

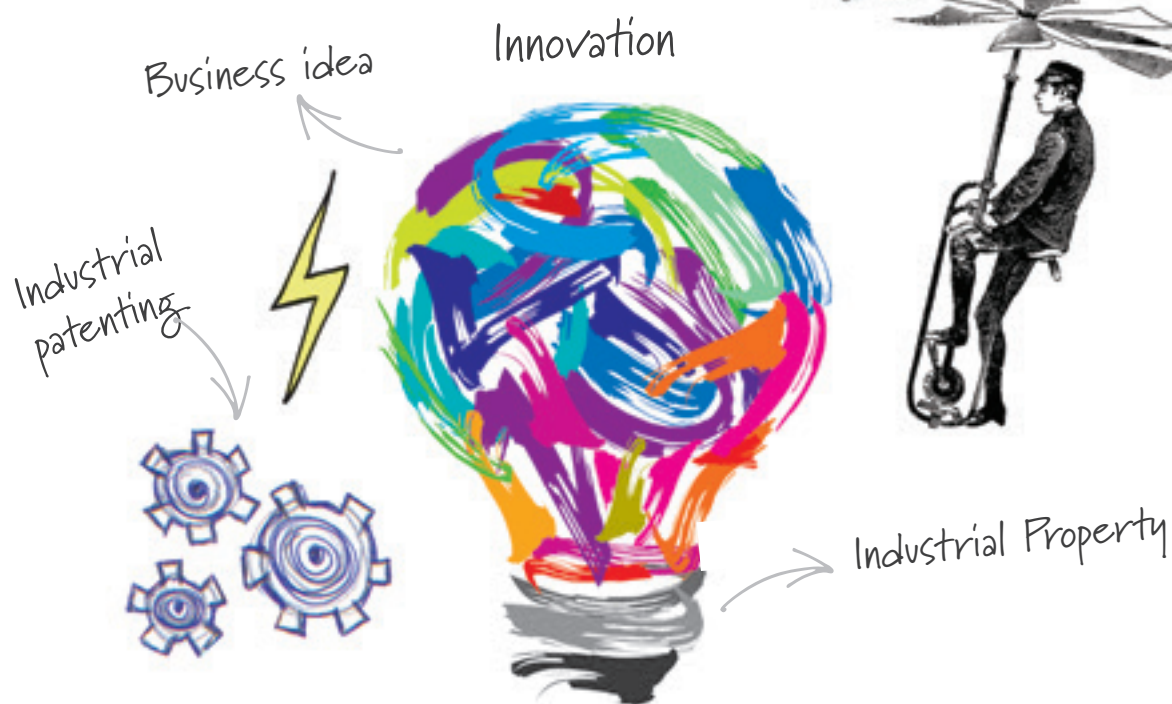
Fight against  
counterfeiting

**UIBM**

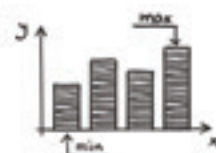
Direzione Generale per la Lotta alla Contraffazione  
Ufficio Italiano Brevetti e Marchi



*Ministero  
dello Sviluppo Economico*



Activity report  
2017-2018

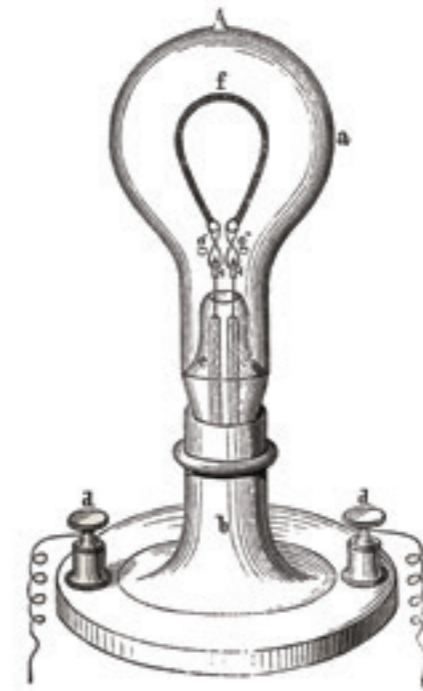




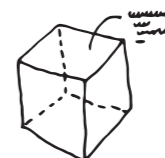
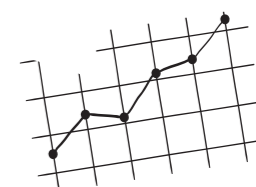
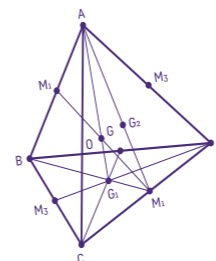
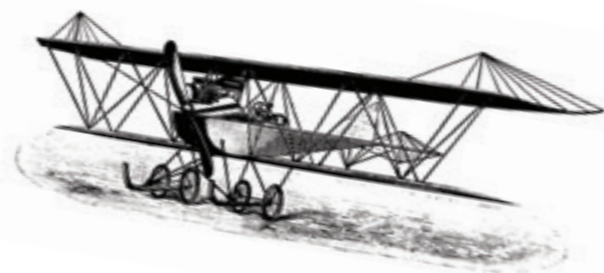
Direzione Generale per la Lotta alla Contraffazione  
Ufficio Italiano Brevetti e Marchi



*Ministero  
dello Sviluppo Economico*



*Activity report  
2017-2018*



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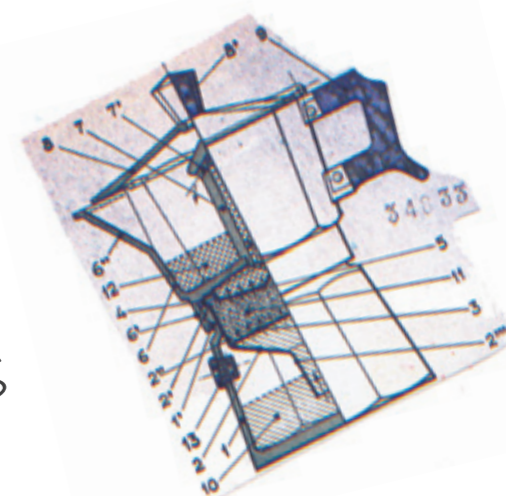
THE FIGHT  
AGAINST  
COUNTERFEITING

# Our story

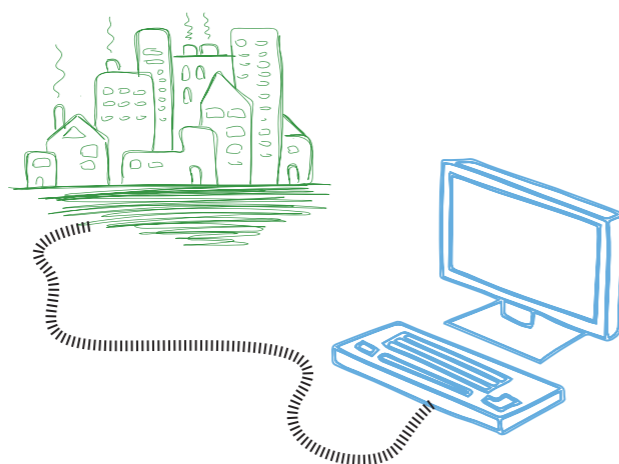
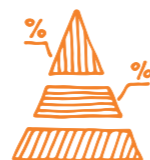


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DATABASES



# Quality and efficiency



Dear readers,

**The Directorate-General for the Fight against Counterfeiting – Italian Patent and Trademark Office** is today a privileged observatory on Industrial Property and on the use of instruments for its protection and promotion, as well as on the diffusion of the anticounterfeiting culture and initiatives in Italy.

Set up in 2009, the Directorate inherited the competences of the Italian Patent and Trademark Office – which with over 130 years of history has its roots in Italian creativity, tradition and excellence – and incorporated the competences related to the Fight against Counterfeiting to protect Italian enterprises and their intangible capital.

With its dual nature, the Directorate is currently committed to ensuring the protection and economic enhancement of the assets that are key to the competitiveness of enterprises, represented by intangible assets such as trademarks, patents, designs. On the other hand, it is committed to spreading the culture of Industrial Property and to raising the awareness among citizens, especially young people, of the serious damage that counterfeiting causes to the entrepreneurial system and the related risks for the health of citizens and the environment.

In the period 2017-2018, we focused on increasing the involvement of stakeholders; we carried out intense communication and continuous interaction with all national and international subjects involved and this resulted in setting up collaboration and dialogue based on the awareness that we all aim at a common goal.

This approach led the Directorate to redesign processes in order to improve the **quality** of the services provided and the efficiency of the system. This was possible also thanks to innovation capacity and the teamwork of our staff and managers.

In this context, important initiatives were implemented. In terms of protection of Industrial Property Rights, with the introduction of the online filing and PagoPA services, the national patent granting and trademark and design registration system has radically changed. This made it possible to achieve a high level of efficiency in terms of examination of applications and granting of Industrial Property Rights and generated relevant benefits from the economic point of view and in terms of time and reduction of the environmental impact.

With regard to the Fight against Counterfeiting, the Directorate, as Secretariat-General, gave a new and strong impulse to the **National AntiCounterfeiting Council (CNAC)**, with the primary objective of encouraging collaboration, integration and coordination among all subjects working within the national anticounterfeiting system. The Directorate successfully played its role of “control room” of the Council, being an actual link between the initiatives proposed by the various CNAC members, clearly highlighting the roles of the different members and ensuring an efficient circulation of information, functional to the development and implementation of the projects planned and aimed at a greater integration among the individual initiatives. This strategy eliminated overlapping and contributed to the creation of a single and integrated national system for the fight against counterfeiting.

We have two priorities for the future.

**The first** one is to enhance the diffusion of the Industrial Property culture and awareness of the counterfeiting phenomenon in order to reach a common level of uniformity all over Italy. We intend to increase and improve the awareness and prevention activities in all Italian schools and we aim at including a course on Industrial Property and Fight against Counterfeiting in all PhD programmes.

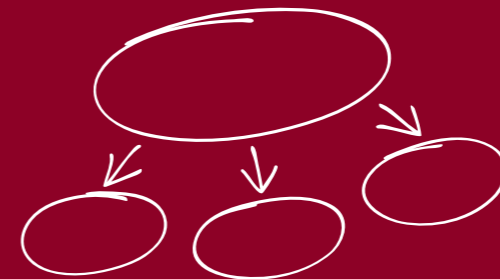
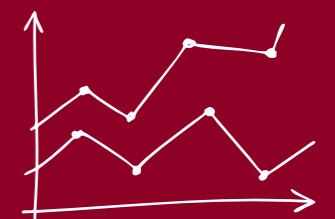
**The second** priority is to strengthen the activities to support and promote the value of Industrial Property Rights in order to increase the competitiveness of enterprises. Our commitment is to continue this process to increase **efficiency** and improve the quality of the system, by grasping the innovative stimuli that come from the creative context in which we are included and that we feel part of.

*Loredana Gulino*



# THE DIRECTORATE GENERALE AT A GLANCE

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# The Directorate General at a Glance

The Directorate General for the Fight against Counterfeiting - Italian Patent and Trademark Office (DGLC-UIBM) of the Ministry of Economic Development operates nationally and internationally to:

## strengthen the fight against counterfeiting through

- ✓ the definition and implementation of policies and strategies for the fight against counterfeiting
- ✓ awareness-raising and information campaigns directed at citizens and businesses
- ✓ assistance and support activities for citizens and businesses
- ✓ management of specific counterfeiting databases
- ✓ coordination of the national competent Authorities and connection with foreign reference institutions

## increase awareness and use of Industrial Property Rights through

- ✓ the definition and implementation of policies and strategies for the promotion of an Industrial Property culture
- ✓ actions to protect and maximize the value of Industrial Property Rights (trademarks, patents, designs and models) at national, European and international level
- ✓ management of databases and disclosure of patent information
- ✓ connection and coordination with the competent national and international institutions.

In the two-year period 2017-2018, significant results were achieved with regard to:

- ✓ digitization of the filing and registration process of Industrial Property Rights and electronic payment of fees
- ✓ regulatory updates
- ✓ new measures to incentivize the use of Industrial Property
- ✓ promotion and implementation of national and international agreements and partnerships
- ✓ collaboration with the competent international Organizations
- ✓ institutional communication.

# The Organization

## Directorate General for the Fight against Counterfeiting – Italian Patent and Trademark Office Ms. Loredana Gulino

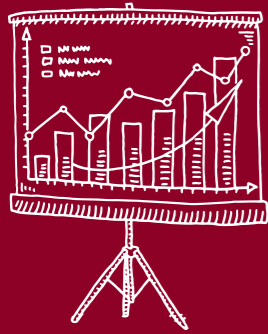




Management of the filing process, examination of applications and granting/registration of Industrial Property Rights in Italy.  Management of the filing process and examination of translations for the validation of European patents in Italy	Patents for industrial inventions Patents for utility models Trademarks Designs and models Complementary protection certificates for medicinal and phytosanitary products Plant variety rights European patents validated in Italy	To protect of Industrial Property Rights
Management of the filing process, formal examination of European patent applications and international patent applications and transmission to the competent institutions (EPO, WIPO)	European patent applications International patent applications	To protect of Industrial Property Rights
Information and education about Industrial Property and fight against counterfeiting issues	Website Contact Centre Esperto risponde (Ask the Expert) SOT – Orientamento Tecnologie anticounterfeiting (Anticounterfeiting Technology Orientation Service) Sportello Tecnologie anticounterfeiting (Anticounterfeiting Technology Helpdesk) China Russia and Brazil Info Point UIBM Academy Participation in events on innovation European Biotech Week Training courses, seminars International cooperation activities	Raising awareness of the use of IP Rights Supporting business value creation Improving competitiveness
Creation, management and updating of databases of applications and Industrial Property Rights	Application and patent search services available to users	Analysis of known technologies to develop future innovations Preventing infringements of Industrial Property Rights of third parties
Assessment of novelty and possibility of IP Rights registration for new technologies	Prior art searching	Avoiding violations of third party rights
Assistance with opposition to trademark registration	Evaluation of opposition proceedings Drafting decisions of the appeal Committee	Avoiding violations of third party rights
Raising awareness of the issues related to the fight against counterfeiting	Anticounterfeiting Week "Chi paga il prezzo della contraffazione" campaign National poster campaign "Un'estate originale" campaign "Io sono originale" project Anticounterfeiting Hotline+ GEOUIBM APP LCEducational	Spreading the culture of legality
Technical Secretariat of the National Anticounterfeiting Council	CNAC Secretariat	Support the definition of national anticounterfeiting policies  Coordinate Institutional bodies involved

# The Value Chain

# Results



## ACCADEMIA (SEMINARS)

11 seminars  
550 participants

2017

13 seminars  
607 participants

2018

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**TOTAL** 24 seminars  
1.157 participants



## CALL CENTER (TELEPHONE SUPPORT)

33,204  
telephone meetings

2017

37,242  
telephone meetings

2018

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**TOTAL** 70.446 telephone meetings



