

# **New Technologies in IP Enforcement: the Anti-Counterfeiting Blockathon Infrastructure Project**

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## ANTI-COUNTERFEITING BLOCKATHON INFRASTRUCTURE PROJECT

In 2022...

**5.8%** of EU imports (**EUR 119 billion**) in 2019  
are attributed to counterfeit and pirated goods

Source: 2019 EUIPO/OECD Report

**12% of EU consumers**  
were misled into buying a **fake product** instead of a genuine one.

**37%** of consumers **wondered** whether the product they had purchased  
online was **real or fake**

Source: IP Youth Scoreboard 2022

## EU LANDSCAPE – THE EU TOOLBOX AGAINST COUNTERFEITING



- ❑ Announced in the [IP Action Plan](#)
- ❑ Highlighted in the [EU Strategy to tackle Organised Crime 2021-2025](#)
- ❑ Building on:



- ✓ ‘follow the money’ approach to IPR enforcement
- ✓ work of the [European Observatory on Infringements of IPR](#) (EUIPO)
- ✓ good practices with key public & private sector actors (e.g. [MoUs](#))
- ✓ existing & pending EU legislative & policy initiatives ([Digital Services Act \(DSA\)](#), [Directive on measures for a high common level of cybersecurity across the Union \(NIS2\)](#), [2020 Customs Union Action Plan](#), [EMPACT 2022-2025](#))

## EU LANDSCAPE – THE EU TOOLBOX AGAINST COUNTERFEITING

### Clarifying roles, actions & measures

- Online/offline intermediaries & rights holders
- Complementary to the DSA, etc.
- Building on good practices (e.g. [MoUs](#), [EUIPO Expert Group Cooperation with intermediaries](#))



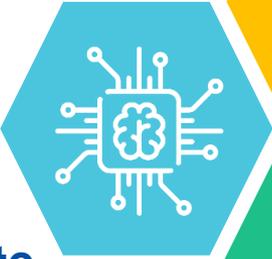
### Enhancing cooperation

- Between intermediaries
- Between intermediaries & rightsholders
- Between public authorities
- Between intermediaries, rights holders & public authorities



### Promoting innovation, development & use of adequate tools & new technologies

- Blockchain ([EUIPO Blockathon pilot project](#))
- Artificial intelligence
- Automatic content recognition ([EUIPO discussion paper](#))
- [EUIPO IP Tech Watch Discussion Paper](#)
- [EUIPO Anti-Counterfeiting Technology Guide](#)



### Facilitating information sharing

- More & better data
- Better interoperability between databases
- Expanding existing tools (e.g. [IPEP](#))
- EU data protection and competition laws



## WHAT IF TECHNOLOGY COULD...

**Guarantee product authenticity throughout the whole supply and logistic chain? ...**

**...And:**

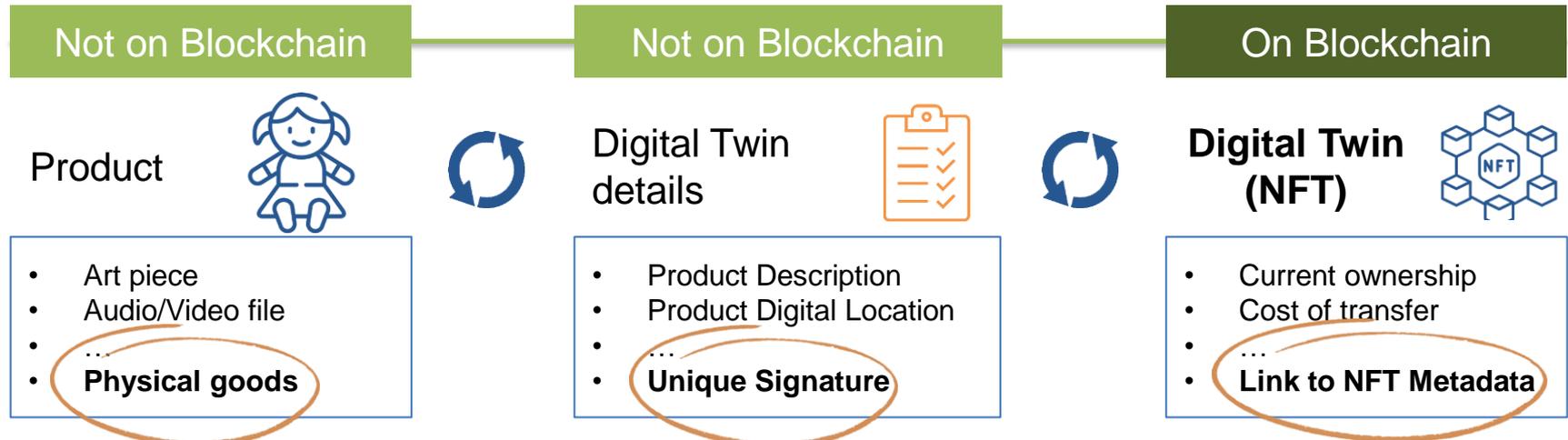
- ✓ Ensure inclusion at minimal costs in existing production and distribution line
- ✓ Address transparency on external supply chain and logistics without compromising business and trade secrets
- ✓ Stay versatile in order to be part of additional digital solutions such as track and trace, or products' EU and national regulation compliance

