

# European Observatory on Infringements of Intellectual Property Rights

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## 2024 Annual Activity Report





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# 1. Executive Director's introduction

Since the entry into force of Regulation (EU) No 386/2012 entrusting the European Union Intellectual Property Office (hereafter 'the Office' or 'the EUIPO') with the European Observatory on Infringements of Intellectual Property Rights ('the Observatory Regulation'), the Observatory has built a broad and rich network of public, private and civil society stakeholders as well as observers and experts. Building on fact-based evidence from a wealth of over 160 economic, infringement intelligence and market research studies, the Observatory's work provides the Office with a comprehensive outreach capability to raise awareness of IPRs and their infringement, and to support its effective enforcement.

New insights on the economic impact of counterfeiting in the three key sectors of clothing, cosmetics, and toys, have confirmed the damaging effects of IPR infringement. Research in this respect was released in early 2024 and has achieved extensive public reach.

During 2024, the Office continued its collaboration with the Organisation for Economic Co-operation and Development (OECD) with a study on illicit trade in fakes under COVID-19 and continued to participate actively in the leadership of the new OECD's Working Party on Countering Illicit Trade, in close coordination with the European Commission. Collaboration with the Directorate-General Taxation and Customs Union (DG TAXUD) also facilitated the development of our flagship enforcement tool IP Enforcement Portal (IPEP), and a joint report on detentions and EU enforcement of IP rights was published.

The joint intelligence report carried out with Europol to identify the link between IP crime and other serious and organised crime was released in the spring. The findings give weight to the continuing need to keep the fight against IP crime among the priorities for law enforcement in the next cycle of the European Multidisciplinary Platform Against Criminal Threats (EMPACT), which will run from 2025 to 2029. The Office is actively supporting the enforcement actions of the current EMPACT cycle (2022-2025) within its mandate under Regulation (EU) No 386/2012.

During 2024, the Observatory placed greater focus on enforcement and awareness-raising activities. A 'sports week' organised at the beginning of the year to facilitate pre-operational enforcement exchanges of information was followed in June by a pan-European 'Play Fair' media and social campaign supported by the International Olympic Committee. The annual pan-European media campaign carried out on the occasion of the World Anti-Counterfeiting Day in June was dedicated to sports, considering the context of the UEFA European football championship and the Paris 2024 Olympic Games. It achieved unprecedented media coverage as well as social media reach due to an additional campaign targeting influencers. Efforts have also been invested to reach out to influencers in collaboration with the European Commission. An IP skills training course for influencers was developed and integrated in the European Commission's Influencers Legal Hub.



**João Negrão**

Executive Director, EUIPO

In the area of copyright, initiatives were developed to support the future establishment of an EUIPO Copyright Knowledge Centre. The Observatory, in cooperation with interested parties, launched a study on generative AI and copyright, and focused on improving the Out-of-Commerce works portal as requested by stakeholders.

In addition, the Observatory actively supported the monitoring of the European Commission's Recommendation on combating online piracy of sports and other live events, establishing a dedicated network of national copyright administrations to this effect, and also supported the monitoring of the implementation of the European Commission's Recommendation on measures to combat counterfeiting and enhance the enforcement of IP rights.

On the wider European and international stage, the Office cooperated closely with the European Commission and EU enforcement agencies to ensure close alignment with broader EU policies and priorities in the field of IP.

To strengthen the fight against IP crime, the EUIPO cooperated with, inter alia, Europol, Eurojust, the European Union Agency for Law Enforcement Training (CEPOL), DG TAXUD, and the European Anti-Fraud Office (OLAF).

Despite the challenging economic context, the Observatory was able to carry out its 2024 Work Programme successfully.



## 2. The Observatory and the EUIPO

### 2.1 Network

The EUIPO's Observatory Department acts as the secretariat of the European Observatory on Infringements of Intellectual Property Rights network. Headed by a Director, it comprises the Operations & Projects Area, led by a deputy director, and includes services for Enforcement, Outreach and Knowledge of IP, and IP in the Digital World.

As well as representatives of the 27 Member States, the Observatory network includes 74 private sector stakeholder organisations, 12 organisations representing civil society, 15 European and international organisations that act as observers, and 7 MEPs designated by the European Parliament to follow the Observatory's activities.