## CONTACTCENTRUM (EMAIL SUPPORT)

5,697  
answers provided

2017

5,383  
answers provided

2018

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**TOTAL** 11.080 answers provided



## SALA PUBBLICO (IN PERSON SUPPORT)

5,697  
meetings

2017

5,383  
meetings

2018

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**TOTAL** 11.080 meetings



## NEWSLETTER

11 issues

2017

7 issues

2018

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**TOTAL** 18 issues



## PATENT COPIES RELEASED

10,367 copies

2017

9,530 copies

2018

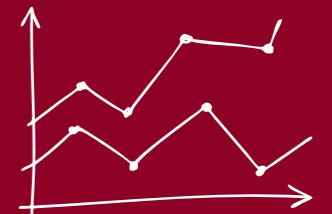
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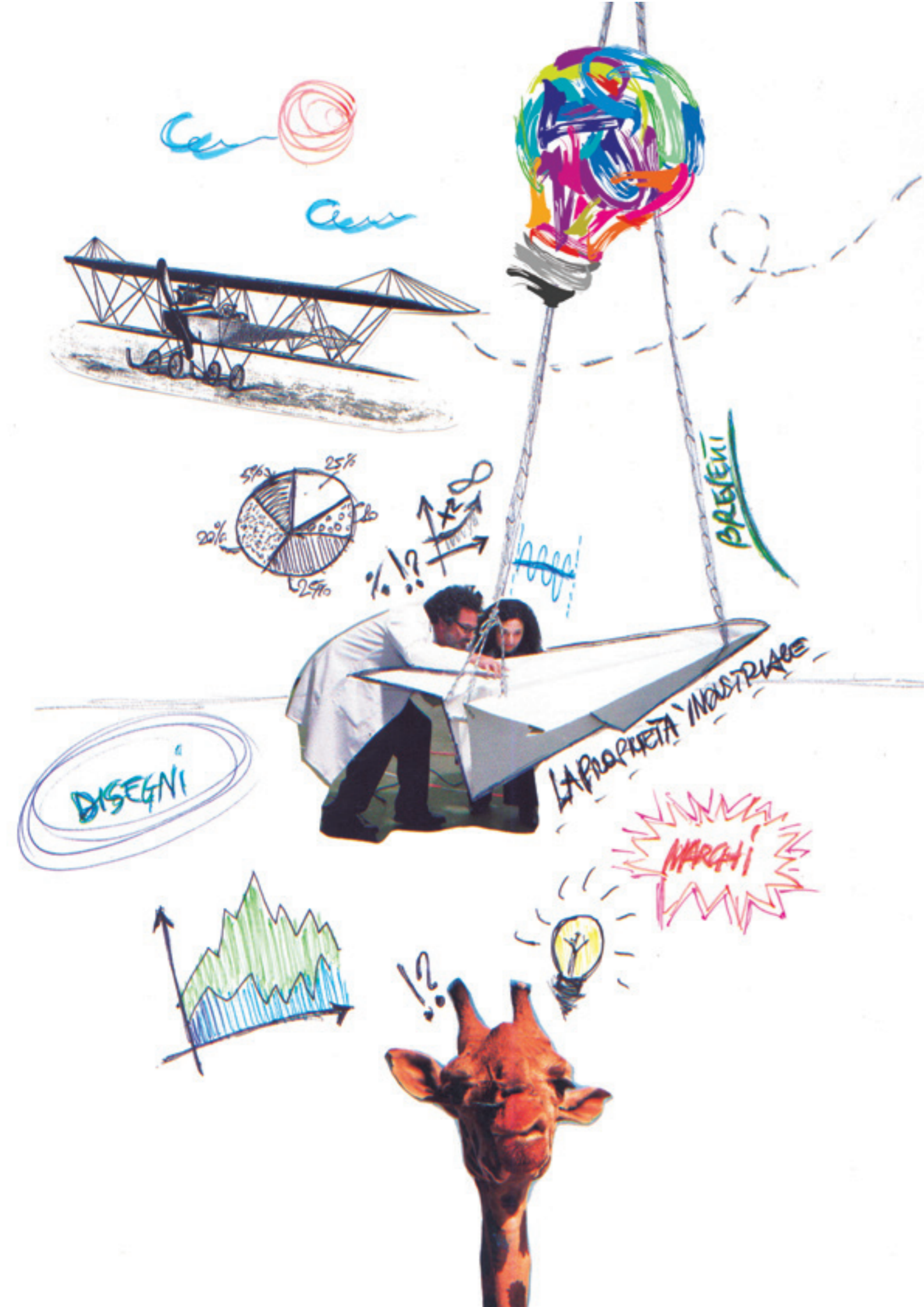
**TOTAL** 19,897 copies



# INDUSTRIAL PROPERTY

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## Industrial Property

The digital revolution has determined the transition of the global economy towards a knowledge economy. In the last two decades, information, technology and knowledge have become key elements for productivity and economic growth. Innovation, understood as the application of knowledge for creating more effective processes and products or for changing processes and products making them more efficient and responsive to the needs of an ever-changing society, forms the basis of long-term economic growth. In this context, Industrial Property Rights play a crucial role for economic growth and employment. Industrial Property, in fact, consists of ideas, works, products and processes that, if properly protected, valued and exploited, give companies a competitive advantage over their competitors while promoting the success of new products and services on the market. The consequent increase in the productivity of companies and individuals generates positive effects on the market and stimulates the national economic system to be more competitive.

It is not surprising, therefore, that Innovation is one of the areas covered by the 5 key targets set in "Europe 2020", the growth strategy adopted by the European Union for the current decade with a view to creating a more competitive economy with higher employment rates. It has never been more important than in today's world to promote the "virtuous circle" that goes from investment in research and development to employment – including innovation, competitive advantage and economic success. This process depends on various factors but an efficient system of Intellectual Property Rights is undoubtedly among the most important, given the ability of Intellectual Property to encourage creativity

and innovation, in all its forms, in all sectors of the economy"<sup>1</sup>.

The Directorate General for the Fight against Counterfeiting – Italian Patent and Trademark Office (DGLC-UIBM) is the point of reference in Italy for the protection and promotion of Industrial Property. The primary objective of the DGLC-UIBM is, in fact, to increase the knowledge and value of Industrial Property, by promoting its legal protection and economic use, including through the daily institutional tasks of examination of patent applications and granting/registration of IP Rights: **patents, trademarks, designs and models**.

The term "Industrial Property" mainly refers to the area of law covering the protection and enhancement of creativity and innovation. Industrial Property aims to protect the technical-functional aspects of innovations (patents and utility models), aesthetic/functional features (the so-called "ornamental" designs or models), and distinctive features (trademarks and distinctive signs). Industrial Property Rights also include geographical indication and designation of origin, topographies of semiconductor products, company confidential information and new plant varieties.

The diffusion of an Industrial Property culture and the enhancement of our Country's innovative potential, and therefore of its productivity and competitiveness, also depends on the ability to diffuse and share with inventors, companies and universities information regarding Industrial Property, data on the trend of patent applications filed over time, the extent of the use of Industrial Property Rights, as well as the various services the Directorate General for the Fight against Counterfeiting-UIBM makes available

to users. This Report serves, among others, the function of informing about the current national innovation scenario.

In the two-year period 2017-2018, the Directorate achieved the important result of improving and consolidating the online filing service for Industrial Property Rights, which has greatly facilitated its use by all users, both professional and non-professional. The transition from paper to electronic filing represents a radical change in the management system relating to applications for the different IP Rights, which not only facilitates access by users (universities, companies) and encourages IP protection, but also has the merit of having given the Directorate a new impulse to renew itself. In fact, the procedures regarding the examination of patent applications and patent granting, examination and registration of trademarks, designs and models, opposition to registration of trademarks, transcription and annotation of IP Rights have been entirely digitized, thus facilitating the performance of administrative activities. The efficiency in the management of administrative processes was also improved through the introduction of the PagoPA web service in 2018. This service has several positive effects: it allows users to pay fees for the protection of IP Rights at the same time as the online filing, Administration to immediately verify that fees have been paid and whether IP Rights are still in force or are no longer in force, and, finally, it makes the filing of IP Rights more accessible to foreign users.

Similarly, in 2018 the Directorate focused on the dissemination of information on Industrial Property Rights protection procedures on the national territory for the benefit of both end users and international organizations. The data and information acquired by the DGLC-UIBM through user applications were classified and organized in databases made available to the public and to international partners. Special attention was given to the analysis of the data available to the UIBM in order to improve accessibility for the public

and international IP offices.

Based on the significant results obtained over the past few years, the Directorate will continue to encourage Italian companies and universities to invest in R&D and increase their innovation capacity.

<sup>1</sup> Source: "Intellectual property rights intensive industries: contribution to economic performance and employment in the European Union". EUIPO Executive Summary

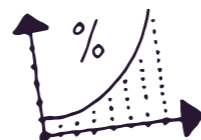
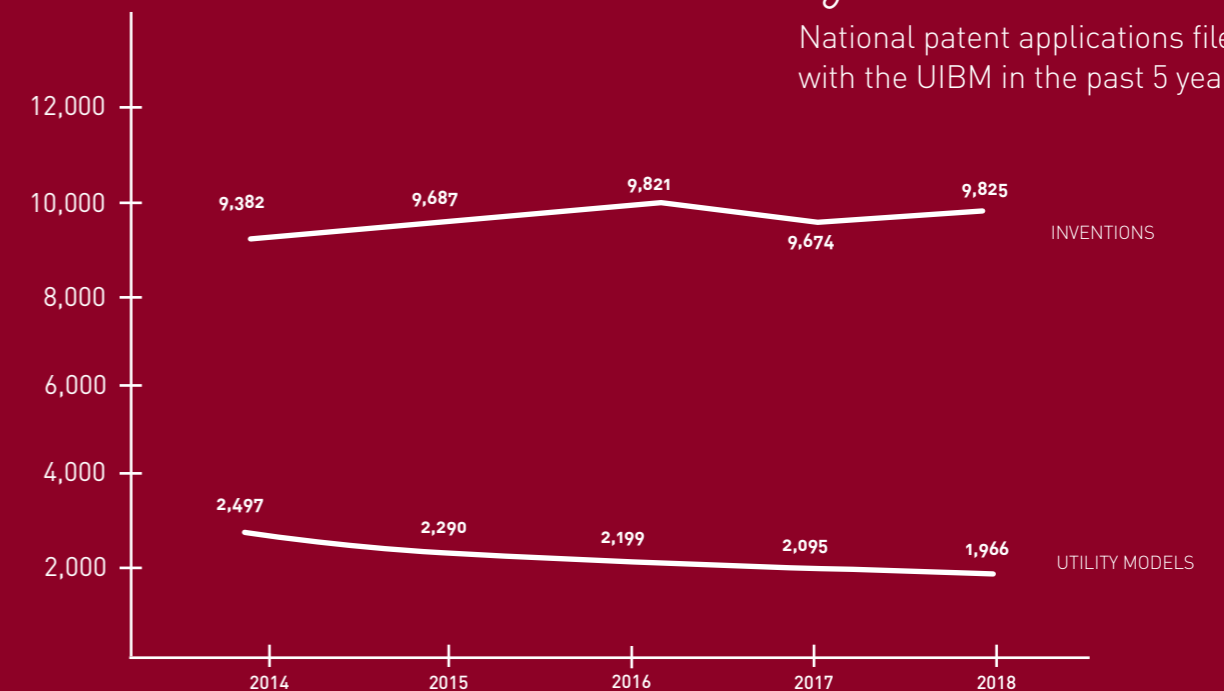


Figure 1

National patent applications filed with the UIBM in the past 5 years

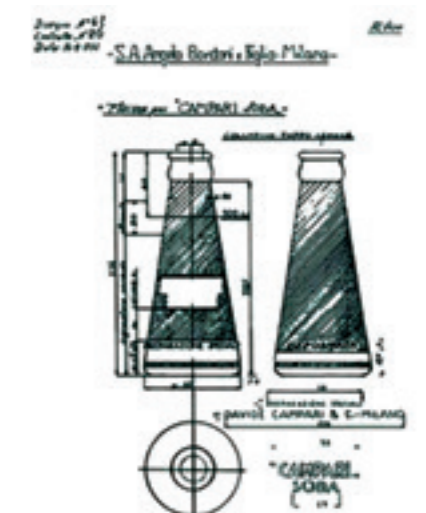


Source: Based on DGLC-UIBM data, Division VI - IT Management, 2018

## a. National patents (for industrial inventions and utility models)

In 2018 9,825 patent applications for industrial invention were filed with UIBM. In 2018, the growing trend of the number of industrial inventions patent applications over the last 5 years improves with a 1.56% increase compared to 2017. In the same period there was a decrease in the number of utility model patent applications, from 2,497 in 2014 to 1,966 in 2018.

With the launch of the new information system of the UIBM, the patent application procedures have radically changed over the past 5 years. In 2018 9,109 national patent applications for invention were filed with the DGLC-UIBM electronically. Electronic applications made up 92.7% of the total number of national patent applications for inventions filed with the DGLC-UIBM in 2018



The number of national patent applications for inventions filed with the Chambers of Commerce (CCIAA) decreased by 92.4% in 2018 compared to 2014 (Figure 2). At present patent applications by post have almost completely disappeared while online applications are the preferred procedure to file national patents for invention (Figure 2). With regard to utility model applications, the use of electronic filing services in 2018 accounted for 66.5% of the total number of applications filed, whereas paper applications filed with the Chambers of Commerce were approximately 33.1% of the total number (Figure 3). Below is a list of the top ten companies that filed patent applications for inventions in Italy. The number of applications filed increased in 2017 compared to 2016 for all the applicants considered (except G.D S.p.A.), and only in two cases (G.D S.p.A. and Fondazione Istituto Italiano di Tecnologia) there was a decrease compared to 2015.