## DEFINITION OF BLOCKCHAIN AND NFT

A **shared book of transactions** (a digital ledger) **duplicated and distributed** across the entire network of computers taking part in the system.

Transactions **contain immutable data cryptographically encrypted (confidential)**.

By design, Blockchain records information **difficult or impossible to change, hack, or cheat the system (tamper proof)**.



## PROJECT FITNESS AND EUIPO ROLE

EUIPO as unique actor **to involve all parties in the chain**, establishing links with existing systems: rightsholders and enforcement authorities (IPEP), EU IP Offices (IP Register on Blockchain).

**Project aim:** a scalable, decentralised, blockchain authentication platform to prove **authenticity of products** and **support enforcement authorities** in fight against counterfeits.

**Timeline:** **Proof of Concept by 2022**, Minimum Viable Product by 2023

**EU scope:** European Blockchain Service Infrastructure (**EBSI**) features for Self-Sovereign Identity and product traceability. EBSI is part of the overall Connecting Europe Facility Programme through the European Blockchain Partnership.



## PROJECT VISION OF END SOLUTION



Video URL: <https://www.youtube.com/watch?v=upwMUmKwZ7g>

## PROJECT USE CASE

**RIGHTHOLDERS**

**MANUFACTURERS**

**LOGISTICS OPERATORS**

**ENFORCEMENT  
AUTHORITIES**

Blockchain

**CONSUMER**

**RETAILER**

Authorized creation of NFT

Create and package **physical products** with product tag  
Emit NFT bound to physical goods, pallets and/or containers

