

U.S. Customs and Border Protection Intellectual Property Rights Seizure Statistics

WIPO/OECD Meeting

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Border Protection

IPR Enforcement Statistics

Topics for Discussion:

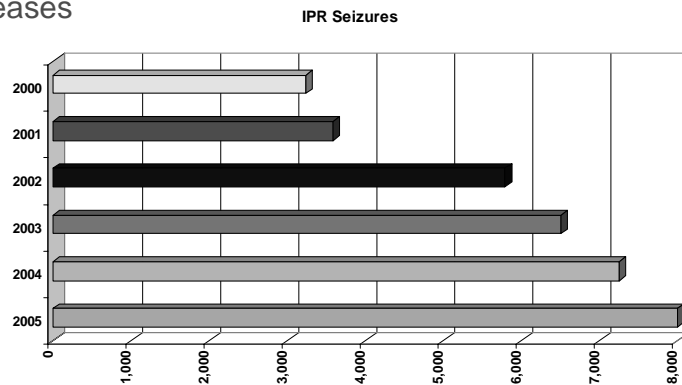
- 2005 Seizure Statistics
- What the seizure data reveals
- How the data may be biased
- Limitations of the statistics



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IPR Seizures

Each year the number of IPR seizures made in the U.S. increases



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What the 2005 Statistics Reveal

- Top Commodities Seized
 - Footwear accounts for 27 percent
 - Handbags/Wallets/Backpacks account for 25 percent
 - Wearing apparel accounts for 18 percent
- Source Countries
 - China accounts for 46 percent
 - Hong Kong accounts for 11 percent

How has this changed over time?

- Decreases in seizures of cigarettes and media
- Increases in high end products (apparel, perfume, jewelry)
- Main source country remains consistent
- New source countries emerging



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Bias in the data

- Seizures often result from targeted exams
- Targeting includes value threshold, expect for health and safety risks
- Training and officer knowledge affects seizures
- Limited number of resources devoted to IPR
- Infringement uncovered during other enforcement initiatives
- Emphasis placed on recorded rights



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Limitations of the seizure data

- Counterfeit products subject to violation of other laws
 - Pharmaceuticals – seized under Food and Drug Administration laws
 - Tobacco – seized under Cigarette Compliance Act
- Patent infringement not included in seizure data
 - Goods are denied entry
- Data quality issues - incomplete data
- Random Sampling to project losses



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