Top 10 companies that filed patent applications for invention in Italy, 2015-2017.  
National patents for invention by technology sector

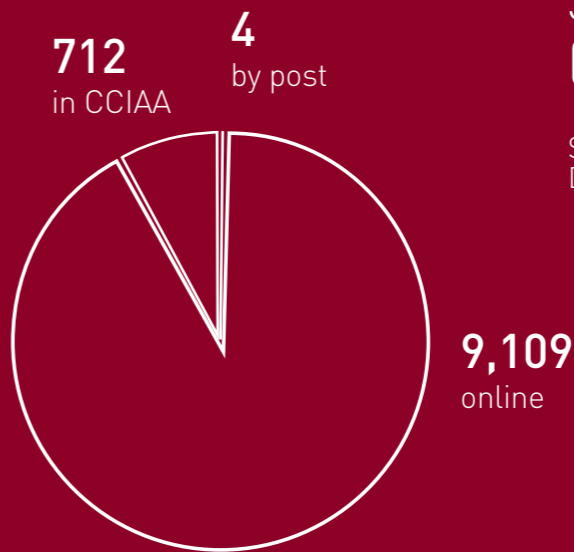
Table 1

PCT Applicant	2015	2016	2017
Nuovo Pignone Srl	52	57	58
Pierelli Tyre Spa	39	32	51
G.D. Spa	53	46	44
Solvay Specilaty Polymers Italy Spa	23	36	40
Telecom Italia Spa	21	26	35
Piaggio & C. Spa	3	19	28
Freni Brembo Spa	18	15	23
Fondazione Istituto Italiano di tecnologia	29	17	22
Novamont Spa	7	12	22
De'Longhi Spa	3	15	21

Source: WIPO, Statistical Country Profiles. Statistics database. Last updated: 3/2018  
[http://www.wipo.int/ipstats/en/statistics/country\\_profile/profile.jsp?code=IT](http://www.wipo.int/ipstats/en/statistics/country_profile/profile.jsp?code=IT)



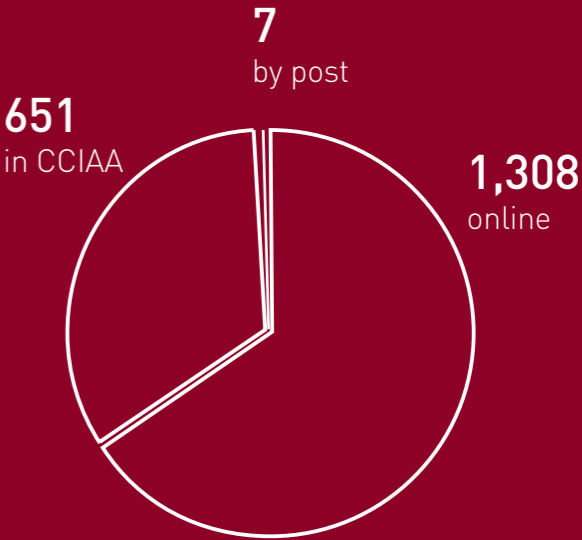
Figure 2  
Patent applications for inventions filed with UIBM in 2018 by filing option



With regard to utility model applications, the use of electronic filing services in 2018 accounted for 66.5% of the total number of applications filed, whereas paper applications filed with the Chambers of Commerce were approximately 33.1% of the total number (Figure 3).

Source: Based on DGLC-UIBM data, Division VI – IT Management, 2018

Figure 3  
Utility model applications filed in 2018 by filing option



National patents for invention by technology sector

Providing the business community with a specific statistical information section is of primary importance for improving the knowledge of the patent system and, therefore, for the definition of business development strategies, in particular for small and medium enterprises. In this respect, an in-depth knowledge of the main technology sectors involved in national patenting is of particular relevance.

Based on the patent classes used to classify patent applications - according to the International Patent Classification (IPC) - a code aggregation methodology was chosen, prepared by the **WIPO (WIPO technology concordance table)** which allows standardization of data, patent analysis and economic comparisons at international level. In the period 2014-2017, there was a clear concentration, stable over the 4 years, of the number of national patents classified in the mechanical engineering sector compared to other sectors. In 2017, mechanical engineering accounted for almost double (3,069) the number of applications in the second most important

sector in terms of number of applications (other sectors, i.e. civil engineering, games and furniture, 1,563) and more than triple the number of applications in the least featured sector (electrical engineering, 945. See Figure 5). In 2017, there was a decline in national patent applications for inventions in the five technology sectors<sup>2</sup> surveyed. The decrease in applications compared to 2016 ranges from -9.8% in the mechanical engineering sector to -1.6% in chemistry. In mechanical engineering and “other fields” (civil engineering, games and furniture) this decrease reflects the negative trend in the period 2014-2017. In contrast, the trend for chemistry and instruments was approximately constant over the same period, with the exception of electrical engineering, which grew by 8% over the four-year period (Table 2 and Figure 4).

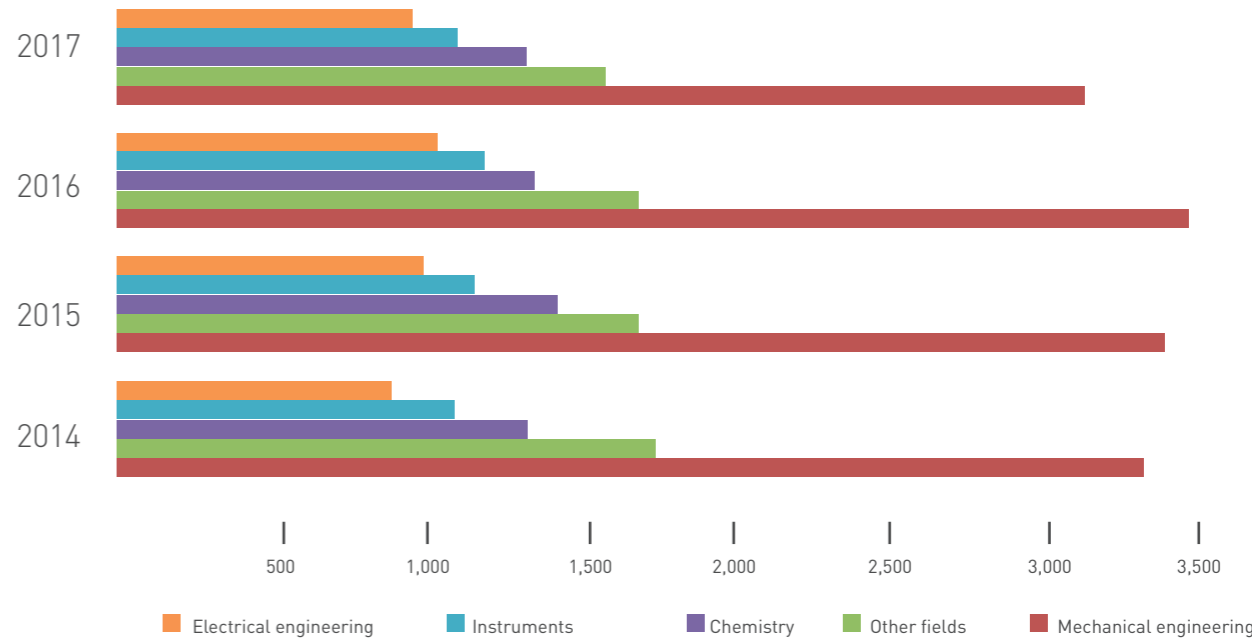
2 - The technology sectors mentioned here are those used in WIPO's IPC code system.

Table 2  
Number of national patent applications filed in Italy by technology sector<sup>3</sup>, 2014-2017

	2014	2015	2016	2017
Mechanical engineering	3,259	3,326	3,403	3,069
Other fields(civil engineering, furniture, games other)	1,715	1,662	1,660	1,563
Chemistry	1,309	1,403	1,333	1,312
Instruments	1,076	1,141	1,177	1,086
Electrical engineering	874	979	1,019	945
Total	8,233	8,511	8,592	7,975

Source: Based on DGLC-UIBM data, Division VII  
National and European patents and international patent applications, 2018

Figure 4  
Number of national patent applications filed in Italy by technology sector<sup>4</sup>, 2014-2017.



Source: Based on DGLC-UIBM data

3 e 4 - Applications filed are converted according to WIPO's Technology Concordance Table about one year after they are filed, therefore data was last updated in 2017.

## European Patent Validation in Italy.

A total of 40,128 European patents were validated in Italy in 2018 and 38,263 in 2017. European patent validation activity in Italy has considerably increased over the past 5 years. Indeed, the number of European patents validated by the DGLC-UIBM has grown by an average of 14,1% per year over the entire period. In 2018, the growth rate was 4.87% compared to 2017.

Applications for the validation of European patents in Italy are filed almost entirely by electronic means. Over the past two years, electronic filing has accounted for more than 97% of total validation requests in Italy. The use of the online filing service grew by 5% in 2018 compared to 2017.

Figure 6

European Patent Validation Applications in Italy in 2018 by filing option

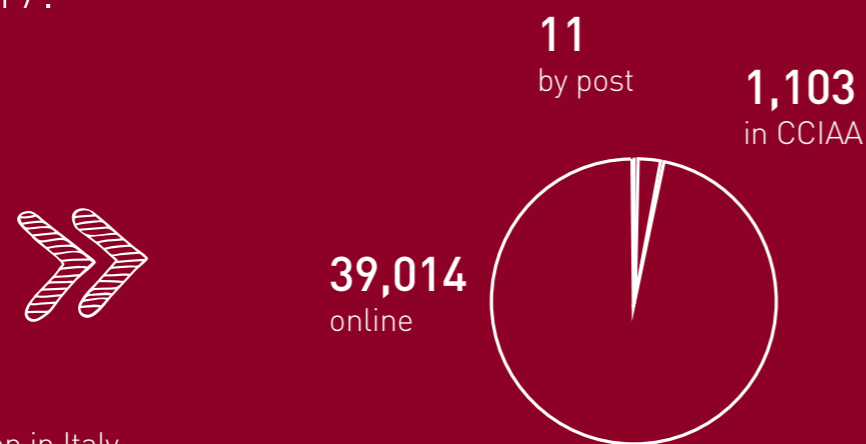
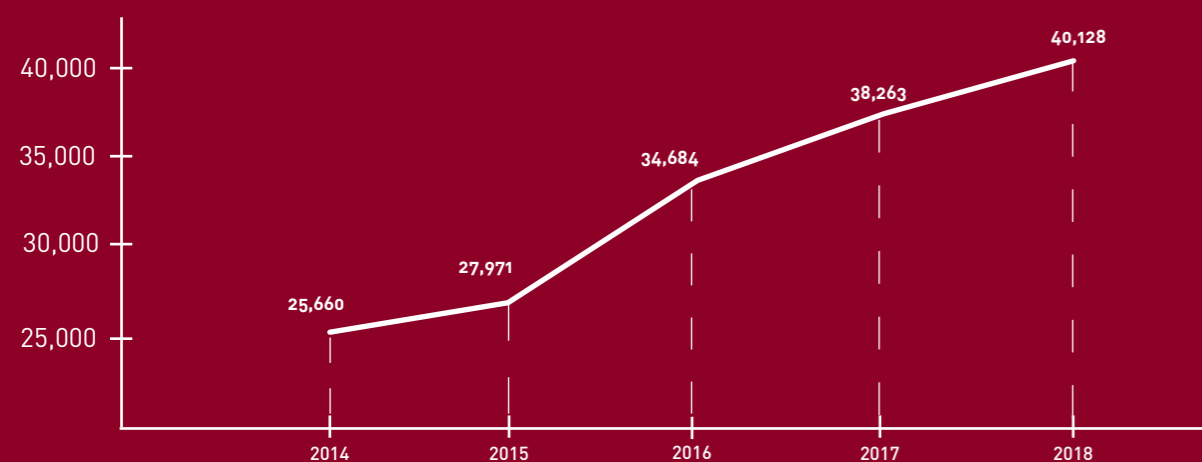


Figure 5

European Patent Validation in Italy over the past 5 years



Source: Based on DGLC-UIBM data, Division VI – IT Management, 2018

## European patents filed by Italian residents

Over the past two years, Italy has demonstrated that it has taken up the global challenge of innovation and increased awareness of the economic and business value of Industrial Property and the innovation capacity of companies and universities, as shown by the significant increase in applications for European patents filed by Italian residents. In 2017, the European Patent Office - EPO received 4,352 patent applications for inventions which represented 3% of all applications received by EPO in 2017

European patent applications filed by Italian residents increased by **4.3%** compared to the previous year, in line with the average annual growth rate of applications received by the EPO in 2017 (3.9%).

In 2017, 70 European patent applications were filed by Italian residents per million population (Source: EPO Annual Report 2017). With regard to technology sectors, the growth of European patent applications from Italian residents compared to 2016 was mainly in the field of instruments (about 22%) and, in particular, in the sub-fields of optics (46.2%), control (44.2%) and measurement (30.9%). In 2017, there was a significant increase compared to 2016 in the number of European patent applications filed by Italians in IT methods for management (**65%**) and computer technology (**63%**), sub-fields of electrical engineering, which grew by **6.8%**

[Source: EPO Annual Report 2017].

Table 3

# Number of European patent applications filed by Italian residents by technology sector<sup>5</sup>, 2016-2017.

Source: Based on EPO data.

<https://www.epo.org/about-us/annual-reports-statistics/statistics.html>

	2017	2016
<b>ELECTRICAL ENGINEERING</b>		
Electrical machinery, apparatus, energy	180	183
Audio-visual technology	24	30
Telecommunications	27	23
Digital communication	45	39
Basic communication processes	8	14
Computer technology	75	46
IT methods for management	33	20
Semiconductors	19	30
<b>Total</b>	<b>411</b>	<b>385</b>
<b>INSTRUMENTS</b>		
Optics	57	39
Measurement	178	136
Analysis of biological materials	21	22
Control	75	52
Medical technology	284	255
<b>Total</b>	<b>615</b>	<b>504</b>

5 - The analysis is based on published patents granted by the EPO. The definition of the fields is based on the WIPO IPC technology concordance. The table is available at: [http://www.wipo.int/export/sites/www/ipstats/en/statistics/patents/xls/ipc\\_technology.xls](http://www.wipo.int/export/sites/www/ipstats/en/statistics/patents/xls/ipc_technology.xls). The geographic origin is based on the country of residence of the first patentee listed on the published patent. In cases where several patentees are mentioned on the published patent, the country of residence of the first patentee listed applies.

