



WORLD CUSTOMS ORGANIZATION

Customs and IPR Report 2011



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1. FOREWORD

I am pleased to announce the publication of the latest edition of the WCO's Customs and IPR Report in this special year for the WCO, its 60th Anniversary, that is designated as the Year of Connectivity with the slogan "Borders divide, Customs connects". This theme of the year encapsulates what is required for combating counterfeiting and piracy, i.e. strengthened coordination, cooperation and communication between Customs administrations, with other government agencies and institutions, and with the private sector, at national, regional and international levels.

In order to assist Members to effectively perform their role and address the challenges in combating counterfeiting and piracy, the WCO has continued to provide its capacity building activities to Members requesting assistance. One of the most recent actions was Operation TIGRE 2, for which 12 Customs administrations from Central America, South America and the Caribbean worked together to coordinate, cooperate and commu-

nicate with each other and with relevant players during a one-week operation in December 2011. As a result, hundreds of containers were inspected, 191 of which were found to contain nearly 7 million counterfeit articles and almost 500,000 kg of precursor chemicals.

With the aim of quantifying and qualifying the trafficking of counterfeit and pirated goods in small parcels, the WCO ran Operation Global Hoax II, a five-day global operation between 1 November and 31 December 2011, with the participation of 43 Member Customs administrations around the world. During the Operation, more than 30,000 parcels were detained and over 150,000 counterfeit or pirated items of various kinds were seized. The use of small parcels for conveying counterfeit and pirated goods has increased considerably with the growth in purchases via the Internet, allowing criminals to exploit the potential to reach consumers throughout the world in order to market their counterfeit products.

The WCO's IPM (Interface Public-Members) tool has been extensively deployed both with Customs and with rights holders as a means of "connecting" the two key players in combating counterfeiting and piracy. IPM enables rights holders to communicate their updated product information to Customs officers, this being critical for effective and efficient Customs intervention at the border. It also enables these officers to contact rights holders immediately in order to verify their suspicions and to initiate follow-up legal action. This tool was tested in real-life conditions during the above-mentioned Operation TIGRE 2 and was proven to be very effective.

The WCO's Customs Enforcement Network (CEN), continues to be an extremely useful platform to "connect" law enforcement agencies. In particular, the introduction of the new CEN application in June 2011 has facilitated the input of 'quality' data by Members through a number of 'quality check' features. This has enhanced the accuracy of the data used for the analysis throughout this Report.

For this year's IPR Report, data covering more than 25,500 cases were provided by 54 Member Customs administrations, from all 6 WCO Regions. A number of Members also shared their national reports, and additional data from the WCO operations has been used to enrich this Report. In total, 68 Customs administrations contributed to the preparation of this Report in one way or another.

This highlights the importance of the role of Customs in combating fake products that could endanger the lives of citizens and the challenge Customs faces in dealing with the ever-changing environment surrounding counterfeiting and piracy. This year for the first time, the Report provides information on seizures outside the limits set for the analysis (50 articles or a value of 10,000 euro), in order to show certain new trends in this changing environment. Two significant developments have been observed: (1) an increase in the seizures of counterfeit pharmaceutical products both with respect to the number of cases (33.1 % increase) and to the

quantity (129 % increase); and (2) an increase in counterfeit items moved by means of small parcels (55 % increase in terms of seizures made at mail centres).

I would like to take this opportunity to express my gratitude to the WCO Members and other contributors for the data and information they have communicated to the Secretariat, thus making it possible to compile this Report, which is in five parts, with statistical Annexes. The first part provides a detailed explanation of the source of information and methodologies used to analyse the data. The second part provides a global overview of counterfeiting and piracy, which is followed by the third part describing the counterfeiting and piracy phenomenon by types of commodities. The fourth part focuses on the issue from a regional perspective and the last part outlines major initiatives and activities by the WCO and its partners in this field.

The WCO and its Members stand ready to work in cooperation with other agencies and

in partnership with the private sector to carry out effective border enforcement against counterfeiting and piracy. The WCO also continues to be a catalyst to connect all the stakeholders involved in the fight against this serious crime by providing the necessary tools and assistance. I hope that this Report will serve as a useful source of reference.



Kunio Mikuriya
Secrétaire général
Organisation mondiale des douanes

2. APPROACH

2.1. Structure of the Report

The WCO has published seven volumes of its annual Customs and IPR Report since 2004. The objectives of this eighth volume are 1) to highlight the significant efforts by Member Customs administrations to combat counterfeiting and piracy, 2) to identify emerging trends both at global and regional levels, 3) to provide information to help Customs to develop policies against counterfeiting and piracy, and 4) to raise awareness of the issues surrounding counterfeiting and piracy.

This Report is in five parts, with statistical Annexes.

The first part of the report provides a detailed explanation of the source of information, methodologies that were used to analyze the data, and gaps we need to understand when reading this report.

The second part provides a global overview of counterfeiting and piracy. This part highlights the issue from the broader point of view and includes information, such as the top 15 seizure / detention cases and commodities, the number of seizures / detentions by region, frequently observed routings, direction (e.g. import, export, etc.) and locations (e.g. airport, seaport, mail centre, etc.).

The third part describes counterfeiting and piracy by types of commodities, which are in accordance with commodity categories set out in the Customs Enforcement Network (CEN). Each type of commodity is explained from various perspectives, including quantity, value, region and country, commercial brand, route followed and seizure locations. Significant and / or exceptional cases have been added for respective commodity types where appropriate.

The fourth part focuses on regional breakdown in accordance with the structure of the RILO network (as explained towards the

last part of the report) where applicable. This part follows a similar structure to the second part (global overview) but provides a more in-depth analysis of the situation in each region.

The fifth part outlines major initiatives and activities by the WCO and its partners in this field.

The Annex includes seizure statistics which were not included in the main body of the report, such as seizures / detentions by every reporting country and by each type of commodity.

2.2. Source of Information and Methodology

The seizure / detention data in this Report has basically been compiled from the CEN database (operational since July 2000). Some relevant information submitted by Member Customs that was not in the CEN (for some reason) has been taken into account when it could shed light on, or add value to, the preparation of this report. For example, the Secretariat processed and uploaded national data received by Excel spreadsheet from Members onto the CEN database. Members also submitted their national reports with descriptive explanations on their significant cases, some of which were quoted in the relevant sections of this report. This year, for the first time, data from a WCO operational exercise (Operation TIGRE 2 in December 2011) has been provided for inclusion in this report. The data itself has not been uploaded onto the CEN database due to the fact that it has not been validated by individual Members who submitted the data, but detailed data analyses are included where appropriate.

This Report covers seizures / detentions made between 1 January and 31 December 2011. Only those seizures reported and vali-

dated before 31 March 2012 have been used for analysis. Data provided later than that could not be included in this Report, but will be updated and taken into consideration for the preparation of the next annual Report.

As a general rule, the CEN database considers one case as one seizure / detention on one occasion. Therefore, one case may include multiple lines of commodities.

Analysis only takes account of cases where Customs services were involved, which includes not only seizures / detentions by Customs but also joint cases by Customs and other law enforcement agencies (e.g. Police) regarding importation, exportation, in transit, in the marketplace, or in the context of an investigation into organized crime. Information for the year 2010 has also been taken into account, for the purposes of comparison and to help identify any major variations or developments.

