fitness qualifications for women, proponents have sought to ensure that the qualifications tested are relevant for the job.

Speakers observed that many initiatives that might draw more women into the field could also attract men who had not considered it. The previously mentioned U.S. chief shared that the effort of several departments to implement improved family policies could attract men with families as well. The Norwegian police leader noted that the flexibility of family leave policies in Scandinavia allowed both men and women to better adapt to the demands of managing work and family care.

Expanded cultural expectations could also help law enforcement draw from larger applicant pools. The Norwegian police leader noted that Scandinavian countries stress gender equity. As a result, 36 percent of Norwegian police officers are women, as are 48 percent of all employees of the police service—percentages that far exceed those in the United States. An INTERPOL official based in southern Africa observed that there was “political will on gender issues” in the region, leading to greater representation of women in law enforcement. Another INTERPOL official noted the use of gender-mainstreaming and human-rights frameworks to broaden capacity building.

Several speakers noted the importance of having role models for women in law enforcement to attract and retain women in the field. A U.S. official noted that encouraging women to enter science, technology, engineering, and mathematics (STEM) fields could boost interest specifically in intellectual property issues. An INTERPOL official based in South America observed that in



LEADERSHIP AND DIVERSITY

some cases, women officers can build closer ties to the community and de-escalate conflicts better than male officers.

The South American INTERPOL official also pointed out that many young officers in the region do not consider IP crime to be as important as other types of crime. Hence, it was important to expose all officers to all forms of crime.

The former U.S. police chief had also found that interpersonal skills and an interest in journalism were well suited to a career in law enforcement, particularly in report writing. This police chief had selected officers for several special units based on their report-writing abilities and improved performance in those units as a result.

For the Norwegian police director, the question of hiring across the community is one of “value for money. We cannot afford to waste 50 percent of our brainpower. We’re competing seriously with the private sector. It’s not about gender, it’s about talent. We won’t be successful unless we can develop the workforce as society expects us to do”.

While law enforcement needs to strengthen its ranks, in the entertainment industry, rights holders also recognize that more “self-help” is needed. As one entertainment industry executive observed, “we can only do so many civil litigations, and only so many enforcements”. To combat online piracy, entertainment rights holders have “started to identify operators of platforms, breaking their anonymity”. They have done so through “open-source intelligence”, identifying operators of pirate sites and connected services. Many times, rights holders “go to court, get disclosure orders against intermediaries, and then search them and get their operating details”. Eventually tracing such services to the hosting company can, the executive said, force pirate sites into compliance.

Once sites are seized, rights holders take possession of the domain names to prevent them from being resold. As the executive explained, “part of the settlement is getting domains, redirecting to legitimate websites and platforms, and driving customers to legitimate content sources”.

It was noted that such approaches would not work in all cases. “We cannot knock on the door of an organized crime unit that makes USD 35 million a year”, the executive said. “Law enforcement needs to take those cases”. However, these strategies can be effective in most cases and result in settlements in favour of rights holders.

ENVIRONMENTAL IMPACT

Counterfeit and pirated products present challenges beyond supporting the criminals who produce them or endangering the consumers who use them. For example, the safe disposal of counterfeit—often substandard—products poses another risk.

Standards and expectations for disposing of illicit products have evolved over time. A former U.S. law enforcement official noted, “We used to take seized products to a Chicago-area steel mill and throw them into a batch of hot molten steel. Narcotics, plastic, it didn’t matter. Everything went into the steel. That’s not efficient or useful. Now we have to consider how can we recycle, downcycle, repurpose these goods”.

Authorities cannot recycle all counterfeit goods. Counterfeit pesticides, for example, are among the most damaging counterfeit products and among the most difficult to safely discard. An industry representative stated, “There’s a human health aspect to illegal pesticides. Farmers are exposed to the chemicals, injured by them, go to the hospital, and nobody knows what caused the injury. Counterfeit pesticides also make the soil toxic”. The prevalence of illegal pesticides, the representative said, can range from 10 per cent in the European Union, “one of the most regulated markets in the world”, to more than 50 per cent in some developing nations.

While legitimate manufacturers have disposal programs for their product, counterfeit manufacturers, the representative said, dump without restriction. Dumping of illegal pesticides can lead to a “runoff of toxic sludge that hurts downstream farmers”.