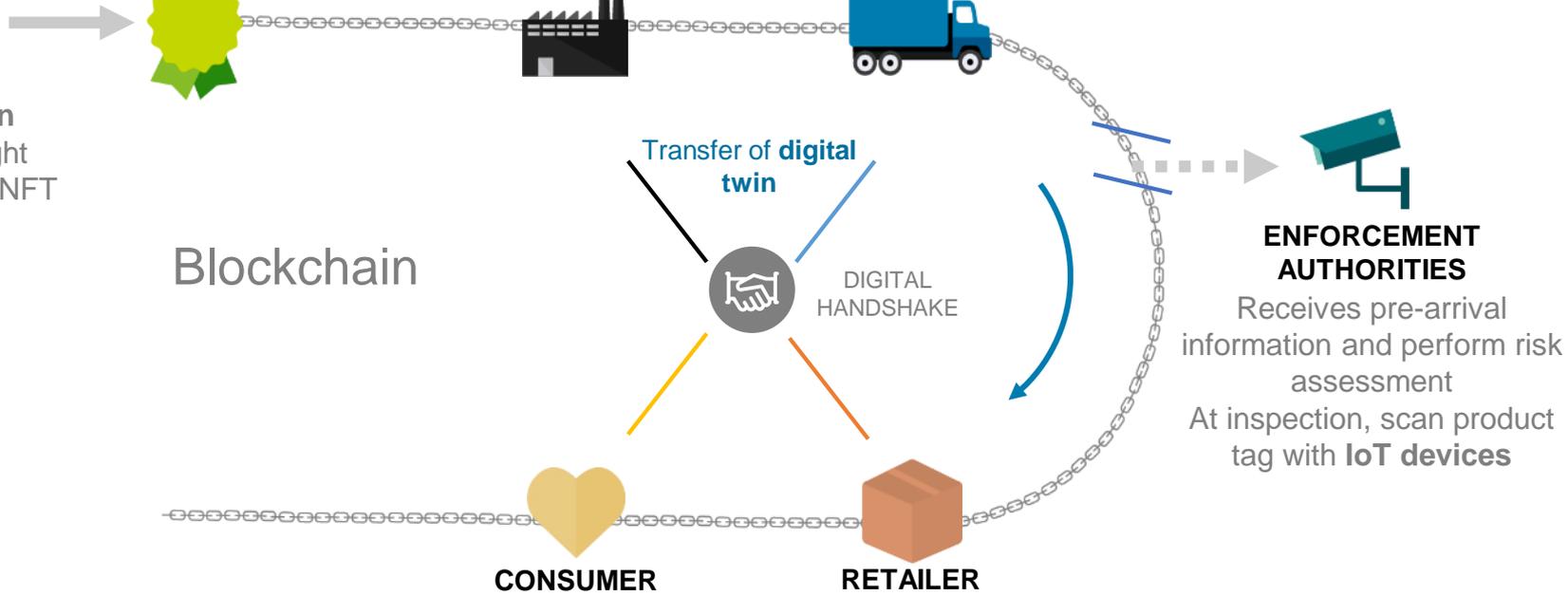
Take possession of physical goods.  
Scan product tag using **IoT devices**

Receives pre-arrival  
information and perform risk  
assessment  
At inspection, scan product  
tag with **IoT devices**

Transfer of digital  
twin

DIGITAL  
HANDSHAKE

**EUIPO**  
Provide  
authentication  
platform for right  
holders to create NFT



## PROPOSED SOLUTION HIGHLIGHT

**An open source blockchain to liaise with all blockchain and IT systems**, designed to share authenticated shipment and product data through supply chain, to disincentivize the creation and distribution of fake goods.

### An Identity Management System



- Provide brand owners with means to sign digital twins of physical products
- Act as repository for verified brands signature to all parties in the chain
- Rely on existing EUIPO registers for Trademarks and Designs (TMDSView) and could interact with national EU IP Offices through IP Register in Blockchain

### A peer-to-peer logistical layer



- Provide a common language for track and trace providers and companies' legacy systems to collect and share data for anticounterfeiting operations
- Notarise on the blockchain an audit trail of the product shipment history at recurrent point in time

## PROPOSED SOLUTION MAIN KEY REQUIREMENTS



### Scalability

The solution can be applied at different layers (sub-product, product, pallet, container)  
The volume of information in all blockchain remains low for take-up and expansion



### Transparency

Brand owner signature verification available to all stakeholders connected in the chain  
History of product shipment notarised through a chain of shared data



### Confidentiality

Minimum information provided to each stakeholder and through selective disclosure, thus protecting commercial information



### Interoperability

Brand owner choose their own NFT platform, manufacturers leverage existing physical identification technology, transport and logistic operators use their track and trace system



### Security

Global chain and information flows remain cryptographically protected  
Trusted issuer mechanism for digital signature



### Compliance

The solution can fit in services offered by the European Blockchain Service Infrastructure  
The solution is compliant with data protection, data privacy, and will follow ISO TC/307 blockchain governance standards

## PROJECT NEXT STEPS IN 2022



Feedback and Engagement through the [Blockathon Forum](#)