	2017	2016
<b>CHEMISTRY</b>		
Organic fine chemistry	118	126
Biotechnology	78	65
Pharmaceuticals	147	125
Macromolecular chemistry, polymers	122	113
Food chemistry	82	64
Basic materials chemistry	61	59
Materials, metallurgy	58	49
Surface technology, coating	58	57
Micro-structural and nano-technology	4	7
Chemical engineering	100	125
Environmental technology	68	56
<b>Total</b>	<b>896</b>	<b>846</b>
<b>MECHANICAL ENGINEERING</b>		
Handling	340	329
Machine tools	185	177
Engines, pumps, turbines	186	209
Textile and paper machines	124	101
Other special machines	270	264
Thermal processes and apparatus	123	154
Mechanical elements	197	190
Transport	326	323
<b>Total</b>	<b>1751</b>	<b>1747</b>
<b>OTHER FIELDS</b>		
Furniture, games	232	218
Other consumer goods	159	191
Civil engineering	279	239
<b>Total</b>	<b>670</b>	<b>648</b>

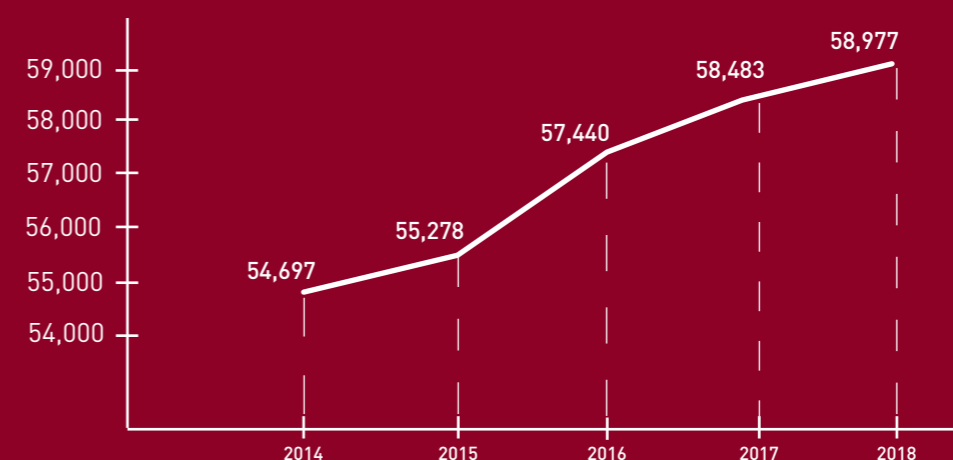


## b. Trademarks

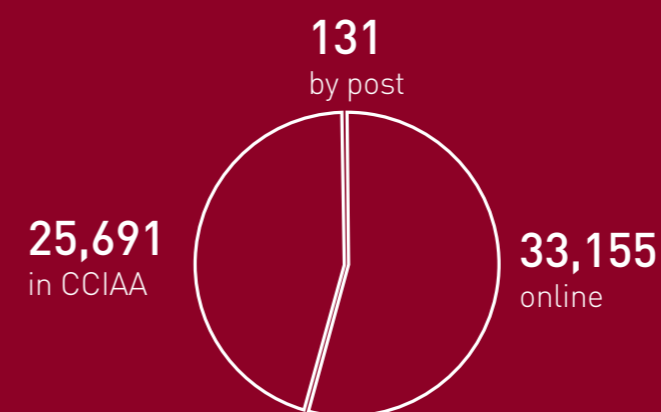
In 2017 and 2018, the DGLC-UIBM received respectively 58,483 and 58,997 trademark registration applications, including first filings and renewals. In Italy, over the past five years, trademark filing activity has known a remarkable increase of applications that are raised by nearly 2% on average per year in the period 2014-2018.



**Figure 7**  
Trademark applications (including renewals) filed with the UIBM over the past 5 years



The online trademark filing service is, by now, well established: more than 56% of total applications are submitted online. In 2018 there was a growth in online trademark registration and renewal applications of 4.5% compared to 2017.

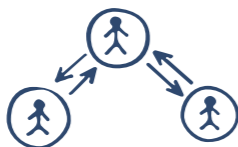


**Figure 8**  
Trademark applications (including renewals) filed in 2018 by filing option

# International Trademarks: the Madrid System

In 2017, 2,878 international trademark applications were filed through WIPO's Madrid System. Italy ranked seventh for number of international trademark applications filed with the WIPO, although the annual growth rate decreased by -6,6%. Considering the number of WIPO member countries in which registration is applied for, these applications correspond to 18,478 separate international trademark applications. Despite a -5,4% decline compared to 2016, Italy remains among the top 6 WIPO member countries for number of international trademark applications filed in WIPO member countries, with an average of 6,4 designations per application.

In 2017, Italian applications for international trademark registration through the Madrid System were mostly in the clothing sector, followed in order by agriculture and research and technology. Similarly, it is interesting to note that in 2017 Italy received 3,337 designations in international applications from WIPO member countries [Source: WIPO Statistics Database, March 2018].

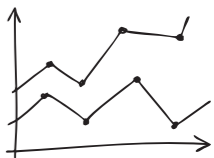


Below is a list of the top 10 companies that filed international trademark applications through WIPO's Madrid System in Italy in the period 2015-2017. It emerges that five of these companies saw a significant increase in trademark registrations in 2017: **Barilla G. and R. Fratelli S.p.A.** registered 8,5 times as many trademarks in 2017 as in 2016, **REPLY S.p.A.** more than four times as many, **Pirelli Tyre S.p.A.** almost four times as many, **Giorgio Armani S.p.A.** and **Aziende Chimiche Riunite Angelini Francesco A.C.R.A.F. S.p.A.** registered more than twice as many trademarks in 2017 compared to 2016.

Table 4

# Top 10 companies that filed international trademark applications in Italy, 2015-2017.

Fonte: WIPO, Statistical Country Profiles. Statistics database.  
Last updated: 3/2018  
[http://www.wipo.int/ipstats/en/statistics/country\\_profile/profile.jsp?code=IT](http://www.wipo.int/ipstats/en/statistics/country_profile/profile.jsp?code=IT)



## MADRID APPLICANT<sup>6</sup>

	2015	2016	2017
BARILLA G. e FRATELLI SpA	1	2	17
Società agricola CIU CIU di Bartolomei Massimiliano e Bartolomei Walter S.S.	9	16	15
Giorgio Armani SpA		6	14
Reply SpA	2	3	13
Aziende Chimiche Riunite	1	5	12
Angelini Francesco Acraf SpA			
Donnafugata Srl			11
Isko Srl	19	18	11
Pirelli Tyre SpA	6	3	11
Ferrari SpA	7	11	10
Guccio Gucci SpA	5	9	10

6 - The Madrid System is a convenient and cost-effective solution for registering and managing trademarks worldwide. File a single application and pay one set of fees to apply for protection in up to 118 countries. Modify, renew or expand your global trademark portfolio through one centralized system

## Opposition

A fundamental tool for the protection of trademark rights is the opposition procedure against an application for registration of an identical or similar trademark by third parties.

This procedure, which is mainly regulated by the Italian Industrial Property Code and its implementing regulation (Ministerial Decree 33/2010), has the undoubted advantage of allowing opponents to try to prevent the granting of rights that are in conflict with their own earlier rights through a preventive administrative procedure that is faster, easier, more practical and at the same time less expensive than the legal procedure of invalidation, which involves the cancellation of trademarks that have already been registered.

For these reasons, the service was positively received by both users and professionals.

The procedure was activated in 2011, following the publication of the Ministerial Decree of 11 May 2011 and the Explanatory Circular no. 582.

In 2018 were filed 1,927 oppositions.

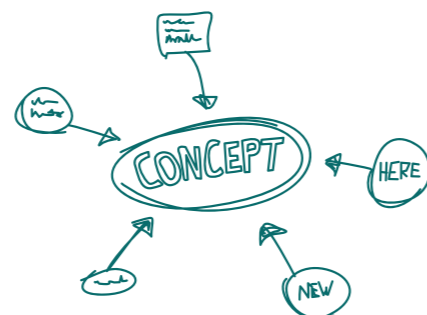
A small number of the oppositions filed over the past year were regarded as inadmissible or unacceptable in accordance with the regulations in force.

During the examination stage, it is common for the parties to inform the Office that they have reached an amicable settlement pursuant to Art. 178, Paragraph 1, mainly through the withdrawal of the trademark application by the applicant or through the limitation of the classes, goods or services for which registration is sought. The opposition procedure, therefore, proves to be a fundamental tool for settling disputes.

At the decision-making stage, the success rate of opposition applications was much higher in 2018 than in 2017. Of the

oppositions for which the examination process was completed, 326 were fully accepted, 61 were partly accepted and 128 were rejected.

The usefulness of the opposition tool for users is further confirmed by the fact that almost all the decisions issued by the DGLC-UIBM at the end of the opposition proceedings were confirmed by the Appeal Committee, in the event of their being challenged.



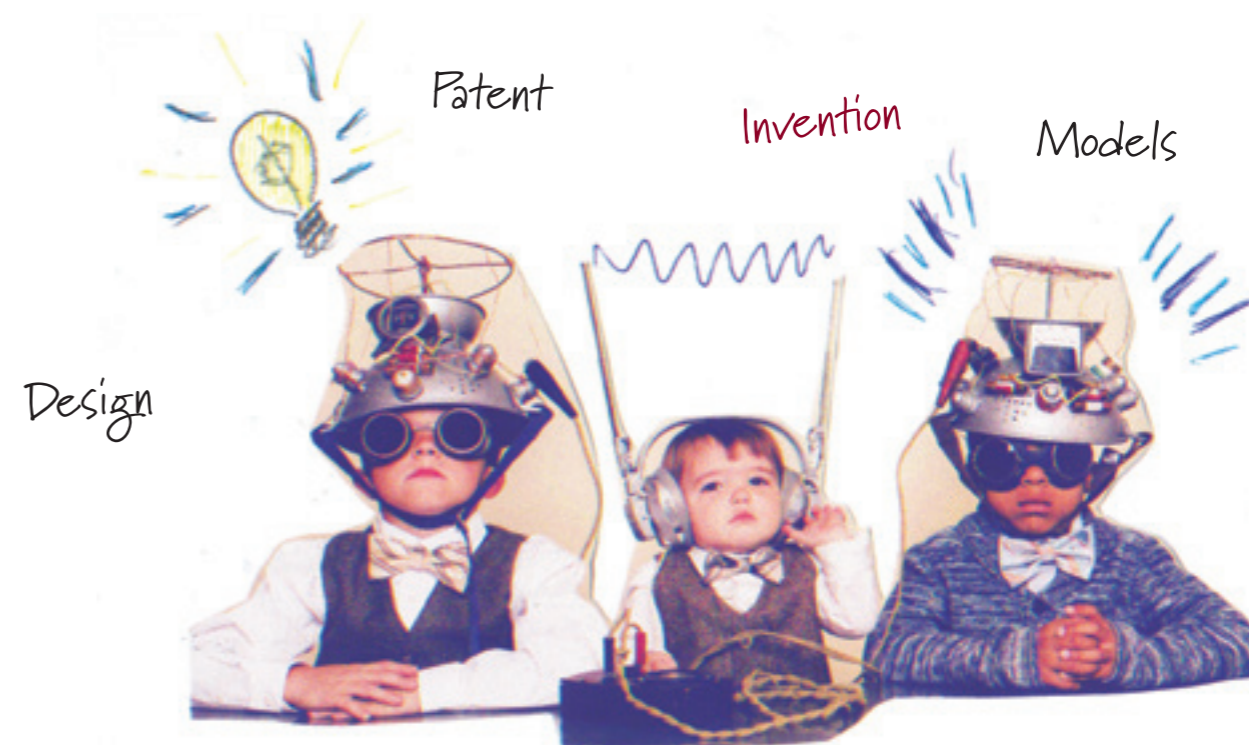
## c. Designs and models

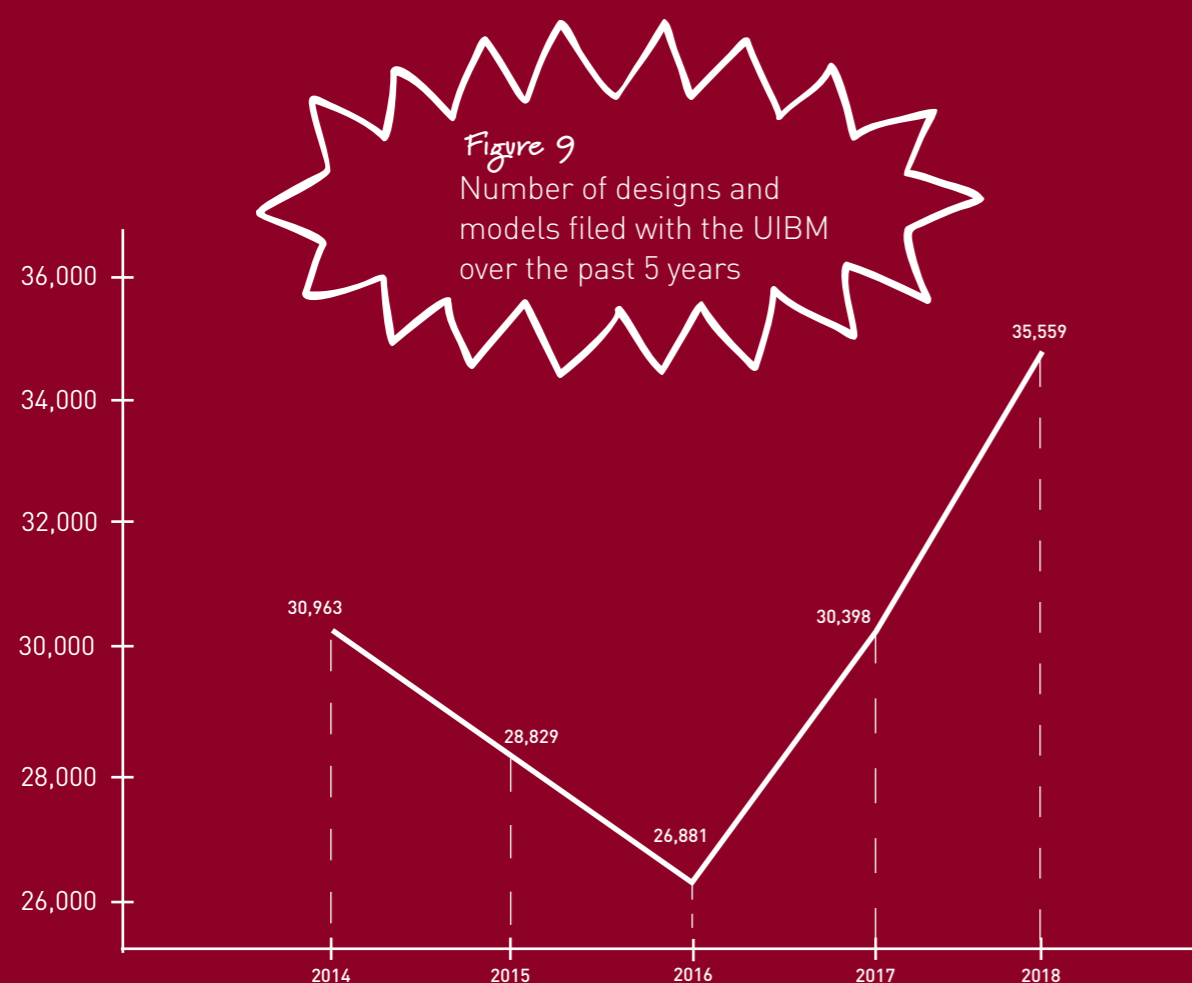
Designs (two-dimensional) and models (three-dimensional) refer to the aesthetic or ornamental aspects of a product, without any reference to its technical or functional aspects. From furniture to accessories (watches, jewellery), from technical tools to household products, designs and models are relevant to a wide range of products: it is the appearance of a product - lines, contours, colours, materials or ornamentation - that allows a product to be distinguished from goods of other companies or to be attractive to consumers. Therefore, a registered design or model protects against copying or imitation, thus strengthening the image of a company and its position in the market. The protection of a design or model lasts 5 years from the filing date. The holder can extend this period every five years, for up to 25 years.

In 2017 and 2018, the DGLC-UIBM received respectively 1,181 and 1,114 applications for designs and models' registration.