For the submission of information to the CEN database, different reporting limits are set by different RILO regions (See Table: Reporting limits (IPR commodity) by region). These limits are used for the purpose of enabling Member Customs to effectively provide their cases to the CEN within their limited human resources. It should be noted that these limits are optional and Members can report cases that fall outside the limits. In order to allow consistent comparison amongst the different regions, however, the minimum common limit of all RILO regions has been taken into consideration, i.e. cases involving a minimum of 50 articles, or the value of goods at least 10,000 euros (or equivalent US dollar value based on the value of the genuine articles). This means that if one case involves multiple commodities, the total quantity or the total value of these commodities are checked against the limits. Based on these criteria, out of the 25,530 cases involving 143,197,392 pieces and 1,830,982 kg of

items reported to the CEN in 2011, 20,932 cases involving 143,159,532 pieces and 1,830,698 kg have been used for analysis in this Report. This year for the first time, information on the cases beyond the minimum common limit is provided separately, considering the added value it may have, in particular, looking at the recent increase in counterfeit and pirated goods sent by small parcels.

Unless otherwise specified, market price of genuine goods in US dollars (as of July 15 2010 for 2010 data and April 2011 for 2011 data) is used to estimate the value of counterfeited / pirated items. For certain reported cases, no price or inadequate price information was provided (price information is provided for 82.6% of total lines of commodities in 2011, for 20,405 out of 24,705 lines) and prices for the same type of goods vary in different regions / countries. The value, therefore, is used for information only and has no official status.

Various units (e.g. piece, unit, pair, kg, litre, drum, carton, box, set, etc.) are used to report quantity of seized / detained goods. For the convenience of the analysis, these units have been converted into (1) pieces and (2) kg, following the rules as specified

in the Annex. For tobacco products, 1 packet of cigarettes (= 20 sticks) is counted as 1 piece, or for cigars, 1 cigar is counted as 1 piece in this report. Details for calculating units for tobacco products are also explained in the same Annex.

As for the categories of counterfeited goods, there are two levels set in the CEN database. With the introduction of the new CEN in 2011, there have been a few changes in terms of categories of commodity type, e.g. 'Textile and textile articles' are split into 'clothing' and 'textiles other than clothing' (towels, bed sheets etc.). In order to more accurately capture the phenomena of counterfeiting and piracy, the Secretariat further reviewed these categories and modified the existing levels of categories wherever deemed appropriate. These new categories will be explained further in detail in the third part of this report where counterfeiting and piracy are discussed by types of commodities. As these new rules applied not only to 2011 data but to the 2010 data as well for consistency, in some cases, comparison of figures in this report with the ones in previous reports may not be appropriate.

The term country or Member State in this Report refers to the WCO Member Customs

administration responsible for the jurisdiction within one independent Customs territory, rather than a sovereign territory.

In general, the regions being compared correspond to the geographical area which falls under the competence of a given RILO. North America (Canada and the USA) and Central America and the Caribbean (Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Jamaica, Mexico, Nicaragua, and Panama) regions were used for the purpose of this report.

Origin in this report is the country where the goods were produced / manufactured as reported by Member Customs administrations. It should be noted that the country of departure is not necessarily the country of origin. In some cases where articles were seized / detained inland or internally, no information on departure or destination is available.

In the new CEN database, a new reporting category was added, namely, 'status of goods' where Members can specify whether the item in question was 'stopped' (or detained), 'seized' or 'returned'. This takes into account the varying legal competence of Member Customs administrations in terms of IPR infringing cases and allows

Reporting limits (IPR commodity) by region

Asia / Pacific	No limit
Central America and the Caribbean	No limit
Central Africa	No limit
Commonwealth of Independent States (CIS)	No limit
Eastern and Central Europe	All items above 50 pieces or a minimum value of the genuine goods of 10,000 Euros
Eastern and Southern Africa	50 pieces or 2,000 USD per seizure (value of the genuine goods)
Middle East	No limit
North Africa	No limit
North America	No limit
South America	No limit
Western Africa	No limit
Western Europe	50 items or a minimum value of the genuine goods of 10,000 Euro or the lowest national reporting limit. NO LIMIT in case of fake medicines.

Members more flexibility in reporting them. The CEN database is constantly being updated. The figures in the present report may therefore be different from those taken into account in previous reports and are subject to checking and constant review.

2.3. **Missing Information and Way forward**

In early 2012, the WCO Secretariat sent out letters to all the Directors General of Customs and RLOs, inviting them to input data on their cases, submit brief descriptions of the trends identified, and to provide original or digital photographs to illustrate any particularly interesting cases in 2011.

As a result, 54 out of 177 WCO Member Customs administrations reported more than 25,500 cases in 2011 relating to counterfeiting and piracy. This figure includes the submission of national data to the Secretariat by Excel spreadsheet (10 countries). 21 Customs administrations provided

their statistics and additional information to enrich the contents of the report. It should also be noted that data from the WCO operation is provided as an additional source of information. In total, 68 Customs administrations contributed to the preparation of this report in one way or another. It is nevertheless believed that lack of data in some regions has prevented us from compiling a more comprehensive global picture, and has limited the preparation of in-depth analysis.

The Secretariat wishes to thank all the countries participating in this endeavour and invites them to pursue further efforts to benefit the international Customs community and its partners.

We believe it is essential to collect comprehensive data from Members on seizures / detentions in order to more accurately assess the scale of the phenomenon worldwide, to be able to produce accurate analytical reports and to enhance the credibility of this Report with all the stakeholders and parties interested in the problem of counter-

feiting and piracy, ranging from Customs administrations to the private sector, from regional, national and also international communities.

In addition to entering cases directly, regular and timely submission of national data by means of a spreadsheet file (e.g. MS Excel) to the Secretariat for uploading onto the CEN database is highly recommended as it will enable Members to share their information in a more effective and efficient manner, while at the same time enlarging the pool of data for better analysis.

With more sharing of information and more information accumulation in the CEN database, a more accurate picture of the phenomenon may be obtained and a better risk analysis carried out. This will bring about further improvement in the decision-making process and increased efficiency and effectiveness in combating counterfeiting and piracy.

3. GLOBAL OVERVIEW OF COUNTERFEITING AND PIRACY IN 2011

Introduction

This section provides an overview of the global situation concerning counterfeiting and piracy from various perspectives, including cases and quantity by region, counterfeited goods by category and by brand, departure / transit / destination countries, directions (importation, exportation, transit, etc.) and seizure location types.

As explained in the previous section, this report is based on the contributions from Member Customs administrations, i.e. CEN data from 54 members, individual report provided by 21 Members and data from a WCO Operation for which 12 Customs administrations participated. Out of these contributions, 20,932 cases, amounting to 143 million pieces and 1.8 million kg are used for data analysis. Individual reports are mainly used to highlight Members' efforts in relevant sections, and data from the WCO operation is included in the section dedicated to regional review.

Reported agencies

Nearly 95 % of all the cases were made and reported by Customs administrations and

approximately 5 % are the result of the joint efforts by Customs and other enforcement agencies, such as the police, army, border guard and anti-counterfeiting agency. In terms of quantity, joint efforts account for about 9% of all the cases.