Private sector stakeholder organisations include a broad and balanced range of European and international associations representing the various economic sectors, which are the most involved or experienced in the fight against infringements of IPRs. Consumer organisations, SMEs, authors, and other creators are also represented. In this way, the Office complies with the requirement of proper representation in the Observatory of all the actors mentioned in Article 4(2) of Regulation (EU) No 386/2012 of the European Parliament and of the Council of 19 April 2012 on entrusting the Office for Harmonization in the Internal Market (Trade Marks and Designs) with tasks related to the enforcement of intellectual property rights.

A full list of members of the network is available on the Observatory website at:

<https://www.euipo.europa.eu/en/observatory/about-us/network>

The Observatory has a published set of criteria for private sector stakeholders, designed to ensure that the Observatory can benefit from a broad range of expertise, while ensuring that only organisations directly interested in its work participate. These criteria are published on the Observatory website: <https://www.euipo.europa.eu/en/observatory/about-us/stakeholders>

To ensure that the Observatory network represents a wide range of perspectives, additional civil society organisations are encouraged to become stakeholders, including national civil society organisations.

### 2.2 Meetings

The Observatory representatives collaborate in working groups (WGs) on several different subjects. The members of these WGs provide valuable feedback and support for the Observatory's projects, so that expert advice from all sectors involved can be considered. There are currently four WGs:

- *Enforcement;*
- *IP in the Digital World;*
- *Public Awareness;*
- *Economics and Statistics.*

Specialised subjects are dealt with by focused expert groups (EGs), where relevant specialists provide expertise and input on Observatory initiatives. The experts represent themselves and not a particular organisation or institution. A particular EG will only exist if its work is still required; however, new EGs can be created as needed.

There are currently five Observatory EGs:

- *Observatory Outreach;*
- *Legal;*
- *Impact of Technology;*
- *Cooperation with Intermediaries;*
- *International Cooperation.*

In 2024, the WGs met in Alicante from 16-18 April 2024 and online from 5-7 November 2024.

The Impact of Technology EG held a two-day workshop on new technology trends in February 2024. The EGs on Observatory Outreach and Cooperation with Intermediaries met in Alicante in parallel to the WGs in April. The EG on International Cooperation met in July and the Legal EG in October. The EGs on Impact of Technology, Cooperation with Intermediaries, and International Cooperation met again online during Q4/2024.

## 2.3 Observatory planning and goals

The Observatory's strategy is embedded in the wider EUIPO strategy. 2024 was still covered by Strategic Plan 2025 (SP2025), with a focus on concluding relevant strategic projects, and laying the ground for the new Strategic Plan 2030 (SP2030) starting in 2025.

The three main goals of the Observatory, as set out in Regulation (EU) No 386/2012, are to:

- *provide facts and evidence for use by policymakers in the formulation of effective IP policies;*
- *create tools and resources to boost the fight against IP infringement;*
- *raise awareness of IP and of the negative effects of counterfeiting and piracy.*

The process followed by the Observatory to produce its reports and studies is based on the following principles:

- *Observatory stakeholders should be involved in identifying the reports and studies to be undertaken, as well as in defining their scope and terms of reference;*
- *the reports/studies should be carried out in full, according to the agreed terms of reference, and in an independent manner;*
- *Observatory stakeholders should be given access to the conclusions of the reports/studies in advance;*
- *the rules governing the Office, and more particularly its decision-making processes, should be complied with.*

The Observatory produced 15 publications in 2024, with executive summaries available in all EU languages in most cases <sup>(1)</sup>. These were disseminated via the internet, social media and, where relevant, the press, as well as to institutional stakeholders.

The following sections describe in detail the activities carried out to support the three main goals within the scope of each of the WGs and EGs. This is supplemented with separate sections on tools, cooperation and

communication activities, and on activities in support of the Office's SME Programme.

Article 7(3) of Regulation (EU) No 386/2012 requires that the representatives of the public administrations, bodies and organisations in the Member States be duly consulted on the Annual Activity Report. The public sector stakeholders are asked for their input on, and are kept informed about, the work programme. In addition, the results of the Observatory's work are reported to them on a regular basis. The report was submitted under Article 7(3) of Regulation (EU) No 386/2012 and presented in the Public Sector Stakeholder meeting in Poland on 18/19 February 2025.

## 3. Public Awareness

The activities of the Public Awareness Working Group support one of the main goals of the Observatory: to raise awareness of IP and of the negative effects of counterfeiting and piracy. Much of this work is based on the studies that are conducted by the Observatory and released in the media, to stakeholders and policymakers.