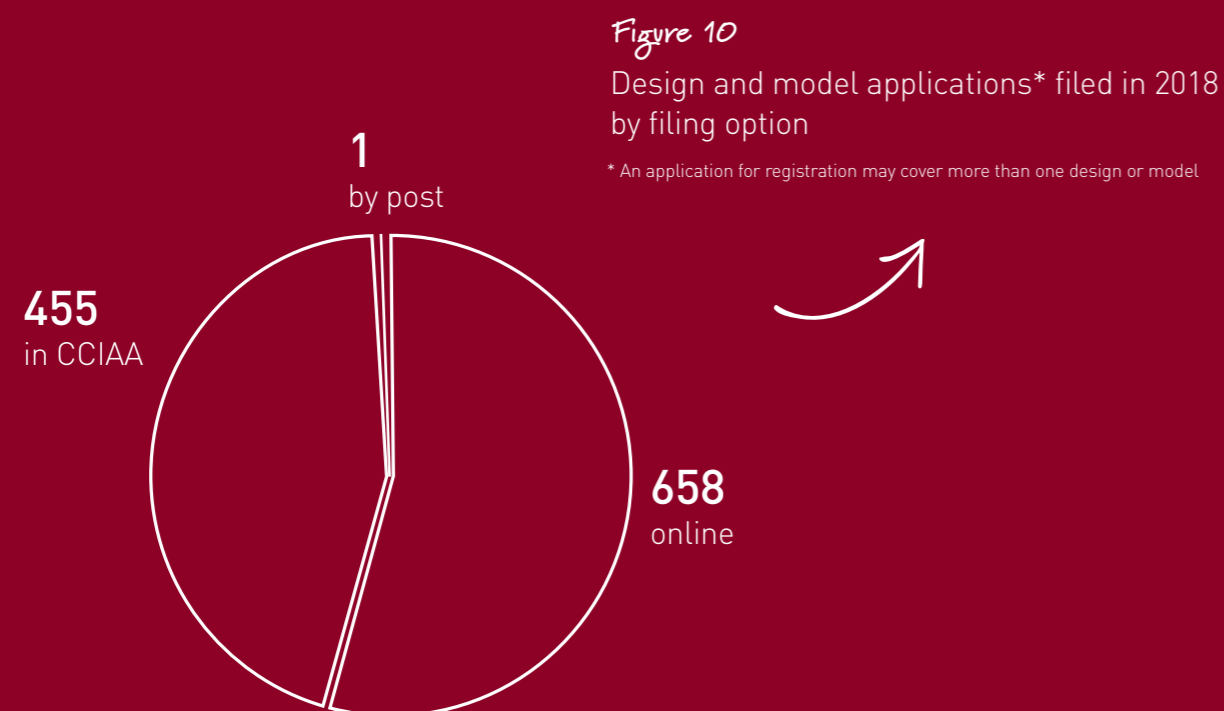
In the analysis of design and model registration applications, it is important to note that each application may contain more than one request for registration. **In 2018, the average number of designs and models per application was 31.9 against 25.7 in 2017.**

Considering the real number of designs and models contained in the single applications it is evident that in the past two years there has been a major reversal in the trend of applications for designs and models. **In 2017, the number of applications increased by 13.1% compared to 2016 and growth continued in 2018, with an annual rate of 17% (Figure 9).** Over the last 5 years the total request of designs and models in Italy raises on average by 3.7% per year.





In the last 2 years, electronic filing was the preferred procedure. In 2018, 59% of designs and models' applications arrived at DGLC-UIBM were submitted online. (Figure 10).



Source: Based on DGLC-UIBM data, Division VI – IT Management, 2018

## d. Economic value of IP Rights

In today's global market, the economic value of intangible assets plays a crucial role in enhancing a country's competitiveness. In this context, business growth is closely related to its ability to identify, protect and increase the commercial value of its intangible capital. For companies, properly protecting, using and enhancing Industrial Property becomes one of the elements that produce greater wealth and a key factor for their development and internationalization. In fact, Industrial Property, if verified, protected, certified, monitored and defended, is a fundamental element for the success of a product on the market and the positioning of a company in relation to its competitors. In addition, for companies interested in marketing their products in third countries, positioning is essential to ensure that their competitive advantage in those markets can remain unchanged or increase. Being able to rely on a strong brand, or on an innovative design, is an extremely important marketing tool, as is the ability to exploit these intangible assets through a network of licensing and franchise agreements. Adequate protection of Industrial Property Rights can form the basis for the development of an Industrial Property portfolio capable of working both as an element of attraction towards risk capital and as an advantage over competitors in terms of eligibility and access to public (national and EU) and private funding.

## Know-How and Technology Transfer

Companies can also gain a significant competitive advantage over their competitors through investment in research and innovation. In addition to the opportunities offered by the exploitation of registrations and patents, the commercial exploitation of research and innovation results, of the knowledge developed and business know-how also represents a strategic lever for industrial growth. Industrial knowledge, product and process knowledge, as well as business knowledge, such as reliable contacts in foreign markets, the knowledge of local administrative practices, effective advertising strategies, etc., are protected by the Industrial Property Code (CPI), Legislative Decree no. 30/2005, Articles 98 and 99, and can be commercially exploited through specific agreements concerning technology and knowledge transfer (also through franchise agreements) or the organization of training courses for the staff of other companies.

In order to foster the creation of relationships between the traditional holders of innovation, universities, and the ones that, by their nature, generally enhance it, the entrepreneurial system, the DGLC-UIBM will support the improvement of the Technology Transfer Offices (TTOs) of Italian universities and public research organizations with a specific call that will fund, over a period of three years, activities and initiatives designed to promote patented innovations in the industrial world and encourage the signing of agreements for the transfer of these innovations to businesses and society. The call involves co-funding of 50% of the costs related to the recruitment of new personnel to improve the TTOs. The first edition of the call, 2015-2017, made it possible to implement **61 projects**, activate 70 new resources and involve 38 structures across the country. The second edition, launched in May 2018, also involves the Institutes

(IRCSS) and funds 65 projects, 16 of which are new and 49 are receiving new funding so as not to disperse the professional heritage created and consolidate and enhance the network of collaborations built up so far. The considerable impact of the structural strengthening of the TTOs and the creation of specialist know-how, generated by this initiative, can clearly be seen in the improvement of performance in terms of inventions identified in universities, with a particularly significant impact on small ones. In addition, the results obtained were better than expected in relation to: research results for available inventions, contacts and meetings with companies, territorial expansions of plant variety rights, enhancement plan, negotiations with companies for patent licensing, licensing agreements and operations. As well as renewing these objectives, the 2018 edition of the call contains a new element: about 1,500 visits to SMEs to make a "diagnosis" of their Industrial Property portfolios in order to provide advice for the enhancement of their rights (from registration to access to tax benefits provided for in the measures planned by the DGLC-UIBM to enhance the economic value of patents, trademarks and designs).

## IP Finance

Industrial Property does not only have the function of defending business income, it can also be monetized and transformed into a source of additional income for businesses. Therefore, the traditional legal or defensive approach is accompanied by a business-oriented approach to the management and evaluation of Industrial Property, understood as a competitive and financial tool. Therefore, further monetization practices of Industrial Property assets have become increasingly widespread in addition to sale or licensing agreements. These practices make it possible to use Industrial Property to access new funding sources, such as traditional financial instruments (loans, leasing) or structured solutions designed specifically for the needs of a company (IP Finance tools). The latter offer excellent business opportunities for both companies and financial institutions: companies can benefit from new funding opportunities, exploiting dormant or undervalued assets; financial institutions can increase the intermediation margin and obtain funding while securing assets that represent the true value of the company.

## Incentives for business

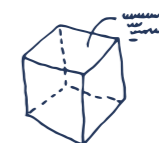
Creating a context that allows companies to build on competitive advantage in terms of innovation, planning and design, in order to encourage diversification in terms of products and product quality, promote innovation and technology transfer, offer targeted and easily accessible incentive instruments to smaller companies. These are the goals that led the DGLC-UIBM to design and propose to micro, small and medium-sized enterprises a set of financial measures, the so-called "Innovation Package" Brevetti+, Marchi+ e Disegni+, that have provided financial support to almost 6,000 SME's with a total of € 90 million value. The measures were developed with the following objectives:

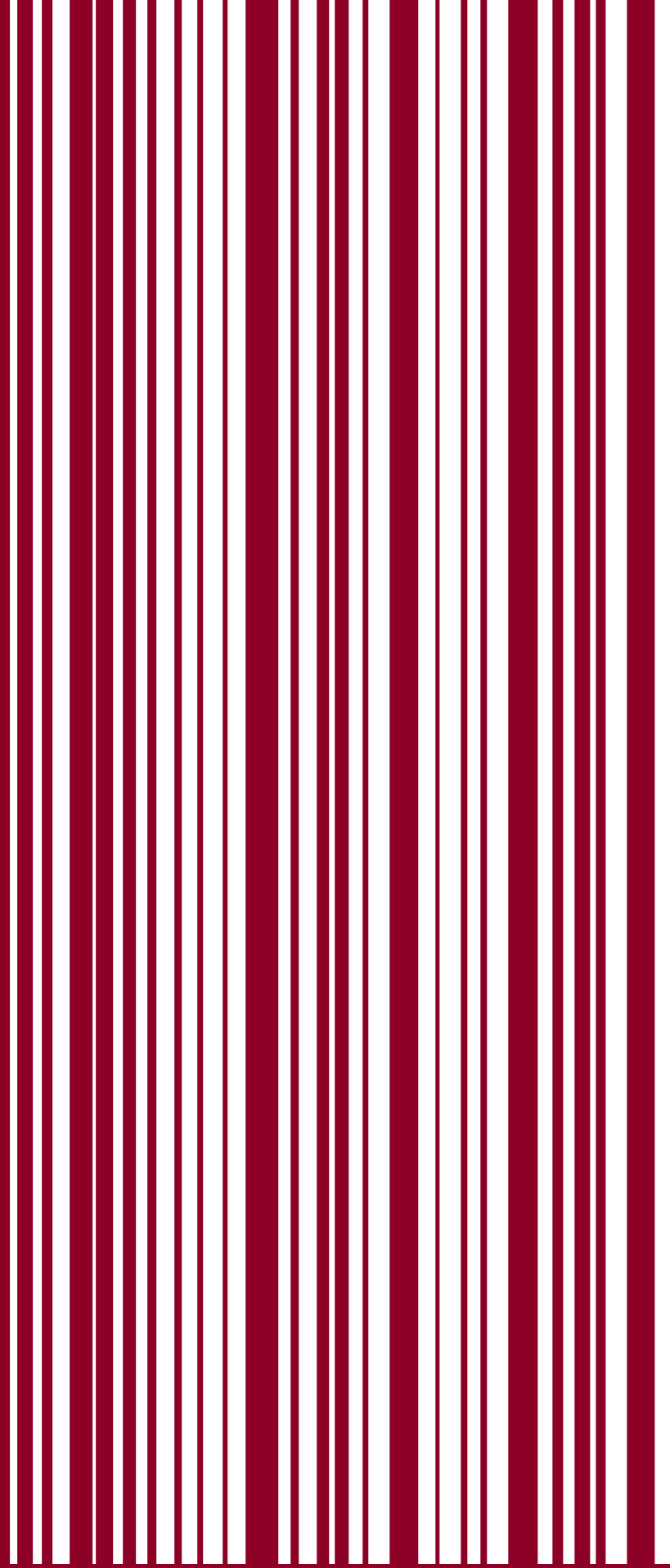
To support the innovation capacity and competitiveness of SMEs through the enhancement and economic exploitation of designs/models on national and international markets.

To support internationalization and the qualitative and quantitative increase in patents, trademarks and designs

To support the production and commercialization by SMEs of new products covered by Industrial Property Rights

To extend trademark registration at Community and international level

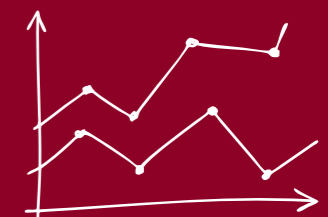




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# THE FIGHT AGAINST COUNTERFEITING



## • The Fight Against Counterfeiting •

Counterfeiting is a pervasive and global phenomenon, interlinked with organized crime. It is pervasive since it is no longer limited to luxury goods, but it has extended to all productive sectors in Italy and abroad.

**Counterfeiting follows the evolution of global economy: it has globalized both in terms of manufacturing and consumption.**

Over the years, counterfeiting has become an important business area for national and transnational organized crime, which profit from counterfeited goods to the detriment of Italian citizens, society and economy.

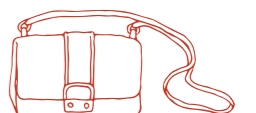
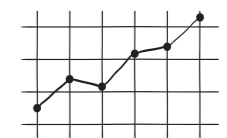
Counterfeiting means to manufacture, import, sell or use products and services protected by industrial property rights (trademarks, patents, designs/models) without obtaining the authorization from

the owner of these rights. Generally, counterfeiters carry out their activities in markets with low-cost manpower, in order to keep the final sale price much lower than the price of original products. From the legal perspective, counterfeiting includes breaching of laws, rules, regulations and contractual restrictions that regulate rights of intellectual property and commercial exploitation of products of any kind. The purchase of counterfeited goods, besides damaging the interests of the manufacturers of the original products, also causes severe losses to the State Treasury, as well as damage to consumers' health and safety: when consumers buy counterfeited products, they are purchasing low-quality products, in the first instance, which can also be potentially noxious.

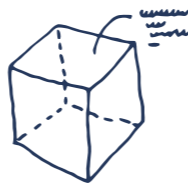
### Counterfeiting Data in Italy

At the macro-economic level, in 2017 the total turnover of counterfeiting in Italy was estimated to be **7,2 billion**. Counterfeiting steals € 7 billion of added value, € 5 billion and 935 million of tax revenues<sup>7</sup> and 103,000 jobs from the national legal system.

<sup>7</sup> MISE-CENSIS, "Il valore economico e l'impatto fiscale della contraffazione", Rapporto 2018.



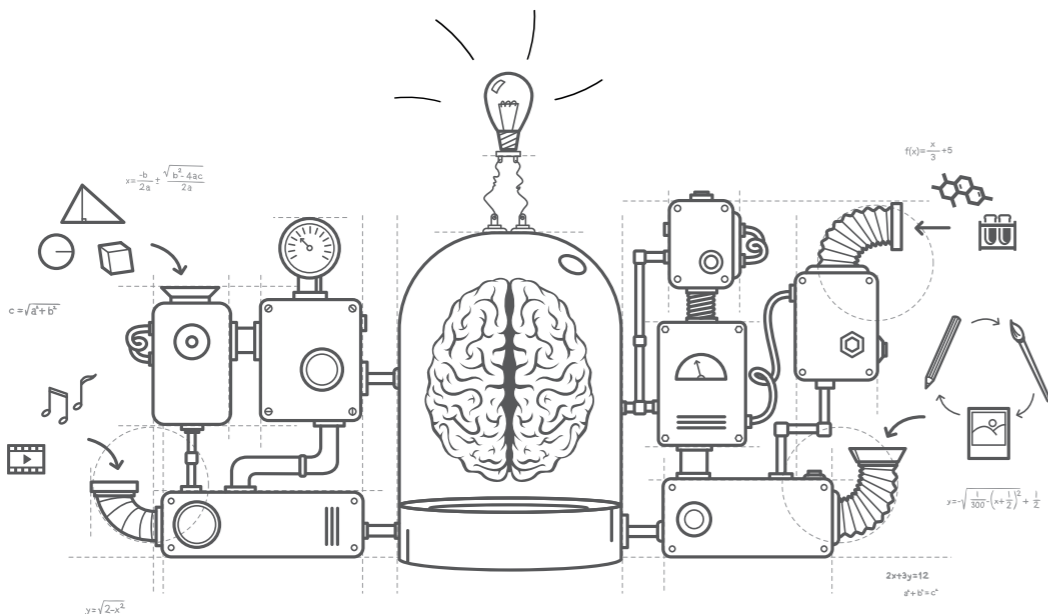
# General-Directorate skills for the Fight Against Counterfeiting



The Directorate is the national authority responsible for formulating national policies to fight against counterfeiting. Due to the strong impact of counterfeiting at the macro-economic level (National Economic System) as well as at the micro-economic level (Productive Sectors), anti-counterfeiting policies are a key component of industrial policies and they contribute to support the competitiveness and innovation of Italian businesses.