ENVIRONMENTAL IMPACT



SCORE GREEN

Dr Virginia Cervieri, an intellectual property rights attorney in Uruguay, notes that Uruguay offers an example of how counterfeit products are typically managed. Once counterfeit products are withdrawn from the market, they must be destroyed. Yet there are few guidelines for destroying counterfeit goods in the country. Compounding the issue is the fact that counterfeit goods must be disposed of in compliance with environmental law. This, Dr Cervieri observed, “is good but expensive,” and more so than in previous years when such goods were simply dumped.

Cervieri also noted that the lack of payment for finding ways to dispose of counterfeit products, as well as the difficulties in handling potentially toxic products, presented additional challenges. This led her to seek innovative ways for repurposing counterfeit goods. She received inspiration from a basketball league that was soliciting donations of balls that were found to be counterfeit. While this was not possible, it inspired Cervieri to consider uses for counterfeit plastic products. She worked with Rotary International and several local firms to launch the “Score Green” project,⁶ which seeks to destroy counterfeit products in a sustainable way, promote sports in schools, and educate students about counterfeit products.

The project manufactured basketball backboards, made from the recycled plastic components of counterfeit products, which have been installed in schools throughout the region. Several brands, pleased to see that counterfeit products are not being diverted to landfills, have sponsored the project. While participating firms have certified the products as safe, Cervieri notes that youths are less likely to touch basketball backboards than they are other items that might be made from recycled counterfeit plastics. The project has served as an example of a successful public-private initiative to address the disposal of counterfeit goods.

⁶ Video summaries available at <https://www.youtube.com/@cervierimonsuarez>.

ENVIRONMENTAL IMPACT

Counterfeit lithium batteries are another product that may impact health and present disposal problems. UL Standards & Engagement (ULSE) has developed standards for disposing of genuine and illicit lithium batteries. A leader from ULSE emphasized that while relying on standards is a good practice, it is crucial that they are followed. ULSE has collaborated with postal services and other stakeholders to create a course on safely disposing of seized batteries coming through the mail. Additionally, the International IP Crime Investigators' College (IIPCIC) provides a specialized course to assist law enforcement personnel with safely handling lithium batteries.²

A former U.S. customs official pointed out that some ways of disposing of lithium batteries were not “realistic” in certain settings. Rather, some postal services need elementary steps, such as having a bucket of sand available to douse a dangerous battery. In some countries, the official observed, “that’s going to be very important”, because the only “alternative is to have a battery explode”. This official echoed other speakers’ observations about the need for a few standardized tools. “One or two tools can make a world of difference, but 200 or 300 of these tools would likely lead to none being used at all”. It was also noted that customs authorities might find the regulations cumbersome and, lacking the appropriate tools, simply dispose of dangerous products in landfills. “The overriding goal for customs officials around the world is simplification” of processes. “One of the challenges in seized goods disposal is how many rules and regulations we have to follow,” which makes the process overwhelming. “The kneejerk reaction, especially from developing or least developed nations, is to put it in a landfill or burn it”. There is an opportunity for international collaboration, the official suggested, “to establish some basic minimum standards” that all may follow.

Mail may be the most common shipment method for counterfeit goods, such as counterfeit pharmaceuticals, cigarettes, auto parts, and airbags, among others. According to a Universal Postal Union (UPU) representative, this means “We need to get at a solution that all can implement”. Many postal services train their employees on how to identify shipments that infringe IP rights, but postal services vary in their capabilities, and a “huge challenge” remains to make sure everybody can recognize and mitigate the problem.

In this regard, IIPCIC has entered into a collaboration with the UPU to deliver training on IP crime to postal security officers as a way to strengthen the postal supply chain and combat IP crimes. One graduate of the course, working with the Philippine Postal Corporation (PHLPOST), noted that the course “further strengthens the bond between PHLPOST and Bureau of Customs as it highlights the importance of “ex-officio” authority in the combat against IP crime”. Another course graduate, from the Universal Postal Union, Switzerland, pointed out that “the most fundamental and important take away for me was that IP crime is a crime against society and not only the right holders, owners and law enforcers”.

² International IP Crime Investigators College, IIPCIC Course Catalog 2023, “Industry-Specific Courses for Law Enforcement: Lithium Batteries”, https://iipic.org/catalog/IIPCIC_Catalog_2023_EN.pdf.