### 3.1 Targeting youth



Initiatives addressing the younger generations were developed through the Ideas Powered initiative and notably its social media presence on Facebook, X and Instagram which have grown, with 49 000, 22 000, and 40 800 followers respectively, giving a total of over 120 000 followers.

In addition, the Observatory makes use of the EUIPO's social media channels, which have 124 000 followers on X, 140 000 on LinkedIn, 91 000 on Facebook and 27 000 on Instagram.

<sup>1</sup> The exceptions are the discussion papers on the good practices of (online) intermediaries which are only published in English.

As part of its efforts to reach out to influencers, the Observatory developed two IP training modules for influencers, including two videos, two legal briefs, and a step-by-step guide. In collaboration with European Commission, these materials were integrated into DG JUST's [Influencer Legal Hub](#) in September. It also contributed to online events organised by stakeholders on influencer marketing and challenges for IP protection and enforcement.

The Observatory also joined forces with stakeholders with a presence in dedicated trade fairs and notably contributed education and campaign materials (Play Fair) to the Greek Interagency for Market Control Unit (DIMEA) stand at the Thessaloniki International Trade Fair in September 2024 which attracted over 200 000 visitors.

## 3.2 Pan-European and national campaigns



Five countries were selected for a media dissemination campaign in January 2024, focusing on the study quantifying IPR infringement in the clothes, cosmetic and toys sectors. This achieved an impressive media impact: 735 articles were captured, published by 650 media outlets across 52 markets with a total reach of 46 408 015 people and an advertising value equivalency (AVE)<sup>2</sup> of EUR 14 256 944.

In 2024, the Office leveraged major international sports events like the Olympic Games and the UEFA European Football Championship to raise public awareness about the importance of IP in sports and the detrimental effects of counterfeits and piracy in the sector. The '[Play Fair](#)' campaign, launched on the occasion of the World Anti-Counterfeiting Day, was the most successful pan-European anti-counterfeiting

media campaign in terms of reach – around 50 million people. Notably, an influencer campaign was piloted in this context, specially targeted at young people, involving a dozen influencers chosen from various countries. This initiative produced 29 pieces of social media content, reaching a potential estimated audience of close to 3 million, primarily individuals aged 13 to 34.

The campaign with 1 278 clippings among which 16 % in tier one media outlets, had a total AVE of more than EUR 15 437 000, covering all EU Member States.

Media campaigns were also carried out in selected countries to coincide with the launch of key studies.

Regarding other national awareness campaigns, the 12 projects selected as part of the 2023 call for awareness proposals implemented all foreseen activities, namely educational initiatives, as well as youth and consumer initiatives, some of them cross-border in several EU Member States.

Member States also obtained financial support for public authority awareness initiatives through the existing cooperation framework between the EUIPO and national IP offices. Some 90 actions were implemented in 2024, covering awareness and enforcement activities.

In the context of the cooperation programmes with Member States, the [Authenticities](#) Cooperation Project continued to develop with national and regional IP offices, municipalities, local organisations and, where relevant, private sector stakeholders, to help combat the problem of fake products and piracy. The European network of certified 'Authenticities' grew to 18 cities, in Bulgaria, Greece, Latvia, Portugal, Slovakia and Spain, with other cities also showing interest in joining the network.

National actions have been implemented to increase awareness of IP rights among citizens and businesses: the Fight Fake campaign organised in Sofia in March, as part of the Sofia fashion show and in cooperation with an Ideas Powered influencer, achieved relevant visibility.

<sup>2</sup> Advertising value equivalency (AVE) is often used to measure the monetary value of media coverage of a PR campaign. AVE measures the size of the media coverage, the space allocated, and calculates the advertising rate for a similar advertisement.



### 3.3 IP in Education



The IP in Education network met in Heraklion in May 2024 and online in October. The focus of the meetings was to give the Member States the opportunity to share their progress on integrating IP into their national curricula, as well as to leverage dissemination efforts of newly created materials such as EUIPO Massive Open Online Course (MOOC) modules and an interactive AI factsheet.

The Observatory developed two new modules of the MOOC on intellectual property – a module on entrepreneurship and trade marks, and one on patents and innovation. The MOOC aims to enhance the IP skills of all learners, from secondary school and tertiary level students to those with no previous knowledge of IP. It offers both introductory and more advanced modules.