Regions and countries

Regionally, in terms of number of cases, the North America region reported about 47%

of all the cases, followed by Western Europe (30%), Middle East (9.5%), Asia / Pacific (5.8%) and then Eastern and Central Europe (3.3%), all of which amounts to more than 95% of reported cases in 2011. This picture slightly changes when we look at the reported quantity (in pieces) by region. Western Europe comes first (43.5%), followed by Eastern and Central Europe (16.4%), Middle East (14.1%), North America (13.1%) and Central America and

Quantity of seized / detained commodities by region

Region	2010		2011		
	Pieces	Kg	Pieces	Kg	Unknown
Asia/Pacific	64,369,232	16,000	3,241,266		
Central Africa			205	20,240	
Central America and the Caribbean	16,398,310		6,358,355	263	
CIS	893,522	46,468	5,831,707	218,027	
Eastern and Central Europe	6,842,156	67,502	23,471,681	900	
Eastern and Southern Africa	910,008		48,771		
Middle East	25,963,947	173,954	20,191,190	1,579,283	5
North Africa	3,531,438	19,210	2,745,826		
North America	28,926,449		18,747,706		
South America	2,556,474	163	308,351	10,985	
West Africa	2,100,000				
Western Europe	59,853,077	61,975	62,214,473	1,000	
Grand Total	212,325,749	385,272	143,159,532	1,830,698	5

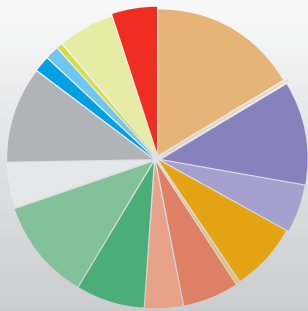
Number of reported cases by region

Region	2010	2011
Asia/Pacific	6,084	1,212
Central Africa		2
Central America and the Caribbean	1,072	309
CIS	178	362
Eastern and Central Europe	886	693
Eastern and Southern Africa	245	24
Middle East	1,232	1,992
North Africa	20	76
North America	10,950	9,762
South America	194	219
West Africa	1	
Western Europe	6,744	6,281
Grand Total	27,606	20,932

TOP 15 countries in terms of the number of reported cases

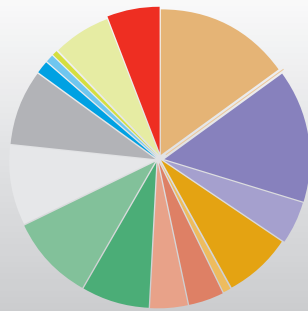
Country	2010	% in total	2011	% in total
United States	10,950	39.67%	9,761	46.63%
Germany	1,647	5.97%	1,935	9.24%
France	1,213	4.39%	1,819	8.69%
Saudi Arabia	885	3.21%	1,608	7.68%
Japan	912	3.30%	1,031	4.93%
Italy	860	3.12%	811	3.87%
Spain	811	2.94%	493	2.36%
Russian Federation	178	0.64%	362	1.73%
Ireland	279	1.01%	277	1.32%
Mexico	1,072	3.88%	259	1.24%
Czech Republic	246	0.89%	256	1.22%
Kuwait	319	1.16%	248	1.18%
Portugal	467	1.69%	248	1.18%
Poland	252	0.91%	243	1.16%
Hungary	217	0.79%	216	1.03%

Reported cases by commodity category 2010



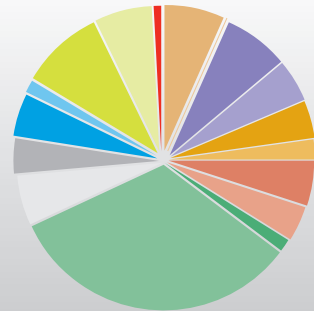
Accessories	4,565
Beverages	12
Clothing	3,117
Computers and accessories	1,499
Electronic appliances	2,064
Foodstuff	81
Footwear	1,693
Games and toys	1,107
Mobile phones and accessories	2,092
Other	3,054
Pharmaceutical Products	1,398
Phonographic products	2,871
Spare parts	512
Textiles other than clothing (towels, bed sheets etc.)	381
Tobacco	100
Toiletries / cosmetics	1,724
Watches	1,336
Grand Total	27,606

Reported cases by commodity category 2011



Accessories	3,195
Beverages	2
Clothing	3,026
Computers and accessories	1,015
Electronic appliances	1,551
Foodstuff	174
Footwear	850
Games and toys	864
Mobile phones and accessories	1,551
Other	2,003
Pharmaceutical Products	1,861
Phonographic products	1,750
Spare parts	288
Textiles other than clothing (towels, bed sheets etc.)	138
Tobacco	111
Toiletries / cosmetics	1,347
Watches	1,206
Grand Total	20,932

Quantity of seized / detained commodities by commodity category - 2010



Accessories	14,659,161
Beverages	50,374
Clothing	15,119,707
Computers and accessories	10,187,472
Electronic appliances	8,625,067
Foodstuff	4,697,537
Footwear	10,512,174
Games and toys	8,224,736
Mobile phones and accessories	3,187,107
Other	69,479,280
Pharmaceutical Products	11,653,626
Phonographic products	8,269,050
Spare parts	10,302,313
Textiles other than clothing (towels, bed sheets etc.)	3,070,708
Tobacco	19,272,683
Toiletries / cosmetics	13,701,310
Watches	1,313,444
Grand Total	212,325,749

TOP 15 countries in terms of the quantity of seized / detained commodities (pieces)

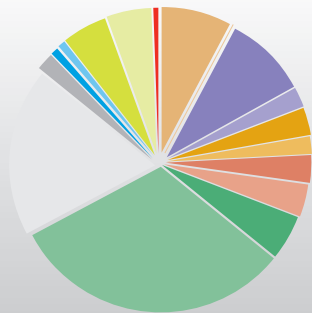
Country	2010		2011	
	Pieces	% in total	Pieces	% in total
Italy	15,029,350	7.08%	39,204,254	27.39%
Bulgaria	13,872	0.01%	20,634,910	14.41%
United States	28,926,449	13.62%	18,747,608	13.10%
Saudi Arabia	17,420,883	8.20%	18,301,234	12.78%
France	3,083,463	1.45%	6,678,199	4.66%
Mexico	16,398,310	7.72%	5,998,690	4.19%
Russian Federation	893,522	0.42%	5,831,707	4.07%
Spain	14,391,932	6.78%	5,661,401	3.95%
Morocco	3,531,438	1.66%	2,745,826	1.92%
Malta	1,619,249	0.76%	2,697,822	1.88%
Hong Kong, China	1,795,748	0.85%	2,556,870	1.79%
Germany	3,747,767	1.77%	2,418,306	1.69%
Czech Republic	1,713,016	0.81%	1,596,320	1.12%
Ireland	6,726,025	3.17%	1,484,941	1.04%
Kuwait	1,685,323	0.79%	1,339,310	0.94%

the Caribbean (4.4%), occupying almost 92 % of all the reported quantity (in pieces).

The United States is the country that reported the most cases in 2011 (9,761 cases). This is followed by Germany, France, Saudi Arabia and Japan. 15 countries from the top of the list account for more than 92 % of all the cases reported globally.

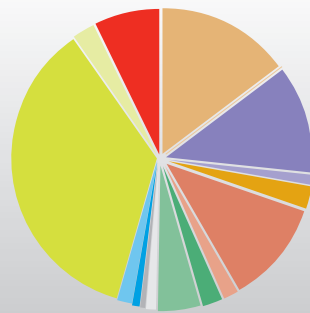
Italy reported the largest quantity of items (in pieces: 39.2 million or 27.3 % of aggregate quantity), then follow Bulgaria (20.6 million, 14.4%), the United States (18.7 million, 13.1%), Saudi Arabia (18.3 million, 12.8%) and France (6.7 million, 4.7%). Top 15 countries reported 91.8 % of total global quantity (in pieces).