ENVIRONMENTAL IMPACT

Given the broad scope of the challenge, one representative of the shipping industry suggested that another solution for identifying and curbing IP crime in that area may be to expand anti-counterfeiting targets. “Counterfeiters can’t operate without legitimate distributors, without e-commerce”, the representative said. “Let’s widen the definition of who is responsible for counterfeiters to include companies who don’t know they’re facilitating counterfeiters but should. The counterfeit products aren’t being delivered underground, but by major delivery companies.” Such companies, the representative pointed out, should increase efforts to identify their shippers. The representative also suggested implementing similar initiatives for e-commerce platforms and free trade zones.

Legitimate manufacturers struggle with the question of how to dispose of counterfeit goods they discover. Recycling is a possibility but, as one representative of a toy manufacturer asked, “Would you buy a counterfeit good for your kid? If not, then why would you donate a counterfeit good to another kid? Everyone deserves good quality toys”. A former law enforcement official noted that developing nations may have different perspectives on such issues, which should be considered.



THE EMERGING CHALLENGE OF FREE TRADE ZONES

The growth of free trade zones is an emerging area of concern in the trade of counterfeit goods. Such zones, according to an economist from the Organisation for Economic Co-operation and Development (OECD), can bring the benefits of free trade to areas needing it. At the same time, they raise the problem of how to stop counterfeiters from taking advantage of them.

Free trade zones are not new, a zone manager from Curaçao observed. By some accounts, the first started in 169 BCE on the Greek island of Delos. Problems with such zones followed, with pirates overrunning Delos in 69 BCE.

These zones have proliferated in recent decades. A U.S. customs official affirmed that the number of free trade zones was in the “double digits” in the mid-1970s but in the “thousands” today. The problems with such zones today, said the official, is that they operate as if the zone itself, rather than the goods in the zone, are outside of customs jurisdiction. As a result, “there isn’t a lot of incentive for oversight of these zones”. The definition of such zones may also vary by jurisdiction—most free trade zones are privately owned, further reducing governance or oversight of them.

Such zones are a “hotbed for transshipment”, the U.S. official added. In most countries, there are no border procedures to protect intellectual property rights in transshipments. Thus, problems with such zones are mounting. In some U.S. free trade zones, seizures have doubled in recent years.

Even in countries that provide some oversight of free trade zones, the U.S. official said, “they tend to focus on the goods going in. But the goods going in are usually not the goods coming out. There’s manufacturing that occurs in the zone. There’s repackaging that occurs in the zone. That’s another reason these zones vary so much. Some don’t even define prohibited activity in the zone”.

Curaçao’s free trade zone has proved to be a success, one zone manager remarked. It has been attractive for traders because of its location in the Caribbean as well as its affiliation with the Kingdom of the Netherlands. However, it has also experienced growth in illicit activities. By 2015, the manager said, 90 per cent of activity in the zone was “directly related to counterfeit and illicit trade”.

To mitigate illicit trade in its free trade zone, Curaçao adopted stricter rules and regulations and sought support from international organizations. This, the manager said, led to difficult discussions with clients who threatened to move their operations if rules and regulations were implemented. “Our response was, you can go ahead, but you need to know about the consequences of doing so. If you want to be here and be considered as a legitimate business in Curaçao, then you have to comply with certain rules and regulations”.

THE EMERGING CHALLENGE OF FREE TRADE ZONES

A U.S. official said free trade zones have been “analogous to e-commerce platforms. For a while, it was a free lunch. They weren’t even paying state taxes in the United States”. The official noted that first there was voluntary compliance, followed, where necessary, by stricter regulation.

Other ways of addressing the issue were suggested, such as making OECD training available to violators. The official pointed out that pressure may also work, citing the example of Swiss free trade zones, which had operated outside of regulations until cultural antiquities were found to be trafficked through them. The subsequent reaction led to regulation of the zones.

The zone manager from Curaçao concurred on the helpfulness of voluntary regulations, which had been implemented proactively by the country. Certification programs were also promoted within the zone prior to the OECD’s involvement, in addition to collaboration with the World Free Zones Organization (World FZO) to establish and maintain standards. Today, Curaçao ensures a constant customs presence in its free trade zone to ensure compliance with intellectual property rights regulations.