Several teacher training sessions were organised as part of the collaboration with the European Institute of Innovation and Technology (EIT), reaching over 1 500 teachers. Training on IP also addressed the 2024 Women and Girls in the Science, Technology, Engineering, and Math (STEM) Forum, in addition to some national teacher training sessions (e.g. in Spain).

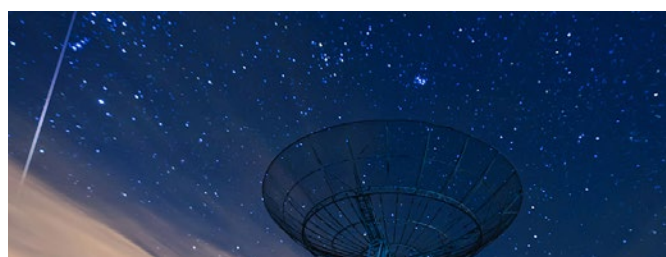
At the institutional level, the Office has been working with the Directorate-General for Education, Youth, Sport and Culture (DG EAC) and has contributed to the expert group for digital education content, as well as the one on AI literacy organised jointly by the OECD and the European Commission. Collaboration with the European Centre for the Development of Vocational Training (CEDEFOP) has also been initiated to integrate IP in vocation training education.

### 3.4 Contribution to policy making

To measure the relevance of Observatory studies and reports for EU policy making, a monitoring system has

been set up that enables the Office to identify when one of its studies is quoted in a policy document from the European Parliament, European Council, or the European Commission. According to this system, as of the end of December 2024, there were 469 documents published by the three EU institutions mentioning Observatory activities and reports, 24 of which were published during 2024. This was below target, as 2024 was an institutional transitional year (European Parliament elections and new European Commission), resulting in fewer strategic IPR documents published by EU bodies.

### 3.5 Observatory Outreach



Communication is of crucial importance to the ability of the Observatory to fulfil the role assigned to it by the legislator. Specific channels are used to address the different target audiences, including policymakers, public and private stakeholders and other official and private participants, enforcers and the general public. This is the focus of the Observatory Outreach Expert Group.

In 2024, outreach initiatives in media, social media, web and events (except grants and cooperation agreements activities) reached 135 million people cumulatively, thus nearly doubling the target of 70 million. Media outreach accounted for a very significant part of general outreach (nearly 80 %).

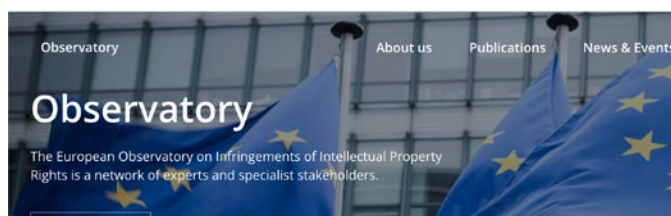
### 3.6 Media outreach

Media coverage monitors the performance of the media campaigns developed for the release of major studies, such as economic studies (notably the ones with the OECD and EPO), and mainly targets the largest Member States (Germany, France, Italy, Spain and Poland). A media campaign targeting all Member

States is carried out on the World Anti-Counterfeiting Day each June – this year it was the Play Fair campaign.

In terms of qualitative assessment, Observatory studies, and their results/data, are increasingly mentioned and assessed positively in major print or online press in the target countries. They are also attracting attention in audiovisual media, depending on the period of the release or the topic of the publication, in addition to more traditional coverage in the trade and IP-specialised press.

### 3.7 Website



The [Observatory website](#) was revamped in 2023 and a lighter structure implemented. Observatory publications and studies are now featured more prominently.

Production of webinars, featuring Observatory studies and tools, is a significant element of its outreach.

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## 4. IP in the Digital World

### 4.1 Copyright

The EUIPO is already entrusted with tasks in copyright enforcement and awareness. The Strategic Plan 2030 prioritises this work and envisages the creation of the **EUIPO Copyright Knowledge Centre** which should not only consolidate the existing activities on copyright, but also prepare new workstreams to support EU policy objectives and initiatives intended to reinforce EU copyright infrastructure and tackle the challenges posed by generative artificial intelligence. In 2024, the Observatory has been laying the ground for this initiative.