Quantity of seized / detained commodities by commodity category - 2011



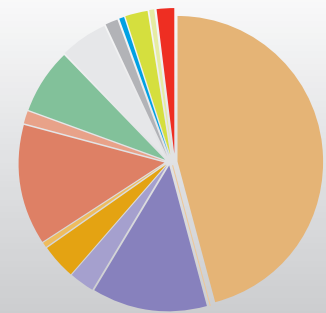
Accessories	11,146,534
Beverages	10,843
Clothing	13,445,904
Computers and accessories	3,055,797
Electronic appliances	4,236,532
Foodstuff	2,911,983
Footwear	4,491,695
Games and toys	5,216,519
Mobile phones and accessories	6,869,239
Other	45,026,960
Pharmaceutical Products	26,685,168
Phonographic products	2,683,902
Spare parts	1,457,125
Textiles other than clothing (towels, bed sheets etc.)	861,306
Tobacco	7,397,868
Toiletries / cosmetics	7,021,039
Watches	641,119
Grand Total	143,159,532

Value of seized / detained commodities by commodity category (in USD) - 2010



Accessories	279,743,816
Beverages	237,624
Clothing	226,074,726
Computers and accessories	19,475,172
Electronic appliances	45,826,689
Foodstuff	2,307,239
Footwear	214,242,365
Games and toys	30,143,982
Mobile phones and accessories	43,770,678
Other	88,562,515
Pharmaceutical Products	20,506,967
Phonographic products	13,503,896
Spare parts	15,930,216
Textiles other than clothing (towels, bed sheets etc.)	28,500,232
Tobacco	676,450,919
Toiletries / cosmetics	49,254,107
Watches	132,217,713
Grand Total	1,886,748,856

Value of seized / detained commodities by commodity category (in USD) - 2011



Accessories	686,004,859
Beverages	516,502
Clothing	190,868,316
Computers and accessories	42,237,574
Electronic appliances	57,735,771
Foodstuff	8,672,279
Footwear	198,802,542
Games and toys	23,729,485
Mobile phones and accessories	104,795,538
Other	81,747,565
Pharmaceutical Products	20,149,197
Phonographic products	7,717,463
Spare parts	36,190,728
Textiles other than clothing (towels, bed sheets etc.)	10,301,548
Tobacco	26,029,950
Toiletries / cosmetics	71,589,294
Watches	215,680,858
Grand Total	1,782,769,468

Commodities

The cases involving commodities belonging to “Accessories” category are the most frequently reported in 2011 (3,194 cases or 15.3%). This is followed by Clothing (3,027 cases, 14.5%), Pharmaceutical products (1,856 cases, 8.9%), Phonographic products (1,750 cases, 8.4%) and Mobile Phones and Accessories (1,551 cases, 7.4 %). It is noteworthy that despite the fact that total number of reported cases declined, cases involving pharmaceutical products increase both in the number of cases (1,398 cases in 2010) and in the proportion of this category to all the categories (5.1% in 2010 to 8.9% in 2011).

TOP 15 counterfeited brands by number of cases

Brand	2010	% in total	2011	% in total
Apple	719	3.45%	685	3.55%
Mac	263	1.26%	540	2.80%
Viagra	430	2.07%	532	2.76%
Power Balance	375	1.80%	447	2.32%
Louis Vuitton	571	2.74%	409	2.12%
Sanrio Hello Kitty	420	2.02%	392	2.03%
Cialis	160	0.77%	321	1.66%
Chanel	356	1.71%	290	1.50%
Nike	687	3.30%	290	1.50%
Adidas	585	2.81%	266	1.38%
Calvin Klein	231	1.11%	247	1.28%
Blackberry	118	0.57%	245	1.27%
Rolex	304	1.46%	237	1.23%
Walt Disney	281	1.35%	230	1.19%
Nokia	607	2.92%	210	1.09%
Total	20,815	100%	19,298	100%

In terms of the quantity of seized / detained items (in pieces), pharmaceutical products are ahead of all the other commodities (26.7 million pieces or 18.6%). Other categories in top 5 are: clothing (13.4 million, 9.4%), accessories (11.1 million, 7.8%), tobacco (7.4 million, 5.2%), and toiletries / cosmetics (7.0 million, 4.9%). Pharmaceutical products and mobile phones (and accessories) show steep increase (more than doubled) from the previous year in terms of seized / detained quantity, although the total quantity (in pieces) has decreased by 32.6% (212 million pieces in 2010 to 143 million in 2011.)

Kg is used for reporting seizure / detention of most of the categories except for beverages, computers and accessories, pharmaceutical products, phonographic products, tobacco and watches. Top 5 categories in terms of reported weight of the seized / detained products are foodstuff (39.9%), games and toys (4.8%), footwear (2.3%), clothing (1.7%) and spare parts (1.2%).

The top 5 reported values (retail price in US dollars) of commodities are: accessories (686 millions USD or 38.5%), watches (215.7 million USD, 12.1%), footwear (198.8 million USD, 11.2%), clothing (190.9 million USD, 10.7%) and mobile phones and accessories (104.8 million USD, 5.9%). Thanks to Members' significant contribution, reporting of the value of seized / detained items has improved for the year 2011. While price information was provided for 58.4% of total lines of reported commodities in 2010, Members reported 82.6% of the total lines in 2011. Bearing in mind the fact that pricing for different commodities varies among different countries, and that for certain cases, inadequate price information was provided, the above statistics must be interpreted with caution.

Brands

In 2011, Members reported nearly 980 brands having been counterfeited, although

TOP 15 counterfeited brands by quantity (pieces)

Brand	2010		2011	
	Pieces	% in total	Pieces	% in total
Viagra	9,294,702	5.00%	22,242,009	16.28%
Nike	5,838,727	3.14%	5,814,907	4.26%
Marlboro	6,327,104	3.40%	3,189,311	2.34%
Bic	18,288,986	9.83%	3,184,121	2.33%
Nesmark			3,072,000	2.25%
Duracell	1,191,062	0.64%	1,812,802	1.33%
Nokia	1,667,312	0.90%	1,669,542	1.22%
Smiley World	15,367	0.01%	1,547,333	1.13%
LM	905,041	0.49%	1,192,960	0.87%
Yes Love			1,099,017	0.80%
Sharpies			996,477	0.73%
Gillette	1,632,230	0.88%	955,758	0.70%
Walt Disney	2,218,432	1.19%	908,963	0.67%
Benson&Hedges	2,963,980	1.59%	803,521	0.59%
Ben 10	713,188	0.38%	772,994	0.57%
Grand Total	185,962,677	100%	136,583,003	100%

TOP 15 counterfeited brands in USD

Brand	2010		2011	
	Pieces	% in total	Pieces	% in total
Nike	82,060,189	4.47%	462,271,572	26.86%
Louis Vuitton	79,979,316	4.36%	136,157,557	7.91%
Tag Heuer	1,439,222	0.08%	84,516,670	4.91%
Nokia	29,210,636	1.59%	44,775,862	2.60%
Burberry	30,011,303	1.63%	42,077,600	2.44%
Rolex	38,676,117	2.11%	32,669,118	1.90%
Cartier	8,374,936	0.46%	27,289,392	1.59%
Adidas	45,137,081	2.46%	25,261,032	1.47%
Bulgari	5,437,950	0.30%	19,445,389	1.13%
Omega	964,416	0.05%	19,042,477	1.11%
Hermes	411,602	0.02%	18,882,176	1.10%
Sony	3,585,792	0.20%	18,695,786	1.09%
Christian Louboutin			17,854,924	1.04%
Chanel	31,140,274	1.70%	17,739,596	1.03%
Breitling	3,394,963	0.18%	16,795,331	0.98%
Grand Total	1,835,836,897	100%	1,721,062,745	100%

information on brand is either not available or not applicable in approximately 37% or 7,836 cases. In 488 cases, different types of items and brands were mixed together in one shipment.