ANTI-COUNTERFEITING  
BLOCKATHON  
FORUM

# Thank you!



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**THANK YOU**

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# 技术创新助力中国版权保护

FACILITATING COPYRIGHT PROTECTION IN CHINA  
THROUGH TECHNOLOGICAL INNOVATION

江波

腾讯集团法务副总裁、副总法律顾问

JIANG BO, VICE-PRESIDENT LEGAL AFFAIRS,  
DEPUTY GENERAL COUNSEL OF TENCENT GROUP IN SHENZHEN, CHINA

# ↑ 新业态：版权产业与科技创新双向驱动

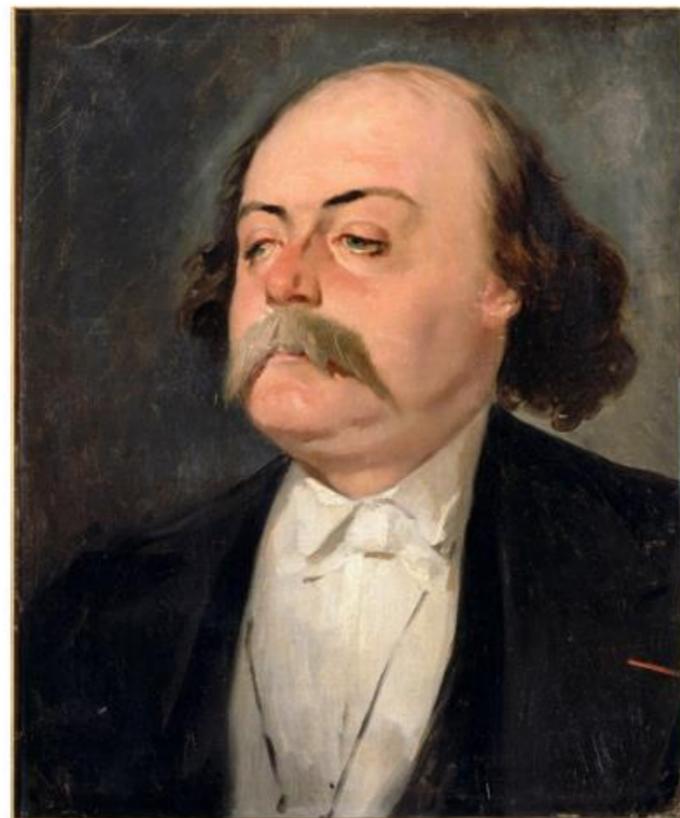
**New business models: The two-way relationship between copyright industry and technological innovation**

科学和艺术在山脚下分手，  
在山顶上汇合。

——福楼拜

Science and art break up at the foot of the  
mountain and meet at the summit.

——Gustave Flaubert



# 科技和创作的结合 是充满想象的。

The combination of technology and  
creation is full of imagination.