### Out-Of-Commerce Works Portal and the Orphan Works Database



On 7 June 2021, the [Out-Of-Commerce Works Portal](#) was launched by the Office, as required by Directive (EU) 2019/790 on Copyright in the Digital Single Market. Out-of-commerce works are works that are still protected by copyright but are no longer (or have never been) commercially available. The portal provides access to information about ongoing and future uses of out-of-commerce works and makes it easier for the rights holders of these works to exercise their rights.

As a result of the efforts of cultural heritage institutions, more and more sources of out-of-commerce works are being identified. An important part of European cultural heritage is made available to the public through the portal, which at the end of 2024 hosted over 2.5 million records. The functionalities of the portal are being improved, in particular to enhance the search functions and to facilitate the up- and downloading of records through an API software tool (expected to be ready by June 2025).

Meanwhile, the Orphan Works Database created under Directive 2012/28/EU continues to be in place, but with limited user uploads.

### Live event piracy – the Commission Recommendation

The EUIPO Observatory is supporting the fight against online piracy, including online piracy of live events. It monitors the trends on piracy, perceptions and economic impact with regular updates (see [Section 6.1 Quantification of infringement](#)).

In line with the European Commission's [Recommendation \(EU\) 2023/1018 of 4 May 2023 on combating online piracy of live events](#) ('the Recommendation'), [the EUIPO](#) has established a specialised network of representatives of national administrative authorities to facilitate regular

exchanges of information, good practices and challenges. In 2024, the Observatory organised two meetings with the national experts, during which all elements of the Recommendation (volume of piracy, notice and take down measures, injections, legal offers, monitoring, etc.) were discussed. The Observatory also organised a specific webinar to exchange information and practices on blocking measures.

The Observatory is also supporting the European Commission in monitoring the effects of the Recommendation, by gathering data from national authorities, rights holders and a number of intermediary services in the period January 2024 to June 2025. In the first half of 2024, a test data gathering exercise was carried out, whereas the next batch for the period 1 Jan – 31 Dec 2024 will be finished in January 2025.

Finally, in 2024 the Observatory created a dedicated website with details on the live event piracy initiatives: <https://www.euipo.europa.eu/en/observatory/enforcement/combating-piracy>

## Agorateka – the European online content portal

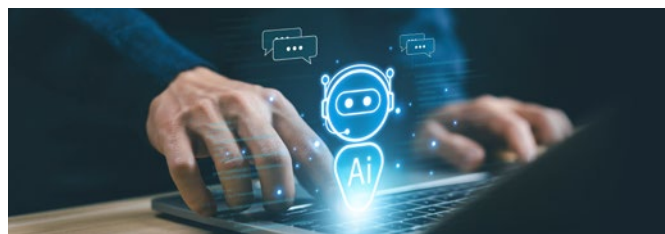


In September 2016, the Office launched a portal to improve consumer information regarding the availability of legal offers within Europe in the realms of music, sport, films/TV, video games and books. [Agorateka](#), the European online content portal, provides a single access point to national portals that lead consumers to legal offers. As of December 2024, 23 EU Member States are participating, along with Switzerland and the UK. Altogether, by the end of 2024, 4 988 legal offer sites are accessible through the portal.

Agorateka also benefits from transparency actions promoted by courts and enforcement authorities in anti-piracy actions. In an increasing number of Member States, an attempt to access an IP-infringing website that has been blocked after a court order

results in redirection to the Agorateka portal and participating national portals to encourage the visitor to access the legal offers instead.

## Generative AI and copyright



In 2024, the Observatory started a study that aims to contribute to the discussions on the relationship between Generative AI and copyright. The study will analyse technical solutions and practices being developed to limit, reserve, but also support access or license the use of copyright protected works as training materials for GenAI systems ('input'). It will also analyse the technical solutions and tools to identify content generated by GenAI and prevent content generated by or with the help of GenAI from infringing existing rights ('output'). The publication of the results is expected for spring 2025.