In terms of number of cases, Apple (mainly in mobile phones and accessories as well as

computers and accessories) is reported as most frequently counterfeited (685 cases, 3.6%), followed by MAC (540 cases, 2.8% in cosmetics), Viagra (532 cases, 2.8%, drug for the treatment of erectile dysfunction), Power Balance (447 cases, 2.3% in accessories), and Louis Vuitton (409 cases, 2.1% mainly in accessories).

Departure countries by number of cases

Country	2010	% in total	2011	% in total
China	17,644	63.91%	10,561	50.45%
Hong Kong, China	4,383	15.88%	4,954	23.67%
India	881	3.19%	1,045	4.99%
Unknown	1,793	6.49%	1,007	4.81%
Thailand	196	0.71%	222	1.06%
N/A	4	0.01%	212	1.01%
Turkey	199	0.72%	209	1.00%
United Arab Emirates	333	1.21%	185	0.88%
Singapore	122	0.44%	181	0.86%
United States	191	0.69%	174	0.83%
Greece	97	0.35%	160	0.76%
Switzerland	31	0.11%	146	0.70%
Egypt	44	0.16%	118	0.56%
Peru	54	0.20%	117	0.56%
Korea, Republic Of	166	0.60%	110	0.53%
Grand Total	27,606	100%	20,932	100%

Departure countries by quantity of seized / detained commodity

Country	2010		2011	
	Pieces	% in total	Pieces	% in total
China	162,899,899	76.71%	66,469,814	46.43%
United Arab Emirates	2,188,442	1.03%	22,416,175	15.66%
Bulgaria	64,952	0.03%	20,217,388	14.12%
Unknown	22,744,642	10.71%	11,714,020	8.18%
Hong Kong, China	6,065,328	2.86%	9,127,721	6.38%
India	1,149,291	0.54%	1,931,905	1.35%
Iran, Islamic Republic Of	48,921	0.02%	1,580,191	1.10%
Malaysia	689,384	0.32%	906,327	0.63%
United States	180,242	0.08%	870,302	0.61%
Turkey	1,321,612	0.62%	857,268	0.60%
Hungary	2,143		779,944	0.54%
N/A	11,336	0.01%	682,551	0.48%
Egypt	854,032	0.40%	546,188	0.38%
Syrian Arab Republic	40,381	0.02%	461,659	0.32%
Belgium	61,408	0.03%	424,208	0.30%
Grand Total	212,344,613	100%	143,159,532	100%

Destination countries by number of cases

Country	2010	% in total	2011	% in total
United States	10,795	39.10%	9,111	43.53%
Germany	1,554	5.63%	1,716	8.20%
Saudi Arabia	924	3.35%	1,605	7.67%
France	1,072	3.88%	1,501	7.17%
Japan	1,092	3.96%	1,036	4.95%
Italy	675	2.45%	684	3.27%
Spain	889	3.22%	533	2.55%
Russian Federation	308	1.12%	387	1.85%
Mexico	1,065	3.86%	333	1.59%
Poland	299	1.08%	332	1.59%
Czech Republic	253	0.92%	308	1.47%
Ireland	303	1.10%	281	1.34%
Portugal	485	1.76%	255	1.22%
Kuwait	326	1.18%	248	1.18%
Venezuela	78	0.28%	243	1.16%
Grand Total	27,606	100%	20,932	100%

In terms of quantity, nearly 39 % out of 137 million pieces (reported by Members as Trademark infringement) does not have or are not applicable for information on brands and mixed brands in one shipment amount to nearly 8.6 million pieces. Viagra is on top of the list and 22.2 million pieces, or 16.3%, were reported to be found in 2011. The remaining brands in top 5 list are Nike (5.8 million pieces, 4.3% in sports bags, sports shoes and clothing), Marlboro (3.2 million pieces (packets), 2.3%), BIC (3.2 million pieces, 2.3%, mainly in stationery), and Nesmark (3.1 million pieces, 2.3% in contraceptive products. This is the result of 1 huge seizure case by Italy.)

In terms of the value of the product, Nike comes as the first brand on the list (462 million US dollars, 26.9%), followed by Louis Vuitton (136 million USD, 7.9%), Tag Heuer (84.5 million USD, 4.9% in watches), Nokia (44.8 million USD, 2.6% in mobile phones and accessories), and Burberry (42.1 million USD, 2.4 % mainly in accessories and clothing).

Departure

The information on departure countries is reported as unknown for 1,007 out of 20,932 cases, but 128 countries were indicated as the countries of departure. More than 50%, or 15,561 cases out of all the cases were reported as departed from China. This is followed by Hong Kong, China (4,954 cases or 23.7%), India (1,045 cases or 5%), Thailand (222 cases, 1.1%) and Turkey (209 cases, 1%).

When we take into account the quantity (in pieces) of seized / detained items, 66.5 million pieces, or 46.4%, were departed from China, followed by United Arab Emirates (UAE) (22.4 million pieces, 15.7%), Bulgaria (20.2 million pieces, 14.1%. Note: almost all of the items (99.8%) were seized by Bulgarian Customs at export.), Hong

Kong, China (9.1 million pieces, 6.4%) and India (1.9 million pieces, 1.4%).

As explained in the Approach section, “departure countries” do not necessarily mean “countries of origin”, or where the goods were manufactured. In the Table, “N/A” (Not available) is different from “unknown”, for which Member Customs cannot tell the departure country for some reasons, while “N/A” is observed when ‘direction’ is internal where in most of the cases neither departure nor destination information is not available.

Transit

In 2011, 3053 cases (14.6% of all the reported cases) were reported as involved transit(s) before reaching final destination. Among them, 275 cases involved more than two transits, and one particular case passed through 5 different locations before reaching the final destination. Out of all the cases involving transit, 1703 cases (55.8%) were reported as intercepted the items en route to transit. United States, France, Germany, Hong Kong, China and Italy are the top 5 countries that are used as transit, and in those countries, most of the shipments were stopped there.

Destination

138 countries were identified as destination countries of seized / detained items in 2011. United States accounts for nearly 44% (9111 cases), followed by Germany (8.2%, 1716 cases), Saudi Arabia (7.7%, 1605 cases), France (7.2%, 1501 cases), and Japan (5.0%, 1036 cases). In these 5 countries, on average, more than 96% of the cases are related to importation, which means that counterfeited items were seized / detained at destination countries.