Both the U.S. official and the Curaçao zone manager suggested looking to vehicles such as the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) to establish standards for free trade zones. Organizations such as the World Customs Organization (WCO) may also have a role to play. However, both agreed that challenges remained as even some legitimate firms may seek zones with lax regulations to streamline their operations. In addition, the reliance of some nations on customs duties for revenues may affect how they regulate trade issues, including those related to intellectual property rights.

Free trade zones may continue to grow as manufacturers seek to mitigate supply chain fragmentation. Such zones allow manufacturers to concentrate dispersed activities, which can benefit free trade zones and surrounding nations. The zone manager from Curaçao highlighted the importance of effective communication among all involved. “Just like a relationship, with no communication, things will fall apart”, the zone manager said. “On top of phone calls and text messages, we established a committee, a task force that guaranteed participation of different actors, customs officials, free trade zone representatives, businesses, and police. The best and only way to work towards the best-case scenario is through wonderful communications with law enforcement”.

THE EMERGING CHALLENGE OF FREE TRADE ZONES



CONCLUSION: FUTURE PATHWAYS AND QUESTIONS TO ADDRESS

Stakeholders in the fight against counterfeiting and piracy understand the need for solutions. The discussions held at the 2023 International Law Enforcement IP Crime Conference identified several solutions, many of which point to new issues to consider.

The area of applied research and technology raises many challenges for protecting intellectual property rights, but also offers some means for doing so. Dispersed virtual training, adapted to individual needs, can educate law enforcement officers on techniques for identifying and addressing intellectual property rights. It can reach officers when they need it and allow them to repeat the training as needed.

Technology can also help prosecutors, judges, and juries better understand how a crime was committed, which may be critical among those with a limited understanding of intellectual property rights and the harm caused by violations. Similarly, the diffusion of technology can help identify rights violations in the field. Rather than sending samples to rights owners and waiting weeks—sometimes months—for analysis, law enforcement, with the proper technology, can identify infringing products on site.

The global volume of counterfeit and pirated products is massive and strains the capacity of law enforcement officials. Rights holders can reduce this strain through self-help techniques, and, in some cases, even convert customers from illicit wares to legitimate ones.

There is little doubt that law enforcement organizations will always have a role in enforcing intellectual property rights, particularly in the most serious cases. Among the ways they can address the demand on their organizations is to increase or diversify their talent pools by considering the tasks they must address and appealing to non-traditional candidates for enforcement jobs, which can bring new talent to the fight against illicit products. Cooperative and educational efforts can also increase the awareness necessary to boost engagement in the fight against counterfeiting.

CONCLUSION: FUTURE PATHWAYS AND QUESTIONS TO ADDRESS

IP CRIME COLLEGE AWARDS

At its conference each year, the International IP Crime Investigators' College recognizes outstanding contributions to the fight against intellectual property crime. Glenn Martindale, the Director of Capacity Building and Training at INTERPOL, presented the 2023 commendation of merit award, which, he noted, is "given to an officer demonstrating outstanding leadership or implementation of unique or innovative approaches to an intellectual property anti-counterfeiting investigation". The award recognizes "law enforcement personnel who are making a significant and innovative impact in fighting intellectual property crime." There were 48 nominations for the 2023 award, representing all INTERPOL regions.

The 2023 commendation of merit was awarded to Detective Supervisor Neil Blackwood, of the Greater Manchester Police (GMP) in the United Kingdom, for his leadership of Operation Vulcan, an effort to dismantle a counterfeiting hotspot in the Manchester community of Cheetham Hill. Accepting the award on Blackwood's behalf was Phil Lewis, Director-General and Company Secretary of The Anti-Counterfeiting Group (ACG) in the United Kingdom. The effort came about, Lewis said, after Stephen Watson, the chief constable of the Greater Manchester Police, "set out a clear vision to dismantle" what had become a "counterfeit mecca". The effort was funded by the recovery of proceeds from previous counterfeiting operations, and while such funding had been used for similar initiatives in the past, Lewis noted that it had never been done on the scale of the Cheetham Hill operation. The resulting Operation Vulcan, which aimed to "rid the area of counterfeiting and associated criminality", led to "hundreds of millions of pounds worth of fake products being seized," along with the shutdown of drug sales, weapon seizures, and the ending of "modern-day slavery, prostitution, theft, and illegal immigration".⁷

Martindale also presented the professional service award to Commissioner Juana Elena Herrera Medina, Head of the Intellectual Property Crime Investigation Unit (BRIDEPI) in Chile. The professional service award is "given to recognize outstanding contribution to the intellectual property crime community by demonstrating the highest degree of professional standards".