In particular, in the context of the fight against counterfeiting, the DGLC-UIBM:

- ✔ Defines and implements anti-counterfeiting policies and strategies based on analyses and studies of the phenomenon
- ✔ Promotes awareness and information actions addressed to citizens-consumers, especially young people
- ✔ Encourages the enforcement of IP rights at the local level
- ✔ Provides assistance and support to businesses
- ✔ Implements and manages databases on counterfeiting
- ✔ Acts as CNAC Secretariat



## Activities implemented over the 2017-2018 period

### Analysis and study on counterfeiting

The Directorate is the National Observatory on Counterfeiting that promotes and conducts studies, also in collaboration with national and international partners, in order to increase knowledge about counterfeiting and collect evidence useful to better orientate repressive policies, stimulate a cultural debate and direct communication activities addressed to citizens-consumers. In 2017, the DGLC-UIBM has continued to carry out the analysis and study activities on counterfeiting, already activated in collaboration with CENSIS, in order to investigate the different local peculiarities of the counterfeit market and to show repressive and preventive good practices already implemented by public and private entities.

In the first half of 2017, local studies concerning the provinces of Venice, Naples and Cosenza, were presented during the **"Anticounterfeiting Week"** in local events organized in the provinces involved. In the second half of 2017, the analyses concerning the provinces of Florence and Genoa were carried out, along with the analysis entitled "I territori contro la contraffazione. Bari, Cosenza, Firenze, Genova, Milano, Napoli, Palermo, Prato, Roma e Venezia. Un'analisi comparata", which shows the size and characteristics of counterfeiting in the individual areas analyzed, the common elements and peculiarities of the phenomenon as well as the anti-counterfeiting operational models successfully implemented that can be replicated across Italy.

Over 2018, the local studies concerning the provinces of Catania and Turin were presented during the Third Edition of the Anticounterfeiting Week, and those concerning Bologna and Reggio Calabria

were presented in local events. These analyses aim at providing policy makers, especially Prefects who are responsible for the enforcement of the actions against counterfeiting, with specific guidelines related to the local socio-economic and productive situations for a more specific fight against counterfeiting. They also identify and bring to light operational models to fight this phenomenon that can be replicated in other territories with similar features.

Always in collaboration with CENSIS, in December 2018, the DGLC-UIBM presented the update of the analysis carried out in 2016 on the national macro-economic dimension of counterfeiting in Italy in terms of loss of turnover, loss of tax revenues and decrease in the number of jobs.

A complementary and supplementary analysis to CENSIS studies is the **"Trade in counterfeit goods and the Italian economy. Protecting Italy's intellectual property"**, carried out in 2018 in collaboration with OECD. The study reports a quantitative evaluation of the global trade of counterfeit products, by analyzing:

- ✔ The imports of counterfeit and pirated goods in Italy and the estimated economic effects on consumers, industry and tax revenues;
- ✔ The dimensions and effects of the global trade of counterfeit goods that infringe the rights of Italian trademark owners, with evidence of the main routes of fake goods.

The study shows that in 2016, in Italy, the import value of counterfeit and pirated goods accounted for € **12.4** billion, equal to **4%** of the Italian import of authentic products, with a damage for consumers, i.e. the cost they pay unfairly thinking that they are buying an authentic product, of almost € **8.3** billion for fraud on the primary market. The value of lost sales for wholesale and retail trade is almost € **7,9** billion.

The scope and effects of the global trade of counterfeit goods that infringe the rights of Italian registered trademarks seem to be relevant, in terms of jobs and taxes, accounting for € **31.7** billion in 2016, i.e. **3.6%** of the total sales of the Italian manufacturing sector (national + exports).



## DAMAGE OF COUNTERFEITED PRODUCTS

Exploits the labor force, denying workers rights

Enriches organized crime

Damages "Made in Italy"

Damages Health and Safety

Damages by bringing a shortfall in financial resources of our State

## IF THERE WERE NO COUNTERFEITING

**JOBS +103 THOUSAND**



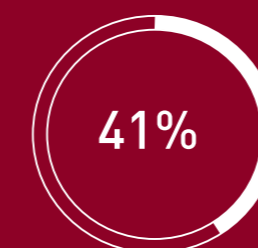
**TAX REVENUE +5,9 BILION**



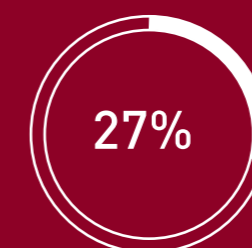
**INCREASE IN PRODUCTION +13,7 BILION**



## COUNTERFEITING NUMBERS



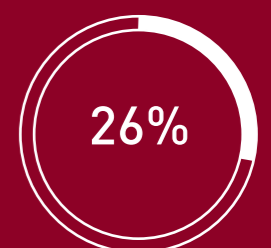
CLOTHING AND ACCESSORIES



GLASSES



FOOD



LEATHER GOODS

## Awareness-raising and information campaigns

### Anti-counterfeiting Week

To fight the increasingly capillary and chamaleontic counterfeiting market, a phenomenon that is becoming more and more «liquid», besides repression and countering activities, the DGLC-UIBM also carries out communication and awareness-raising actions addressed to citizens-consumers, in order to increase awareness of the risk of buying counterfeit products so that each single person is responsible for fighting counterfeiting individually. Starting from 2016, the DGLC – UIBM has launched the Anticounterfeiting Week that takes place every year in June.

The **Anticounterfeiting Week** is a unitary format, recognizable and repeated with continuity which includes several events and different ways of communication, so that everybody can easily find the contents they are interested in.

To make the initiatives recognizable and gather them under a sole objective, all the events of the Week have been marked with a **logo** representing the path towards authenticity and a common **claim** which refers to the need for everybody to feel and to be an actor in the fight against the counterfeit market.

The Week aims at triggering a systematic and continuous reflection on counterfeiting issues in order to increase awareness in consumers, especially young people, and businesses of the seriousness of the counterfeiting phenomenon, by offering opportunities also to policy-makers to exchange ideas.

All the editions of the Week have involved the Mayors of Italy's 20 regional capital cities who, by sharing the main values of the fight against counterfeiting and the need to action all together to fight this phenomenon, have adhered to **public poster and campaigns** addressed to citizens to make people

aware of counterfeiting disvalue. Moreover, many events of entertainment and active involvement have been organized in city squares across Italy, including flash mobs and roadshows.

In 2017, from 12 to 18 June, the second edition of the Anticounterfeiting Week took place. After the first pilot edition, the format has evolved further: besides the presentation of three studies conducted in collaboration with CENSIS on counterfeiting at local level in Venice, Cosenza and Naples, two important national events were organized in Rome: the Week opening event during which the “*Rapporto sulle politiche anticontraffazione della DGLC-UIBM*” was presented and the closing event dedicated to students, during which the latest investigations on the perception of counterfeiting by consumers were presented. The activities locally implemented for the “Io sono Originale” project were presented with the support of the amazing performance of a theatre actor and the use of a video. Finally, in line with the most widespread trends among young people, two apps were presented that were made available to students along with social and school activities.

During the Anticounterfeiting Week 2017, the DGLC-UIBM launched the communication campaign “**Chi paga il prezzo della contraffazione?**” [Who pays the price for counterfeiting?], radio and television spots that, through striking infographics, aims at communicating the relevant damage arising from the fake market for the economy and the social context. The goal of the communication campaign is to inform citizens about the risks arising from buying counterfeit goods, the scope and pervasiveness of the phenomenon that involves all the productive sectors, the repercussions on the entire country in terms of loss of jobs, economic and tax losses and damage to citizens' health, by highlighting the crucial role of organized crime in spreading this phenomenon.

From 18 to 22 June 2018, the DGLC-UIBM

implemented the Third Edition of the Anticounterfeiting Week that opened in Rome with the inauguration of the Mostra del Vero e del Falso, an exhibition set up at the premises of the Directorate in collaboration with Confindustria Campania and Museo del Vero e del Falso dedicated to the world of toys, clothing and leather goods. The exhibition, which proposed the comparison between original and safe products and counterfeit products provided by Financial Police and Customs Agency of the Naples area, was enriched with infographics reporting data on counterfeiting as well as two “technical” booths: the first booth set up by UNIC (*Unione Nazionale Industria Conciaria*, National Union of Tannery Industry) and the *Stazione Sperimentale Industria Pelli* [Experimental Station for the Leather and Tanning Materials industry], which allowed visitors to carry out a scientific study of non-original products by using a microscope; and a booth set up by the Laboratorio Intelligenza Artificiale NAC [Natural And Artificial Cognition Lab] of the Federico II University of Naples which allowed visitors to know more about the counterfeit world through an interactive game.

Moreover, during the Anticounterfeiting Week 2018, in a technical discussion table with experts of the sector, economists and academics, the DGLC-UIBM presented the study “*Trade in counterfeit goods and the Italian economy*” conducted in collaboration with OECD. Moreover, two debates were organized in Catania and Turin in order to present the territorial analyses on counterfeiting carried out in collaboration with CENSIS. The closing of the Third Edition of the Anticounterfeiting Week took place in Rome with an event dedicated to young people, with the awarding of the students who authored the theatre shows on counterfeiting included in the “*Progetto pilota educational lotta alla contraffazione*” [Fight against Counterfeiting Educational Pilot Project], carried out in collaboration

with the Ministry of Education, University and Research (*Ministero dell'Istruzione dell'Università e della Ricerca*, MIUR). Two surveys were presented, a “web sentiment and reputation” and an “insight explorer”, carried out by consumer associations, in order to make young people aware of counterfeiting, through the analysis of their behavior on the social network.



## “Un’estate originale” communication campaigns”

During the summer 2018, the DGLC-UIBM launched the Information Campaign “Un’estate originale” [An Original Summer]: in order to provide indications and suggestions on how not to fuel abusive trading of counterfeit goods to citizens on holidays to increase aware consumption, the Campaign involved the most important coastal areas in Italy.

## “Io Sono Originale” project

The “Io Sono Originale” [I am Original] project, designed in collaboration with the representatives of the consumer associations which are members of the National Council of Consumers and Users (CNCU), aims at providing consumers with information on the value of IP protection tools and on the risks rising from counterfeiting.

The project includes a number of events and initiatives across Italy: city squares and markets everywhere in Italy; the project aims at informing consumers about the dangers arising from buying counterfeit goods. The initiative, implemented for the first time in 2014, was proposed again in the 2017-2018 period in order to strengthen interaction between the DGLC-UIBM and young, adult and senior consumers. Within this project, the following items were developed: an APP, a website, some information videos, several prize games and a Vade mecum to promote conscious buying.

Four years after its launch, in 2018, “Io Sono Originale” project organized

15 stops of a **Roadshow** across Italy, **25 meetings in schools** to raise awareness of young people on the fight against counterfeiting, a national competition addressed to schools, **6 road events in the form of “treasure hunts”**

organized in the cities of **Turin, Catania, Civitanova, Potenza, Rome and Milan**; some seminars on IP rights and counterfeiting held at the Universities of Aosta, Bologna, Rome, Naples, Lecce and Catania. Moreover, an e-learning educational activity on counterfeiting was developed within this project which was addressed to teachers of lower and upper secondary schools and operators of consumers’ associations.

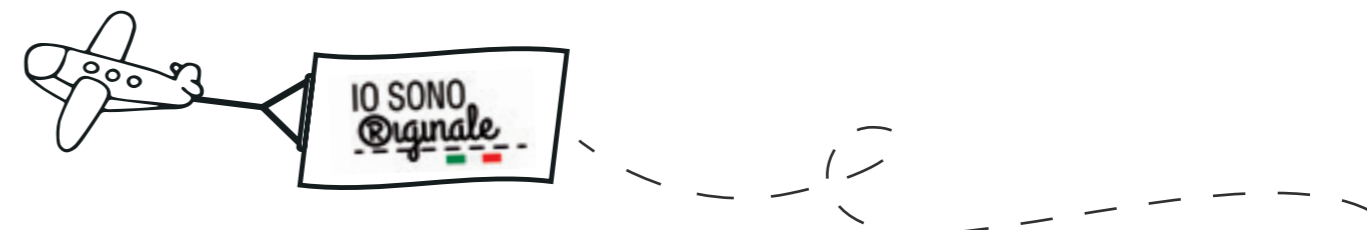
## “Offside Counterfeiting” communication campaign

“Offside Counterfeiting” is a communication campaign organized on 5, 6 and 7 May 2018 by the Financial Police in collaboration with the DGLC-UIBM and Serie A and Serie B Profession National Leagues. On all soccer fields, before kick-offs, children accompanying team captains and referees during the match opening ceremonies wore a T-shirt with the hashtag **#loriginalevince**. The “descent into the fields” of the various stakeholders involved in the fight against counterfeiting is a concrete example of the synergy that the Directorate implements every day among Institutions, Police Forces and businesses which synergistically address illegal actions to protect consumers.

## “Progetto Educational Lotta alla Contraffazione”

The “Progetto Educational Lotta alla Contraffazione” [“Fight against Counterfeiting Educational Pilot Project”], implemented by the DGLC-UIBM in collaboration with the Ministry of Education, University and Research, during the 2017-2018 school year, involved students of 7 secondary schools in Rome who translated the insights from the study of the counterfeiting phenomenon into multimedia products and theatrical scripts of strong communication impact. The best theatre shows were awarded during the Third Edition of the Anticounterfeiting Week.

For the 2018-2019 school year, the new competition call for ideas has already been published. It is addressed to students living in Campania and Lombardia and in the Municipality of Rome and aims at the creation and staging of original screenplays on counterfeiting, with the purpose of actively involving young generations in the protection and promotion of IP rights.



## Enforcement

### Action plans for the fight against counterfeiting: Rome and Catania

Moving from the observation that counterfeiting is changeable and characterized by different local features in terms of exposed productive sectors, target consumers, production and distribution strategies for counterfeit goods and having evaluated that local law enforcement policy makers do not respond uniformly, the DGLC-UIBM has promoted a change in the approach to the fight against counterfeiting: the focus of the new agreement between central and peripheral administrations has been placed on the territories in order to carry out an integrated and widespread action in Italian regions and provinces.