In terms of quantity (in pieces), it shows a slightly different picture and Libya becomes

Destination countries by quantity of seized / detained commodity

Country	2010		2011	
	Pieces	% in total	Pieces	% in total
Libya	1,151,745	0.54%	21,893,724	15.29%
Austria	59,329	0.03%	20,292,393	14.17%
Saudi Arabia	18,323,580	8.63%	18,299,604	12.78%
United States	31,168,762	14.68%	17,872,465	12.48%
Italy	6,801,274	3.20%	12,920,880	9.03%
Russian Federation	2,327,597	1.10%	5,987,597	4.18%
Mexico	11,147,184	5.25%	5,448,897	3.81%
Algeria	414,628	0.20%	3,758,909	2.63%
France	1,884,656	0.89%	3,591,186	2.51%
Albania	857,494	0.40%	3,361,252	2.35%
Spain	9,809,991	4.62%	3,314,052	2.31%
Morocco	5,824,139	2.74%	3,177,664	2.22%
Angola	204,684	0.10%	2,023,552	1.41%
Czech Republic	2,287,505	1.08%	1,974,182	1.38%
Germany	3,908,971	1.84%	1,551,731	1.08%
Grand Total	212,344,613	100%	143,159,532	100%

Direction by number of cases

Direction	2010	% in total	2011	% in total
Transit	1,496	5.42%	1,703	8.14%
Export	4,468	16.18%	194	0.93%
Import	20,968	75.95%	18,354	87.68%
Internal	674	2.44%	681	3.25%
Grand Total	27,606	100%	20,932	100%

Seizure / detention location type by number of cases

Location	2010	% in total	2011	% in total
Airport	9,544	34.57%	3,120	14.91%
Border of free trade zone	37	0.13%	54	0.26%
High seas			1	0.005%
Inland	1,714	6.21%	1,442	6.89%
Land boundary	849	3.08%	586	2.80%
Mail Center	6,571	23.80%	10,189	48.68%
Other	284	1.03%	68	0.32%
Rail	338	1.22%	139	0.66%
River	10	0.04%	3	0.01%
Seaport	8,155	29.54%	5,119	24.46%
Unknown	104	0.38%	211	1.01%
Grand Total	27,606	100%	20,932	100%

on top of the list (21.9 million pieces, or 15.3%), followed by Austria (20.3 million pieces, 14.2%), Saudi Arabia (18.3 million pieces, 12.8%), United States (17.9 million pieces, 12.5%) and Italy (12.9 million pieces, 9.0%). Contributing factors for significant quantity for the 2 countries from the top of the list are the result of the interception of items in transit or at exportation, which means the items were not intercepted at destination countries. For Libya, it is the result of the seizure of more than 21 million pieces of Viagra by Italy in transit, and for Austria, seizure of more 20 million pieces of packaging of cigarettes by Bulgaria at exportation.

Directions

Of all the reported cases, seizure / detention at importation accounted for 87.7% (18,354 cases). This is followed by interception of goods in transit (8.1% or 1,703 cases), which was reported by 24 countries. 681 cases were reported as related to 'internal' by 15 countries, which is 3.3% of all the cases. 94.1% of internal cases were handled by top 5 countries that reported internal cases, namely France, Poland, Hungary, Slovakia and Argentina. 13 countries reported 194 seizure / detention cases at export (0.9% of all the reported cases), which includes Venezuela (95 cases), the United States (68 cases), France (7 cases), Russian Federation (6 cases) and Saudi Arabia (5 cases).

Location of seizures / detentions

In 2011, seizures / detentions at mail centers reached almost 50% of all the reported cases (48.7% or 10,189 cases), followed by 5,119 cases (24.5%) at seaports, 3,120 cases (14.9%) at airports, 1,442 cases (6.9%) inland and 576 cases (2.8%) at land boundary. It is worth noting that in spite of decrease in total number of cases from the previous year by 24%, there has been a significant increase in the cases at mail centers from 6,571 cases (23.8%) in 2010. This is

Trademark infringement by commodity category (number of cases)

Commodity category	2010	% in total	2011	% in total
Accessories	3,330	18.21%	3,137	16.46%
Beverages	8	0.04%	1	0.01%
Clothing	2,492	13.63%	2,880	15.11%
Computers and accessories	821	4.49%	1,009	5.29%
Electronic appliances	1,315	7.19%	1,462	7.67%
Foodstuff	67	0.37%	160	0.84%
Footwear	1,398	7.64%	788	4.13%
Games and toys	705	3.85%	805	4.22%
Mobile phones and accessories	1,632	8.92%	1,524	8.00%
Other	2,113	11.55%	1,844	9.68%
Pharmaceutical Products	1,198	6.55%	948	4.97%
Phonographic products	123	0.67%	1,605	8.42%
Spare parts	383	2.09%	271	1.42%
Textiles other than clothing (towels, bed sheets etc.)	320	1.75%	127	0.67%
Tobacco	96	0.52%		
Toiletries/cosmetics	1,148	6.28%	1,295	6.80%
Watches	1,139	6.23%	1,201	6.30%
Grand Total	18,288	100%	19,057	100%

Number of reported cases by region (outside reporting limits)

Region	2010	% in total	2011	% in total
Asia/Pacific	144	10.56%	7	0.15%
Central Africa			1	0.02%
Central America and the Caribbean			449	9.77%
CIS Region	108	7.92%	116	2.52%
Eastern and Central Europe	217	15.92%	116	2.52%
Eastern and Southern Africa	202	14.82%		
Middle East	57	4.18%	75	1.63%
North Africa	1	0.07%		
North America			8	0.17%
South America	3	0.22%	106	2.31%
West Africa	1	0.07%		
Western Europe	630	46.22%	3,720	80.90%
Grand Total	1,363	100%	4,598	100%

mainly due to steep increase observed in North America (114% increase from the previous year) and Western Europe (32% increase).

Infringed rights

In terms of infringed rights, information on 20,597 out of 20,932 cases has been provided. Trademark infringement is dominant (19,057 cases, 91%), which is followed by patent (897 cases, 4.3%), copyright (475 cases, 2.3%), design and model right (155 cases, 0.7%) and then neighbouring right (related right) (13 cases, 0.1%).

Cases outside the reporting limits

This year, for the first time, this Report provides the information on the data outside the reporting limits in order to capture certain trend it might indicate.

32 out of 54 members provided 4,598 cases outside the reporting limits (cases involving a minimum of 50 articles, or the value of goods at least 10,000 euro (or equivalent US dollar value based on the value of the genuine articles)) in the CEN database in 2011.

From the regional point of view, Western Europe provided most of the cases (3,720 cases, or 80.9%), followed by Central America and the Caribbean (449 cases, 9.8%), CIS and Eastern and Central Europe (same 116 cases per each region, 2.5%) with which more than 95% of all the cases have been covered. It is interesting to note that 2 out of 3 regions that have the reporting limits (Eastern and Central Europe and Western Europe) provided more than 83 % of all the cases that are outside the limits.

Country wise, Italy has reported more than 50 % of all the cases in this category. Remaining countries in Top 5 are: Denmark (1,029 cases, 22.4%), Mexico (443 cases, 9.6%), Russian Federation (116 cases, 2.5%) and Venezuela (91 cases, 2%).