In addition to the IIPCIC Awards, **Terrence Brady, President of Underwriters Laboratories (UL) Research Institutes, awarded the Keith Williams Scholarship to 20 candidates. This scholarship enables candidates to complete the Certificate in Intellectual Property Crime and Illicit Trade (CIPCIT) offered by the University of Portsmouth.**⁸ The scholarships, Brady said, are part of a multiyear program named for his predecessor, Keith Williams, whose "commitment to making our world safer helped create" the annual IP crime conference. Brady shared his hope that the Portsmouth course, co-sponsored by INTERPOL, will "help develop and inspire the next generation of experts to fight the complex and ever more dangerous scourge of IP crime".



⁷ Operation Vulcan, <https://www.gmp.police.uk/police-forces/greater-manchester-police/areas/greater-manchester-force-content/c/campaigns/2022/operation-vulcan2/operation-vulcan>.

⁸ Certificate in Intellectual Property Crime and Illicit Trade (CIPCIT), <https://www.port.ac.uk/study/short-courses-and-cpd/certificate-in-intellectual-property-crime-and-illicit-trade-cipcit>.

CONCLUSION: FUTURE PATHWAYS AND QUESTIONS TO ADDRESS

Expanding responsibility for counterfeiting may lessen the strain on some parties fighting it. Identifying and holding intermediaries accountable can disperse the costs of disposing of counterfeit products, while simplified processes for disposing of products may help ensure better compliance with environmental standards.

Finally, cooperative and international efforts can promulgate standards that may curb violations. Defining the responsibilities of free trade zones, for example, or developing codes for such zones may reduce abuse of such areas.

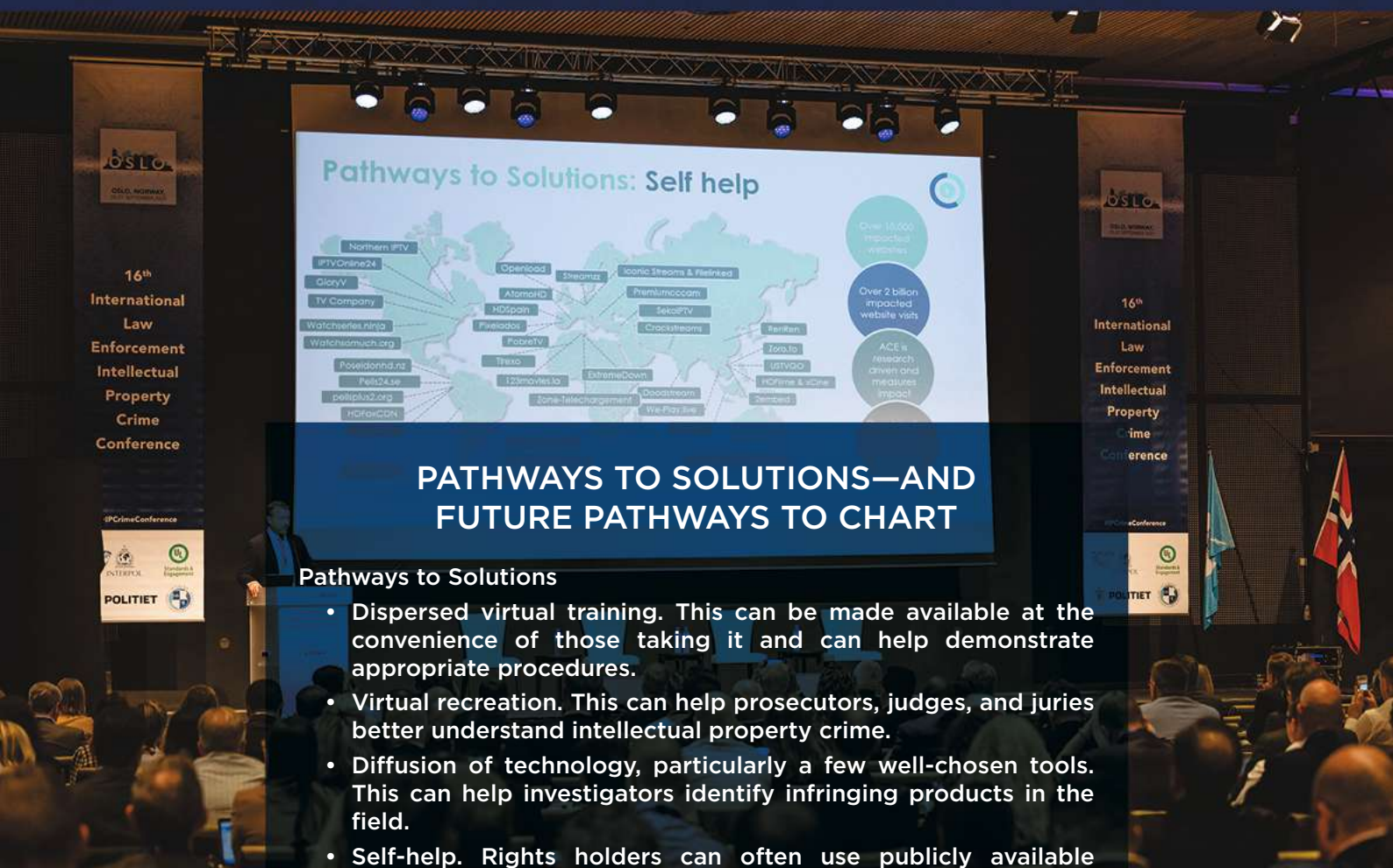
Many of these pathways highlight issues authorities will need to address in the coming years:

- The proliferation of AI raises concerns about the fair use of images and material protected by intellectual property rights. What should be the boundaries for fair use and copyright protections?
- Given that technology often moves faster than the law, and each jurisdiction will move at its own pace, what steps should those protecting intellectual property rights take to ensure they do not fall far behind?
- Technology standardization can foster wider adoption but can also limit innovation. What will help balance the needs of adoption and innovation? Could in-house development of technology for enforcement help achieve this balance?
- Disposing of counterfeit products can be hazardous and expensive, and rights holders and law enforcement already struggle with identifying resources for their current duties. What can help focus greater resources on the disposal problem?

The 2024 International Law Enforcement IP Crime Conference, which will take place in Curaçao, will seek to identify future pathways to help rights holders and law enforcement officials remain ahead of the problems of illicit trade.



CONCLUSION: FUTURE PATHWAYS AND QUESTIONS TO ADDRESS



PATHWAYS TO SOLUTIONS—AND FUTURE PATHWAYS TO CHART

Pathways to Solutions

- Dispersed virtual training. This can be made available at the convenience of those taking it and can help demonstrate appropriate procedures.
- Virtual recreation. This can help prosecutors, judges, and juries better understand intellectual property crime.
- Diffusion of technology, particularly a few well-chosen tools. This can help investigators identify infringing products in the field.
- Self-help. Rights holders can often use publicly available knowledge to identify infringers and bring pressure to bear on them.
- Workforce planning. Rights enforcers may find it more efficient to identify numbers of cases they are likely to address and the resources needed to do so.
- Workforce diversification. Appealing to non-traditional candidates can bring new talent to the field.
- Expanding responsibility for illicit products. Identifying intermediaries and holding them accountable can reduce the strain other parties face in combating counterfeiting.
- Simplified processes for product disposal. Such processes may promote compliance with proper procedures.
- Cooperative and international efforts. Setting standards is the first step to ensuring they are followed; some areas remain ambiguous and require clarification.

Future Pathways to Chart

- What should be the boundaries for evolving areas in AI?
- What can authorities do to ensure they do not fall behind infringers from a technological standpoint?
- How should rights holders and authorities balance the need for standardization with the need for innovation?
- What can help focus greater resources on the disposal problem?
- How can cooperative agreements for evolving issues (e.g., AI, free trade zones) be best developed?



PATHWAYS TO SOLUTIONS:



REPORT ON INTERNATIONAL IP CRIME CONFERENCE, 2023



www.politiet.no



www.ULSE.org



www.iipcic.org



www.interpol.int



INTERPOL_HQ



INTERPOL_HQ



@INTERPOL HQ



INTERPOL