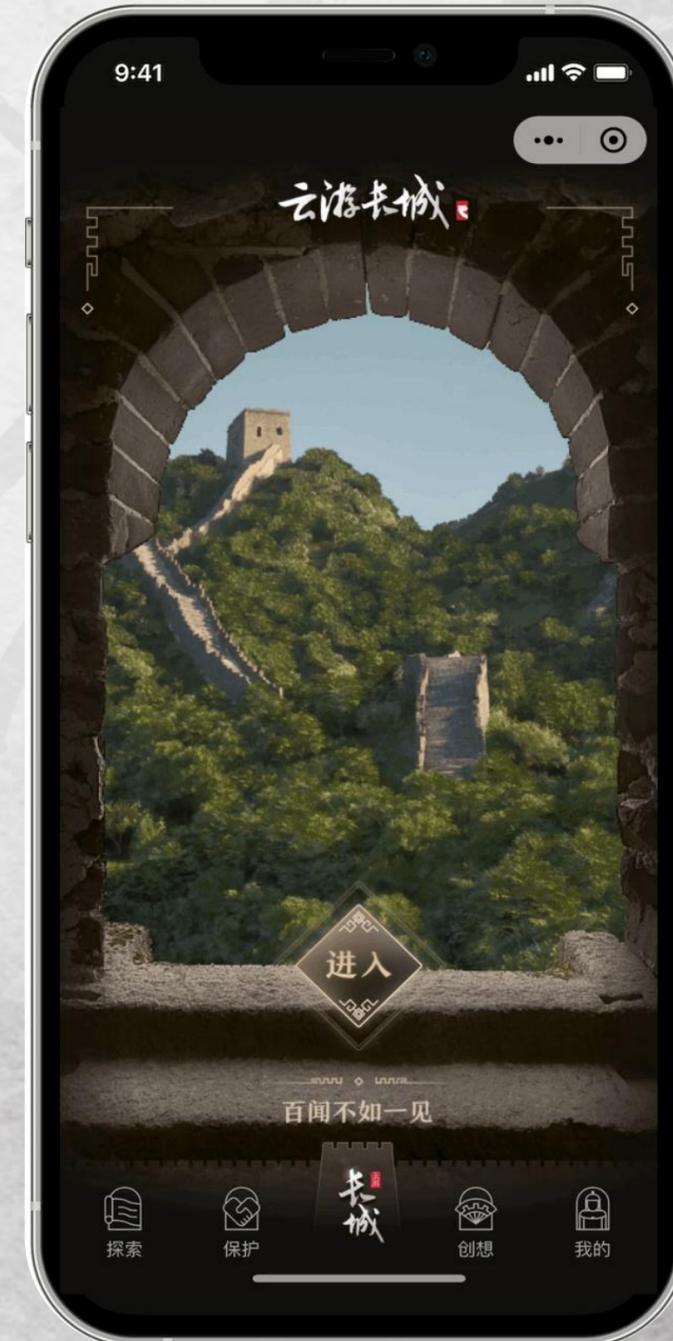
# 数字长城

Great Wall  
E-tour



## 技术, 让古老的文化遗产焕发新的生机。

Technology revitalizes ancient cultural heritages.



Tencent 腾讯

# ↑ 技术，让艺术创作 更加丰满

Artistic creations are more diversified  
by incorporating culture and  
technology into games.



王者荣耀新英雄  
云缨

新晋越剧女小生  
上官婉儿  
SHANG GUAN WAN ER

# 技术, 让数字内容拥有更大价值。

Technology widens the digital economic models and and promotes the development of the cultural creativity industry



三星堆博物馆 | 腾讯SSV / 数字文化 | 区块链

科技搭台·文化有戏

### 三星堆 8号坑 数字藏品限量发行

挖掘古蜀藏品, 品鉴千古文明

 三星堆 大型神坛 (限量1000份) 6月14日 10:00发行	 三星堆 大型青铜立人神兽 (限量1000份) 6月14日 10:00发行	 三星堆 隐藏版 (限量1000份) 6月15日 15:00发行
 藏品原貌	 藏品原貌	 藏品原貌