Reported cases by commodity category (outside reporting limits)

Commodity category	2010	% in total	2011	% in total
Accessories	195	14.31%	674	14.66%
Clothing	463	33.97%	873	18.99%
Computers and accessories	43	3.15%	64	1.39%
Electronic appliances	145	10.64%	184	4.00%
Foodstuff	4	0.29%	2	0.04%
Footwear	94	6.90%	607	13.20%
Games and toys	34	2.49%	30	0.65%
Mobile phones and accessories	126	9.24%	508	11.05%
Other	49	3.60%	153	3.33%
Pharmaceutical Products	15	1.10%	48	1.04%
Phonographic products	30	2.20%	9	0.20%
Spare parts	14	1.03%	51	1.11%
Textiles other than clothing (towels, bed sheets etc.)	25	1.83%	15	0.33%
Tobacco	17	1.25%	9	0.20%
Toiletries / cosmetics	54	3.96%	62	1.35%
Watches	55	4.04%	1,309	28.47%
Grand Total	1,363	100%	4,598	100%

Seizure / detention location type by number of cases (outside reporting limits)

Location	2010	% in total	2011	% in total
Airport	444	32.58%	1,223	26.60%
Border of free trade zone	2	0.15%		
Inland	337	24.72%	564	12.27%
Land boundary	40	2.93%	125	2.72%
Mail Center	396	29.05%	2,491	54.18%
Other	1	0.07%	9	0.20%
Rail	42	3.08%	8	0.17%
River	2	0.15%		
Seaport	98	7.19%	95	2.07%
Unknown	1	0.07%	83	1.81%
Grand Total	1,363	100%	4,598	100%

Watches, clothing, accessories, footwear, and mobile phones and their accessories are the top 5 commodity categories in terms of number of cases. Most of the commodities that belong to these categories were intercepted either at mail center or airport. At mail centers, 92% of watches and 71.5% of mobile phones and accessories were found. Other commodities frequently reported to be intercepted at mail centers are: toiletries / cosmetics (77.8%), pharmaceutical products (85.4%), and computers and their accessories (60.9%). Accessories, clothing and electronic appliances showed similar tendency in terms of proportion of where they were found, i.e. airport is followed by mail center and these two locations sum up to more than 70% of all the locations. More than 80% of footwear and games and toys were found at mail centers, airports and inland. Nearly 60% of all the spare parts were detected at land boundary.

36.5% of all the cases indicate that the goods in question were departed from China, followed by Hong Kong China (21.6%), Singapore (7.4%), Thailand (3.6%) and then Turkey (1.8%).

Commonly counterfeited brands seem to correspond to the frequency of seized / detained commodity categories. Rolex is well ahead of other brands and is on top of the list with 1,085 cases or 23.6% of all the cases, then Nike (347 cases, 7.6%), Louis Vuitton (343 cases, 7.5%), Apple (236 cases, 5.1%), and Nokia (180 cases, 3.9%) follow.

Departure countries by number of cases (outside reporting limits)

Country	2010	% in total	2011	% in total
China	555	40.72%	1,676	36.45%
Hong Kong, China	116	8.51%	993	21.60%
Unknown	463	33.97%	763	16.59%
Singapore	1	0.07%	339	7.37%
Thailand	23	1.69%	163	3.55%
Turkey	25	1.83%	81	1.76%
Venezuela			59	1.28%
Greece			53	1.15%
United States	5	0.37%	51	1.11%
India	16	1.17%	44	0.96%
Mexico			33	0.72%
United Arab Emirates	25	1.83%	33	0.72%
N/A	26	1.91%	26	0.57%
Hungary			25	0.54%
Tunisia	1	0.07%	23	0.50%
Total cases	1,363	100%	4,598	100%

TOP 15 countries in terms of the number of reported cases (outside reporting limits)

Country	2011	% in total
Italy	2,558	55.63%
Denmark	1,029	22.38%
Mexico	443	9.63%
Russian Federation	116	2.52%
Venezuela	91	1.98%
Cyprus	89	1.94%
Hungary	63	1.37%
Poland	42	0.91%
Saudi Arabia	40	0.87%
Czech Republic	28	0.61%
Kuwait	22	0.48%
Argentina	15	0.33%
United States	8	0.17%
Yemen	7	0.15%
Sweden	7	0.15%
Total cases	4,598	100%

TOP 15 counterfeited brands by number of cases (outside reporting limits)

Brand	2011	% in total
Rolex	1,085	23.60%
Nike	347	7.55%
Louis Vuitton	343	7.46%
Apple	236	5.13%
Nokia	180	3.91%
Adidas	124	2.70%
Canada Goose	114	2.48%
Abercrombie & Fitch	102	2.22%
Gucci	99	2.15%
Burberry	74	1.61%
Polo Ralph Lauren	68	1.48%
Chanel	62	1.35%
Omega	59	1.28%
Dsquared	59	1.28%
Tod's	58	1.26%
Total cases	4,598	100%

Unit conversion rules

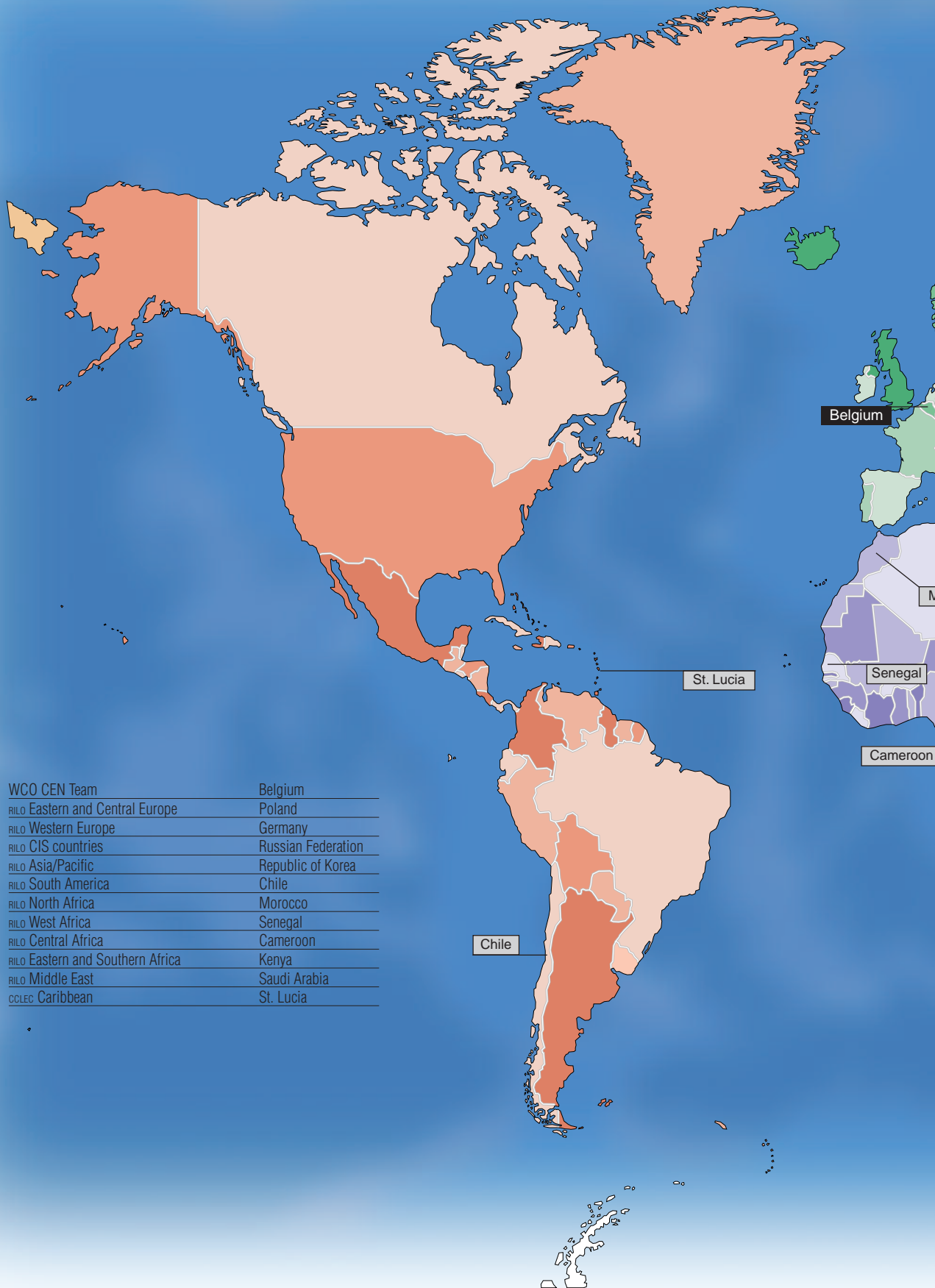
In the original data, various units (e.g. piece, unit, pair, kg, litre, drum, carton, box, set, etc.) are used to report quantity of seized/detained goods. For the convenience of the analysis, these units have been converted into (1) pieces and (2) kg in accordance with the following rules.

