



For immediate release

Canadian Anti-Counterfeiting Network Calls on Government to Get Tougher on IP Crime

Provides concrete solutions to address counterfeiting and piracy crimes in Canada

Ottawa, November 22, 2011 – The Canadian Anti-Counterfeiting Network (CACN) today released an Executive Update to its *Report on Counterfeiting and Piracy in Canada: A Road Map for Change* (“the Road Map”) and called on the government to get tougher on intellectual property (IP) crime. This update proposes concrete solutions on how the Canadian government can take swift action to address all issues relating to the problem of importation, manufacture and distribution of counterfeit products in Canada.

“Almost five years after releasing the Road Map there is lots more that can be done to adequately address the evolving international and domestic trade in counterfeit and pirated products. Counterfeiting remains a serious problem that costs the Canadian economy billions of dollars, depresses innovation, funds organized crime, risks the health and safety of consumers, and damages Canada’s reputation internationally and it’s time for the Government of Canada to catch up,” said Brian Isaac, past-chair of CACN.

Originally released in March 2007, this comprehensive report on the problem of counterfeiting and piracy in Canada offered concrete recommendations for government. This Executive Update considers those recommendations in light of developments and government initiatives since 2007 and updates the recommendations.

“Counterfeiting needs to be fully integrated into the *Criminal Code*,” said John Cotter, Chair of CACN’s Legislative Committee. “Rights holders, law enforcement, prosecutors and border services officials also need to be empowered with the right tools and sufficient resources to address this problem. Updates and changes to other Acts and government policies can also help safeguard the health and safety of Canadians from fake products now found almost everywhere. Tackling counterfeiting and piracy crimes is crucial for Canada and a matter of economic prosperity, innovation and competitiveness,” he added.

Key recommendations from the update include:

- Update the trade-mark offence provisions in the *Criminal Code* to prohibit importation and possession for the purposes of trafficking of counterfeits. Also, trade-mark offences should be added to the *Trade-marks Act* and all criminal copyright offences should be added to the *Criminal Code* to overcome jurisdictional challenges.
- Provide a formal mandate to the RCMP, CBSA, the Minister of Public Safety, Minister of Industry, the Minister of Justice and the Minister of Health to set up an intellectual property crime task force with the clear mandate to address cost-effective IP enforcement and education.

- Provide law enforcement and prosecutors throughout Canada (federal, provincial and municipal law enforcement officials) with clear jurisdiction and mandate to enforce IP crime cases
- Grant customs officials ex officio authority to seize counterfeit and pirated goods
- Strengthen civil remedies for counterfeiting and piracy, and encourage prosecutors to seek more significant criminal penalties
- Establish a new product safety regime and amend the *Food and Drug Act* to specifically address counterfeit pharmaceuticals to protect the health and safety of Canadians
- Ratify international agreements like the Anti-Counterfeiting Trade Agreement to get Canada in line with international standards, and support international anti-counterfeiting initiatives

CACN is a coalition of individuals, companies, firms and associations that have united in the fight against product counterfeiting and copyright piracy in Canada and internationally. The originating members of CACN include broad-based organizations, such as the Canadian Association of Importers and Exporters, the Canadian Standards Association (CSA), the Electro-Federation Canada, and the Entertainment Software Association of Canada; companies from a range of industries; and law firms representing a host of intellectual property (IP) rights holders - Canadian and foreign - with significant businesses in Canada.

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