6.14·6.16 三星堆8号坑发掘之际  
「三星堆博物馆」联合「腾讯数字文化实验室」  
同步发行3款三星堆8号坑新出土文物数字藏品

参与挖掘

由「四川省文物考古研究院」提供学术指导

15:10

新元年

故宫美妆鹤禧觉色「博古清供」郎窑红数字折扇

官方授权·至信链技术支持·限量发行

故宫美妆鹤禧觉色  
以故宫IP为基础的中国美妆民族品牌

最近收藏

藏品描述

活动已结束

# ▣ 新挑战：技术与制度两元融合

**New challenge: Dual integration of technology and regulations**

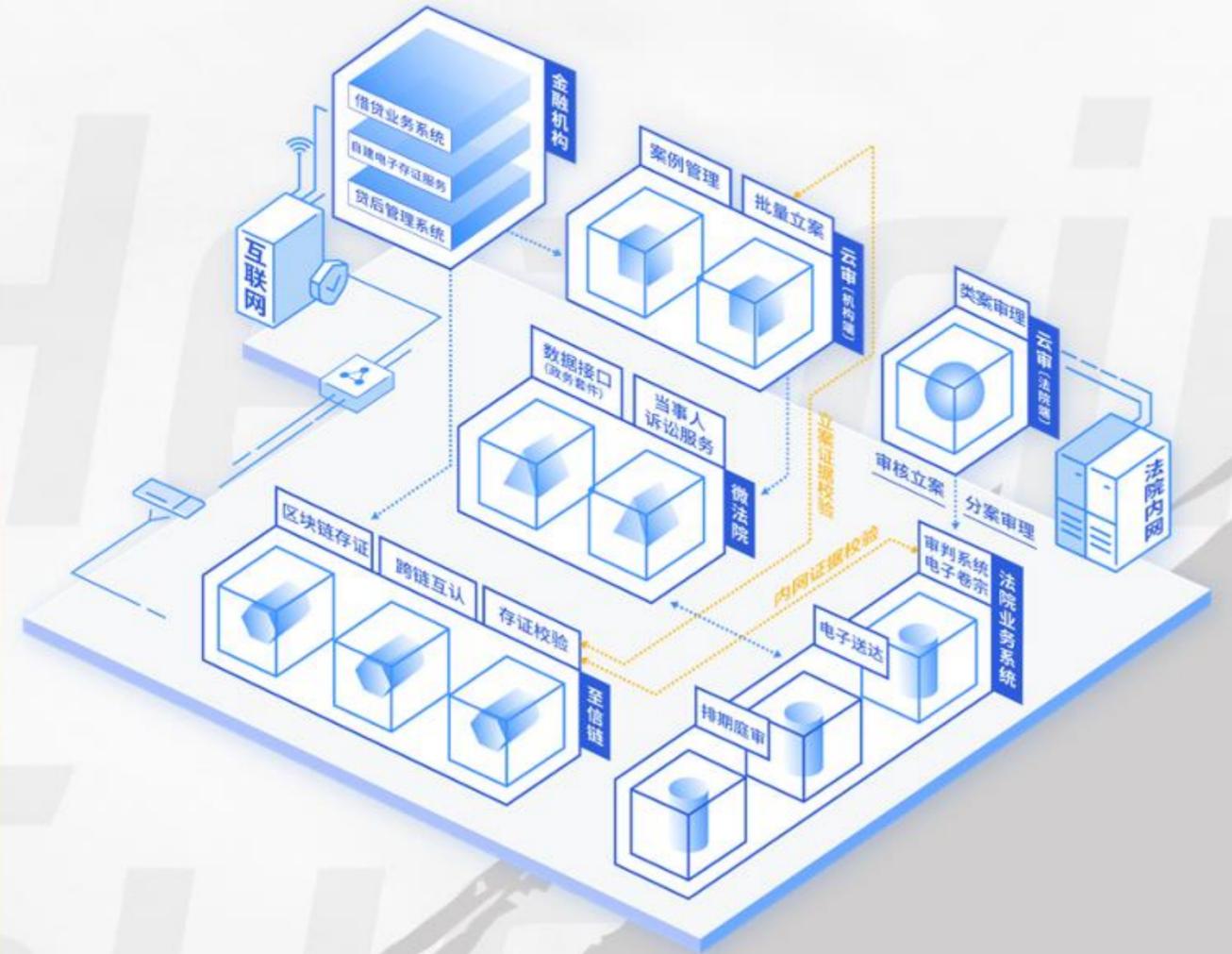
中國有句古話“凡益之道，與時偕行”



**There is an ancient Chinese teaching:  
All good principles should adapt to changing times to remain relevant**

The development of new technologies such as big data, blockchain, and AI has brought not only challenges to online copyright protection, but also new methods that are difficult to realize against the backdrop of traditional technologies to combat online infringement and piracy, which have provided favorable solutions to copyright protection.

# 深圳前海法院 “至信知产云审系统” Zhi Xin Intellectual Property Cloud Hearing System



# **↑ 新治理：技术保护与平台治理协同**

**New governance: Synergy between technological protection and platform governance**



**科技平台对社会的责任和义务比想象的要大得多，  
发挥平台的科技能力，建立更便捷、更全面的知识产权平台治理体系。**

Platforms should also make the best of their technological capabilities to build a more convenient and comprehensive intellectual property platform governance system, in which the relevant companies are also actively adjusting their own development paths and models.

我们希望各界一起携手去寻找  
产业发展、文化繁荣、版权保护的“社会价值”答案。

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We hope that all sectors will join hands to find the answer to the social value of industrial development, cultural prosperity and copyright protection.

# THANK YOU

江波

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