(1) Pieces

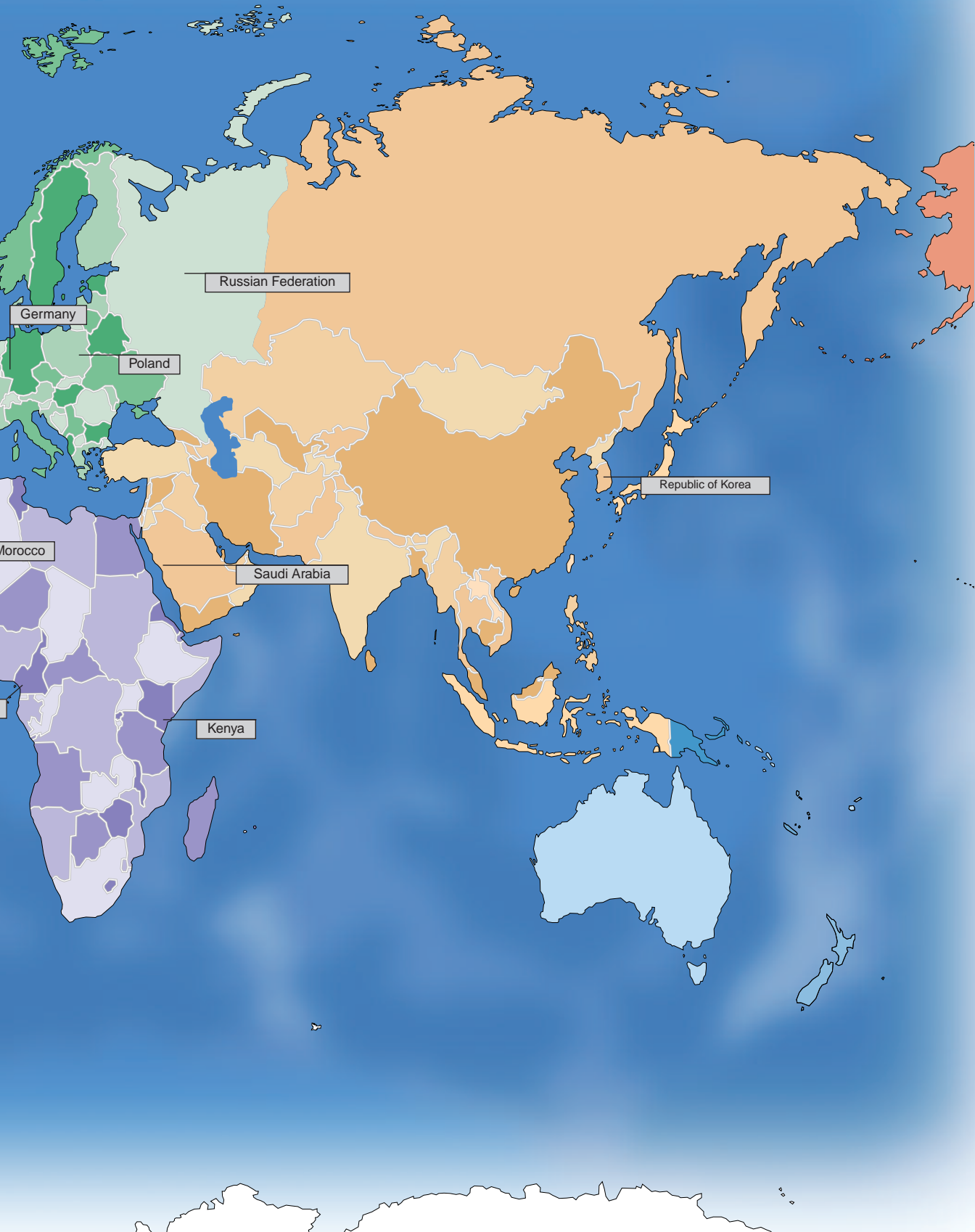
- 1 pair, set (of gloves, earrings, footwear, socks, jeans, etc.)= 1 piece
- 1 tablet (of pharmaceutical products) = 1 piece
- 1 blister (of pharmaceutical products (Viagra)) = 4 tablets = 4 pieces
- Square meters (of textile products) = 1 piece no matter what the size is
- 1 bottle (of perfume and other toiletries) = 1 piece
- 1 box, carton, container, etc. =
 - a) Take the average price of similar goods in the same country (if not applicable, the regional average and if not, global average) in the same year per piece in US dollars (e.g. 10 USD per piece for commodity A)
 - b) Calculate the price of the item in question per unit (e.g. 1000 USD per box of commodity A)
 - c) Divide the value calculated in b) by a) and obtain the estimated quantity of the item (e.g. 1000 divided by 10 = 100 pieces)
 - d) If the figure calculated in a) is smaller than the figure in the original unit, then take the original unit as piece.
- For conversion of liquid (in litre), the following rules apply:
 - a) If perfume, 100 ml = 1 bottle = 1 piece. 1 litre =10 pieces of perfume
 - b) If shampoo, 200ml = 1 bottle = 1 piece. 1 litre = 5 pieces of shampoo
 - c) If soft drinks, 500 ml = 1 bottle = 1 piece. 1 litre = 2 pieces of soft drinks
 - d) If spirits or wine, 750ml = 1 bottle = 1 piece. 1 litre = 1.33 pieces of spirits
 - e) If ethyl alcohol or motor oil, 1l = 1 bottle = 1piece
 - f) If refrigerant for a car, 350ml = 1 bottle = 1 piece.
- 1 packet (of tobacco products) = 20 sticks (in pieces as reported) = 1 piece
For tobacco products, the following rules apply:
 - a) Calculate value per piece (Tobacco is reported in pieces)
 - b) If the value calculated in a) is below 1 USD, it could be one stick of cigarette
 - c) If the value a) is between 4-10 USD, 1 piece could be 1 packet (=20 sticks of cigarette)
 - d) If the value a) is around 80 USD, 1 piece would be 1 carton (=10 packets = 200 sticks)

(2) Kg :

- 1 metric ton = 1000 kg
- 1 drum = 200 kg



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RILO CIS countries	Russian Federation
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RILO South America	Chile
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9. WCO Mission Statement

The World Customs Organization is an independent intergovernmental body whose mission is to enhance the efficiency and effectiveness of Member Customs administrations, thereby assisting them to contribute successfully to national development goals, particularly in the areas of trade facilitation, revenue collection, community protection and national security.

10. WCO Vision Statement

The World Customs Organization is internationally acknowledged as the global centre of Customs expertise and plays a leading role in the discussion, development, promotion and implementation of modern and secure Customs systems and procedures. It is responsive to the needs of its Members and its strategic environment, and its instruments and best-practice approaches are recognized as the basis for sound Customs administration throughout the world.

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