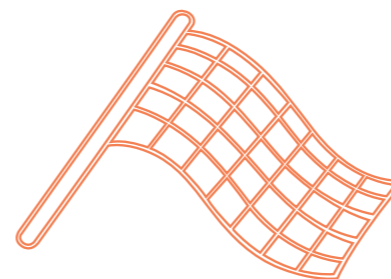
In 2015, this observation led to the drafting of the **Guidelines for Preventing and Fighting against Counterfeiting**, jointly introduced by the DGLC-UIBM and the Ministry of the Interior to strengthen law enforcement across Italy, by harmonizing the measures against counterfeiting, consistently with the national policies, still respecting local features and needs. Thanks to the Guidelines, the Prefects, recognized as being the catalysts of skills and the promoters of alliances between institutions, Police Forces, representatives of businesses and civil society, can integrate the activities of monitoring and protection of territories aimed at fighting counterfeiting with awareness-raising and information activities addressed to businesses, citizens-consumers and Police Forces.

In 2018, to support the Prefects in strengthening law enforcement actions, the DGLC-UIBM signed the **"Action Plan for the Fight against Counterfeiting"** with the Prefecture of Rome and the Agency of

Customs and Monopoly in **Rome**, to renew the engagements previously agreed in the 2016 Memorandum. The Plan includes a number of anticounterfeiting actions: analysis of counterfeiting in the province of Rome; organization of information/educational activities for SMEs on the relevance of Industrial Property; training activities addressed to operators in charge of anticounterfeiting activities; awareness-raising activities for citizens-consumers based in the province of Rome. The Plan also includes, for the first time, the contribution of the Agency of Customs and Monopoly that provides the institutional subjects in charge of the prevention and fight against counterfeiting with information from FALSTAFF database for the fight against counterfeiting within the Telematic Customs Service (Sistema Telematico Doganale, STD) and with collaboration by expert chemists of the Rome Customs Laboratory for quick analyses to be carried out during anti-fraud operations.

Always in 2018, the DGLC-UIBM signed the **Memorandum of Understanding** in the province of **Catania** with Prefecture of Catania, Metropolitan City, the Prosecutors of the Republic of Italy at Catania and Caltagirone Courts, Police Forces, University of Catania, Chamber of Commerce and the Province Healthcare Unit. The two-year Memorandum integrates the coordination of the repressive actions of the Police Forces, previously in charge of the Prefecture of Catania, with educational and information actions as well as measures for the control of the goods seized. Moreover, the Memorandum includes the setting up of a Provincial Observatory on counterfeiting and safety of products, in charge of monitoring and analyzing the phenomenon, supporting the activities of prevention and repression of illegal activities, and information to consumers. Last but not least, Ufficio Scolastico Regionale (Regional School Office) will be involved to raise awareness of young generations on the risks related to the use of fake products.

By signing this agreement, the city of Catania, the first one in Sicily, has fully entered into a network of virtuous cities that have decided to strengthen their commitment to legality, fair competition between businesses, IP protection.



### Assistance and support to businesses

The DGLC-UIBM has activated several services addressed to enterprises to increase their knowledge and raise awareness on the value of Industrial Property as a strategic asset for the competitiveness of the economic system as well as to promote the use of the most appropriate "technological anticounterfeiting solutions" for their productive process and marketing strategy.

**IP Pre-diagnosi** [IP Prediagnosis] is a free online information service for businesses that, after filling out a questionnaire, can get more information about the system of Industrial Property protection and monitor their level of innovation. The service aims at raising SME level of awareness of the value of their portfolios of IP rights and to guide them in the strategic choice of the most appropriate IP protection tool to promote their intangible assets by providing them information about the institutional channels available. In the 2017-2018 period, the DGLC-UIBM has been engaged in the promotion of the prediagnosis questionnaire among enterprises, professional categories and technological transfer offices of some important Italian universities. The support service **"Linea Diretta Anticontraffazione" (LAC)** [Anticounterfeiting Hotline] of the DGLC-UIBM was launched in 2006 and aims at freely supporting all users, especially small-, medium- and micro-sized enterprises (SMEs) and consumers, including foreigners, in case of infringement of intellectual property rights.

This is a basic support service that offers the parties concerned information about protection tools made available by existing laws, with the purpose of activating repressive procedures at the national and international levels, in collaboration with the competent law enforcement institutions and public authorities. Users can report any cases of counterfeiting that they

have suffered or witnessed and receive information about the tools available to react. This service is provided by the specialized officers of the Financial Police, operating full-time at the Directorate-General, who collect and assess all the reports and work in close cooperation, for possible follow-up based on respective competence, with the Police Forces (especially Financial Police Special Units) and the Agency of Customs and Monopoly (especially the Anti-Fraud Service). Some requests submitted to LAC are then forwarded by the Financial police to the Italian Antitrust Authority concerning the Consumer Code (Autorità Garante della Concorrenza e del Mercato), for example, if it is necessary to obscure a website.

If activated, the Financial Police and/or the Agency of Customs and Monopoly or other law enforcement authorities will start investigations to determine the presence and nature of the infringement. Once users have submitted their requests, they are kept informed about the developments of the investigations undertaken by the above Police authorities to stop the infringement and about the outcomes of the investigations. The “Anticounterfeiting Hotline” is part of the portal managed by the Financial Police called “Sistema Informativo Anticontraffazione” [“Anti-Counterfeiting Information System”] (SIAC <https://siac.gdf.it/>).

The requests for support submitted to LAC mainly fall under to the following categories:

- ✓ Import, manufacturing, sale of counterfeit, pirated and/or unsafe products;
- ✓ “Made in Italy” infringements;
- ✓ Requests for information on counterfeiting (data, rules, protection, information material);
- ✓ Information and promotion of tracking and traceability systems;
- ✓ Requests of expert names by authorities;
- ✓ Deceptive invoices

Over the last two years, LAC has received the following requests:

In 2017:  
**1,344 requests for support**, 391 of which were alleged infringements of intellectual property rights

In 2018:  
**1,355 requests for support**, 443 of which were alleged infringements of intellectual property rights

The most affected product categories and the geographical areas, based on the requests received, were:  
**clothing, clothing accessories and footwear**

**Lazio, Veneto, Lombardia and Campania**

Infringements mainly concern trademarks. The requests regarding online infringements (including the use of social networks) have considerably increased over the last few years and today account for approximately 85% of all the requests received (in particular there is an increase in Facebook’s infringements).

Based on the requests submitted to LAC, the Financial police has seized a lot of counterfeit goods. In particular, in 2017, the Financial Police of Genoa carried out an investigation that led to the identification and dismantling of a “fake factory” where garments and accessories of counterfeit well-known trademarks, mainly of sport merchandising, were systematically manufactured, by setting up production means and organized activities. Inside the laboratory, located

in the Genoa Bolzaneto neighborhood, the authorities seized over 14,000 items of counterfeit goods, production means, documents related to shipping to customers and payments received. The illegal activity, disguised as a legitimate economic business, turned out to be completely “undeclared”. The counterfeit products were sold by the Italian entrepreneur on a well-known commercial portal, using a pseudonym. The investigations allowed to refer the entrepreneur for the crime of counterfeiting, by setting up production means and organized activities: the offense is punishable by 2 to 6 years’ imprisonment and a fine ranging from € 5,000 to € 50,000; the offense of non-declaration to the purposes of direct taxes is punishable by 1 year and 6 month to 4 years of imprisonment, for income tax evasion in the years 2013, 2014 and 2015, to an extent above the threshold of penal punishability. An administrative sanction ranging from € 100 to € 7,000 was also applied to people who bought counterfeit products (278 individuals).

Moreover, over the last few years, the anticounterfeiting hotline has received several reports from industrial property right owners who were requested, by third parties, to pay deceptive invoices for false or non-existing services, including the registration, publication, renewal or insertion in commercial lists. These requests for payment were often accompanied by texts or images similar to those of the DGLC-UIBM, or other international organizations, such as WIPO, EPO and EUIPO, which could mislead users. In particular, LAC received 110 requests in 2017 and 23 in 2018 which were sent to the competent Financial Police Unit, to involve the Italian Antitrust Authority concerning the Consumer Code (AGCM), taking into account the risk of misleading advertising and the potential infringement of the Consumer Code. In order to consolidate the strategies for the

fight against the infringement of intellectual property rights, in 2017 the DGLC – UIBM designed and developed the APP for IOS and Android systems called “Linea Diretta Anticontraffazione” [Anticounterfeiting Hotline], based on the “geoUIBM” platform. This App, freely downloadable, allows users, consumers and/or enterprises owners of the breached right to report the cases of infringement via smartphones and tablets, thus providing descriptive information and, if possible, photographic evidence. Geo-referenced data forwarded via App will be collected in the Directorate’s database, along with the user’s geographic coordinates and shared with the Police Forces operating locally. The requests are managed by the Financial Police.

The “**SOT-Servizio Orientamento Tecnologie**” service is an online “virtual showcase”, developed by the DGLC-UIBM to systematically collect information about the different anticounterfeiting technologies and traceability systems of products available on the market, with the purpose of promoting them and spreading them among enterprises. The service aims at providing enterprises with a practical guide to this complex and constantly evolving topic as well as identifying the most appropriate anticounterfeiting technologies available in their production chain in order to prevent and minimize the risks associated with the infringement of intellectual property rights. The DGLC-UIBM has activated, in collaboration with the Istituto Poligrafico Zecca dello Stato [State Mint and Polygraphic Institute], the “**Sportello Tecnologie Anticontraffazione e sistemi di tracciabilità**” [Anticounterfeiting Technology Helpdesk and Traceability Systems], which is a free service that provides information, advice and support to businesses in identifying ad hoc innovative anticounterfeiting solutions based on the type of product and reference market in order to protect IP rights, promote their spreading to the general public and specialized operators, as well as fighting against the infringement

of IP rights. Besides the Helpdesk, located at the Directorate’s office where it is available to users, itinerant counselling, directly promoted where the enterprises operate, was launched in collaboration with ICE (Italian National Institute for Foreign Trade). The DGLC-UIBM has always been engaged in actions aimed at protecting against counterfeiting of national products and trademarks, which are synonyms of quality and excellence of the Italian productive system. With this purpose, a **service addressed to enterprises was set up which aims at monitoring and identifying websites** that offer non-authentic products within a given commodity sector and with reference to a specific trademark. The objective of the service, which is currently being tested in the footwear sector, is to strengthen the level of awareness of companies on the online counterfeiting of their products and, at the same time, to encourage the rapid reporting and removal of the offers that breach IP rights.

<http://www.uibm.gov.it/iperico/home/>

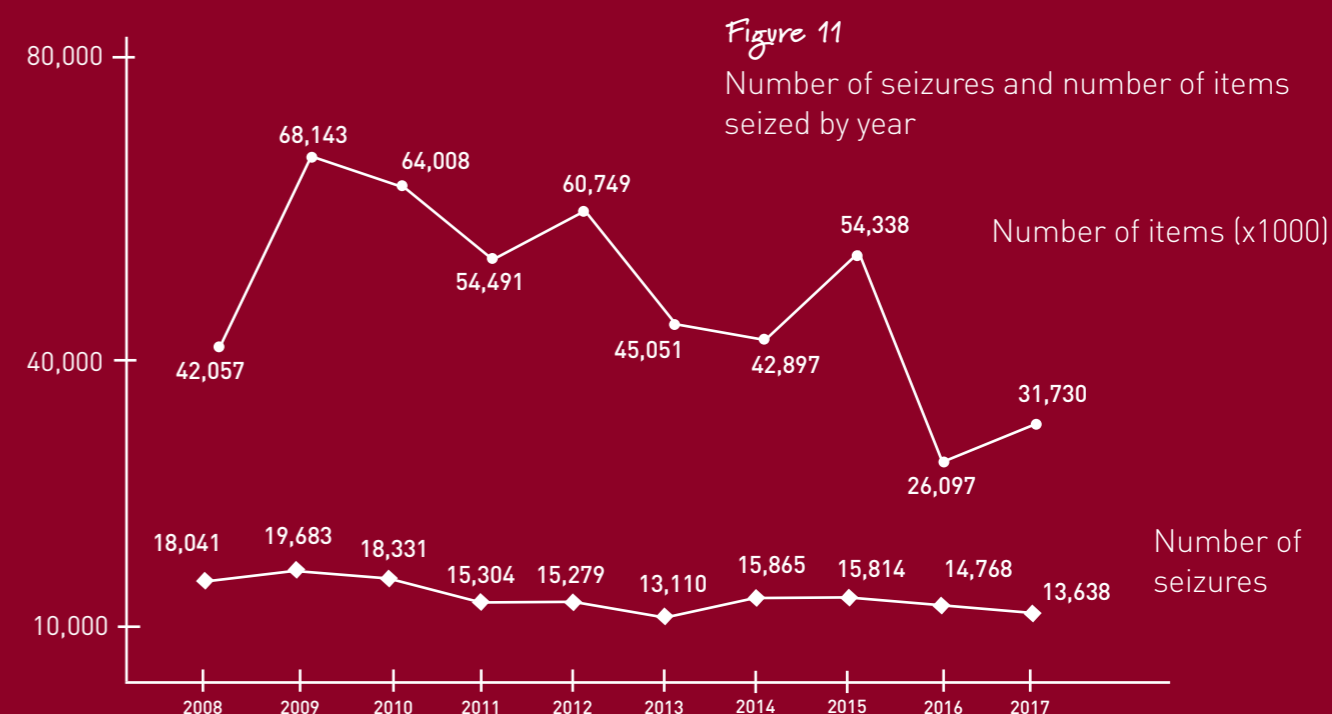


## Implementation and management of databases on counterfeiting

The DGLC-UIBM manages the database called **IPERICO**, Intellectual Property – Elaborated Report of the Investigation on Counterfeiting, developed by the DGLC-UIBM in collaboration with the Financial Police and the Customs and Monopoly Agency and the Ministry of the Interior’s Criminal Analysis. IPERICO is primarily aimed at providing an integrated synthesis of data on counterfeiting in Italy from the proprietary databases of each of the law enforcement bodies (Customs and Monopoly Agency, Financial Police, State Police, Local Police and Carabinieri corps), appropriately normalized and harmonized. In particular, the database provides statistics on the number of seizures, types of goods seized and the estimated value of counterfeit items on the national territory starting from 2008.

Between 2008 and 2017, the Customs and Monopoly Agency and the Financial police made about 160,000 seizures, by intercepting more than € 489 million counterfeit goods for an estimated value of € 5.3 billion

Almost 14,000 seizures were made in 2017 totaling more than **31,000 counterfeit goods** accounting for **€ 294 million** of estimated value. The most affected sectors are: clothing and accessories, toys and electronic devices. Data related to the seizures made in 2018 will be available during the first half of 2019.



Fonte: Iperico Intellectual Property – Elaborated Report of the Investigation on Counterfeiting

## National anticounterfeiting council secretariat-general

The DGLC-UIBM plays the role of National Anticounterfeiting Council (CNAC) Secretariat-General, an Interministerial body based at the Ministry of Economic Development, chaired by the Minister or his/her representative.

The DGLC-UIBM, acting as the Secretariat, coordinates the activities carried out by CNAC, which includes eleven Ministers (Economic Development, Economy and Finance, Foreign Affairs and International Cooperation, Defence, Agricultural Food and Forestry Policies and Tourism, Interior, Justice, Cultural Heritage and Activities, Labour and Social Policies, Health, Public Administration), National Association of Italian Municipalities (Associazione Nazionale dei Comuni Italiani, ANCI) as well as the Permanent Consulting Commissions (Inter-Forces and Productive Forces).

Since the setting up of the Council, the DGLC-UIBM has been engaged, as the Secretariat, in promoting the required synergies among public administrations, police forces and enterprises in order to share the actions implemented by each subject, based on their different visions, needs and skills with the aim of identifying the most appropriate anticounterfeiting solutions based on the diffusion and extent of the phenomenon.

During the 2017-2018 period, the DGLC-UIBM supported the Council in starting a new phase of the implementation policies for the fight against counterfeiting. The Presidency of CNAC, supported by the Secretariat, gave a new impulse to the Council's activities in order to make the Council's work more efficient. The new governance looks like a real "control room" aimed at fostering the efficient coordination of the measures implemented and proposed by the various Public Administrations and Bodies involved. The main innovation is the enhanced role

of the Administrations that are members of the Council, which are not represented by technical but rather «political» figures, and the direct and coordinate engagement expected by all anticounterfeiting forces to strengthen collaboration and avoid duplicate interventions.

Over the same period, CNAC, under the Secretariat's leadership, started a fruitful and intense debate among Administrations, bodies and associations that are members of the Council on the issues of the national economic system with regard to the pervasiveness and diffusion of counterfeiting and the possible actions for preventing and fighting this phenomenon. CNAC has identified six thematic Priorities as areas of action: **Communication, Education and Information, Strengthening of Anticounterfeiting Local Policies, Law Enforcement, Online Counterfeiting and Made in Italy Protection.**

In line with these Priorities, on 30 March 2017, the Council adopted the "**National Strategic Plan 2017-2018**", which defines the national anticounterfeiting policy for the two-year period. The Plan is the reference framework for the national anticounterfeiting system, aimed at improving sector choices and promoting the integration of the various anticounterfeiting actions.

The Secretariat has ensured that, upon CNAC end-of-term in March 2018 the mandate for the period 2017-2018 will come to an end, the Council activity will be continued by encouraging the implementation of the ongoing anticounterfeiting initiatives and by managing the administrative process for the appointment and setting up of the new National Anticounterfeiting Council 2018-2020 that occurred in November 2018. The 2018-2020 Council, having started a process of dialogue with CNAC members, already successfully tested by the Secretariat during the previous two-year period, outlined the challenges that will be addressed by the future national anticounterfeiting policy: online counterfeiting; systematization of

the law on counterfeiting crimes, also in the criminal legal setting; strengthening of anticounterfeiting local policies; protection of trademarks and geographical indications on foreign markets and awareness-raising campaigns addressed to different targets, especially young people.

Within the National Anticounterfeiting Council, the DGLC-UIBM, acting as the Secretariat-General, coordinates CNAC members and Permanent Consulting Commissione that, on 11 June 2018, signed the "**Protocollo di intesa per la realizzazione di iniziative di formazione contro la contraffazione e l'Italian Sounding rivolte ai giovani**" [Memorandum of Understanding for the implementation of educational initiatives against counterfeiting and Italian Sounding addressed to young people] aimed at defining a unitary and joined educational programme to implement across Italy to encourage the involvement of as many students as possible to transmit them legality values.



CNAC is the Interministerial body, foreseen for by art. 145 of the Industrial Property Code (CPI), amended by Law no. 99 of 23 July 2009, with the function of "boosting and coordinating the Strategic Actions undertaken by each Administration, in order to improve the overall action to fight counterfeiting at national level".



# Anticounterfeiting technologies

## MECHANICAL

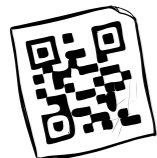
### Labels

Laser engraving  
Anti-alteration devices  
Seals  
Safety wire  
Film

Woven  
Adhesive  
Heat-shrinkable - sleeve with micro-etched cliché  
Resistant  
Destructable  
Void  
Cards



## MARKING



Optical memory band

Optical reading codes

Holograms

Inks

Encrypted images

Filigree drawings

Microtest

GUILLOTAGE / Iris print

Unique identifying signs / Artifacts

CDP  
(Copy Detection Pattern)

One-dimensional and two-dimensional barcodes

Sensitive to UV and IR radiation  
Magnets  
OVI and iridescent  
Thermochromic  
Reagents  
Penetrating



## DIGITAL MEDIA

DRM systems  
(Digital Rights Management)

Digital Watermark



## CHEMICAL AND PHYSICAL

DNA Code

Chemical coding and tracers

Code through glues

Surface Fingerprint e  
Laser Surface Analysis



## ELECTRONIC

RFID  
(Radio Frequency Identification)

NFC  
(Near Field Communication)

Electronic seals

Magnetic strip

Contact chip

Passive and Active

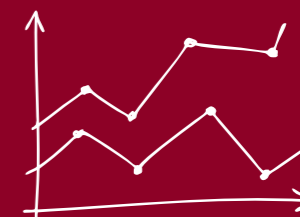
BAP  
(Battery Assisted Passive)

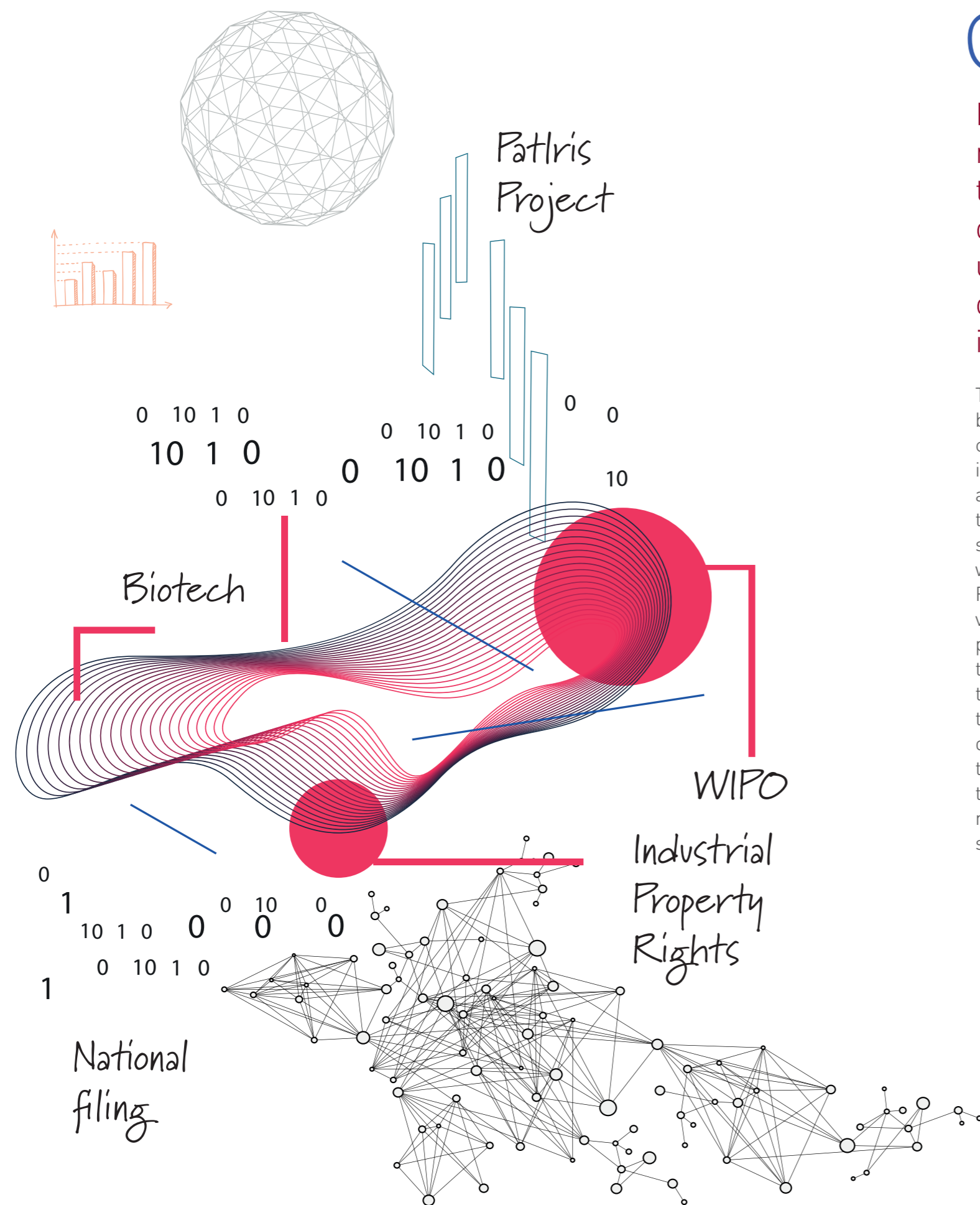
PUF  
(Physical Unclonable Functions)



# DATABASES

Databases are one of the main tools through which the Directorate General disseminates constantly updated information and data of public interest on its institutional activity





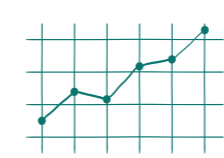
## Databases

Databases are one of the main tools through which the Directorate General disseminates constantly updated information and data of public interest on its institutional activity

These databases are regularly accessed by a great variety of users: from ordinary citizens or companies potentially interested in filing a patent or trademark application, and, for example, need to know the state of the art or wish to carry out further prior art searching for their inventions, to subjects who already hold Industrial Property Rights and are interested, for example, in verifying the existence of any application potentially in conflict with their rights; from the professional or consultant operating in the field of Industrial Property, who uses them as a usual daily work tool, to the staff of the Directorate General that use them to manage more effectively and efficiently the administrative procedures under their responsibility, as well as providing real-time specialized assistance to external users.

## Database of National Applications for Industrial Property Rights

The Database of National Applications for Industrial Property Rights contains the main bibliographic data (title, application number, patent filing date, patent grant date, applicant name, etc.) of applications filed for all types of Industrial Property Rights (patents, trademarks, designs, European patent validations, etc.) and related applications from 1989 to the present day. This is certainly the most accessed database and the data it contains is updated daily. Users can search for a specific application by entering the number of the application for which they want to access the data, or by combining various criteria. In this case, the database returns a list of applications that match all the parameters entered by the user (for example, it can return a list of all the patent applications for an invention filed by a person in a given period of time). It also provides the user with a number of additional benefits, such as access to official trademarks bulletins, statistics on applications filed, access to conversion lists for comparison between the old and new patent application numbering formats. The database that is currently online has recently been redesigned both in its architecture and in its graphic form. It is the result of a long and important re-engineering process that involved the entire information system of the DGLC-UIBM, from online filing procedure to application assessment, up to patent granting and registration.



## National Database for Biotechnology and Life Sciences Inventions

The National Database for Biotechnology and Life Sciences Inventions collects all patent applications for inventions in these fields that have been filed from 1 July 2008 onwards. The webpages, available through the site of the Directorate General, contain a great deal of general information: statistical reports by year, the list of IPC classifications taken into consideration, with hyperlinks leading users to the official explanation of the patent classes considered (choice of classes according to the methodology suggested by the OECD). The search engine, integrated into the data structure of the official website, allows the user to obtain the bibliographic data of the patent applications in the sector, searching based on different parameters: IPC classes, keywords in the title, filing territory (Chambers of Commerce [CCIAA]) and year. In the two-year period examined, in fact, the [www.uibm.gov.it/biotech](http://www.uibm.gov.it/biotech) webpages were redesigned in terms of both architecture and graphic form, and the information sections were enhanced; in the 'Come fare per' (How to) section, some indications have been published to support users who need to:

- ✓ File a Sequence Listing;
- ✓ Deposit Biological Material (Art.162 CPI);
- ✓ Present the statements pursuant to Art.170bis of the Industrial Property Code (origin of biological material, informed consent of the donor of the material used to patent a product, statements regarding legal requirements relating to GMOs).

The Directorate actively participates in “**European Biotech Week**”, the European event that promotes the biotechnology industry as a key sector for technological progress.

In the context of this initiative, in 2017 the Directorate held the conference “**La normativa relativa alla proprietà industriale nel settore delle biotecnologie**” (Industrial Property Code in the biotechnology sector) that was attended by a panel of international experts.

In 2018, the theme of the event was “La valorizzazione economica dei brevetti del settore biotech” (Improving the economic value of patents in the biotechnology sector), during which the reorganization of the Biotech database was presented.

### Reorganization of the Biotech database



## Management and Evolution of the Patlris Project

Developed in collaboration with the Department of Business Studies at the University of Bologna, the **Patlris project** consists of a database, made available on the Internet, which collects information on patents filed by Italian universities and public research centres.

Thanks to Patlris, it is possible to have updated information and indicators, thus promoting research, business operations and political reflection on issues that are key to economic development. The database used is that of Orbit.com, which collects detailed information on patents owned by universities and public research institutions in Italy and worldwide from 1947 to 2012, from which Patlris takes the data relating to the 96 Italian public research institutions (94 universities, CNR and ENEA).

Patlris focuses on the presentation of data and some simple aggregations that provide:

- ✓ the overall trend over time and the main trends;
- ✓ an in-depth analysis of what happened over the past ten years;
- ✓ some positioning indicators concerning technological and geographical areas;
- ✓ the specific situation of the most active companies

## Italian Patent Database

Access to information on patents, both granted and pending, is a key element of any business strategy based on Intellectual Property. Access to this information is a prerequisite for monitoring the state of the art and it is of great importance for both potential patent owners and research authorities and examiners. It is for these reasons that the project aimed at creating the online archive of the Italian patents filed from 1 July 2008 allowed the DGLC-UIBM, in December 2015, to make accessible for the first time via the Internet the Italian patent documentation, instead of only the bibliographic data, which for the Directorate General represented the achievement of a historic, extremely important objective.

The Italian patent database (<http://brevettidb.uibm.gov.it/>) contains the files of about 35,000 granted patents, relating to applications filed from 1 July 2008 onwards. Developed in the context of Italian Fund-in-Trust at the **WIPO (World Intellectual Property Organization)**, the new database is perfectly aligned with the WIPO Agenda and Program 13 -GLOBAL DATABASES - aimed at encouraging greater disclosure of patent information.

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on certified paper FSC

Activity Report 2017-2018  
The Directorate-General for the Fight against Counterfeiting –  
Italian Patent and Trademark Office



*Ministero  
dello Sviluppo Economico*

Direzione Generale per la Lotta alla Contraffazione  
Ufficio Italiano Brevetti e Marchi