## 4.2 Cooperation with Intermediaries

In 2024, the work of the Expert Group resulted in two highly relevant discussion papers on best practices by intermediaries to combat the misuse of IP rights:

- [Apps and App stores discussion paper](#): *although apps and app stores offer numerous benefits, they are increasingly misused for illegal and IP-infringing activities. The discussion paper examines these challenges and highlights best practices by different actors in the app ecosystem to combat such misuse.*
- [Search engines discussion paper](#): *search engines drive online content and product discoverability and can lead users towards IP-infringing or otherwise illegal goods and services. This paper examines the roles of 'organic' and 'paid for' search results, and the misuse of search engine optimisation and*

*marketing techniques for IP-infringing purposes. It aims to enhance understanding of the interplay between users, search engines, and website owners, while identifying best practices to address these challenges.*

In 2024 the Office also developed further functionality for e-commerce marketplaces to use the IP Enforcement Portal (IPEP) to engage and cooperate with rights holders to reduce IPR infringement on their services. By the end of 2024, eight online marketplaces (including the world's biggest platforms) had joined the IPEP tool.

### 4.3 Anti-counterfeiting infrastructure on blockchain



The digital infrastructure built by the Office on blockchain to authenticate and share information on products between IP rights holders, enforcement authorities and logistic operators throughout the product supply chain went live in spring 2024.

The Office also continued working with key partners through a dedicated stakeholders forum (a network of blockchain experts and different entities involved in the fight against counterfeiting) to foster engagement in the infrastructure and promote its adoption, in close cooperation with the European Commission and its European Blockchain Services Infrastructure (EBSI).

Two pilots executed under this project were finalised in 2024 and the results are currently being evaluated. Initial results show that the infrastructure works well and can be used as intended.

New branding has been developed, to be launched in 2025.

## 5. Enforcement

The year 2024 marked significant strides in the enforcement of IP rights, with the EUIPO playing a central role in various initiatives under the European Multidisciplinary Platform Against Criminal Threats (EMPACT) framework, strengthening cooperation with EU bodies, and advancing tools and technologies for IP crime enforcement.

### 5.1 EMPACT-related actions

Since 2022, IP crime has been a priority for the EU in addressing serious and organised crime (EMPACT priorities). This has led to yearly or biyearly Operational Action Plans and national actions expanded across the EU. It is important to maintain the focus on IP crime, due to its implications for the economy, health, safety, and the environment. An information campaign was launched in 2024 with the aim of keeping the fight against IP crime on the EMPACT priority list for 2026-2029. Supporting materials were created and translated into five languages to broaden the campaign's reach.

The EUIPO participated in all IP crime-related operational actions in the EMPACT action plan, facilitating exchanges with rights holders and supporting reporting efforts. Key strategic outcomes under the EMPACT plan included the publication of the joint Europol-EUIPO report 'Uncovering the Ecosystem of Intellectual Property Crime: A Focus on Enablers,' which provided insights into the role of enablers in IP crime and shows a clear link between IP crime and other types of serious and organised crime. Additionally, the EMPACT IP criminal investigations handbook, led by the EUIPO, was updated with new chapters on trade secret theft and IT forensics. Version 2.0 of the handbook expanded its scope to cover IP-related fraud. The EUIPO also released the EMPACT IP Owner Guide to Criminal Referrals in IP Crime Cases, providing guidance for IP owners on referring criminal IP cases for prosecution.

Capacity-building efforts through collaboration with CEPOL were significant, with multiple activities such as train-the-trainers' sessions, webinars on fighting IP crime in major sports, and the creation of five Virtual Training Centre (VTC) modules on IP crime topics



including plant variety rights, geographical indications of agri-food products, and the link between IP crime and organised crime.

## 5.2 Cooperation with EU bodies



Collaboration with key EU bodies like Europol and OLAF, as well as national enforcement entities, played a crucial role in pre-operational and intelligence gathering efforts, particularly for major sporting events such as the 2024 Paris Olympic Games and UEFA European Football Championship. Detailed intelligence and pre-operational plans ensured effective enforcement during these events.

In addition to the joint Europol-EUIPO report on the IP crime ecosystem, the EUIPO collaborated with DG TAXUD to publish the report 'EU enforcement of intellectual property rights: results at the EU border and in the EU internal market 2023'. This report provides an overview of enforcement actions at the EU border and within the internal market.

The EUIPO also continued its project with OLAF to support the creation of a new system to automate the collection of national customs IP detention data, including nominal data, for OLAF. This will allow national enforcers and OLAF to analyse data across multiple countries, including for risk profiling. Development work on the tool started in 2024 and is planned to finish in 2025.

The EUIPO also worked with Eurojust to facilitate prosecutor exchanges, enhancing cross-border cooperation on IP crime cases. The publication of a complementary legal study on IP crime provided the first comprehensive overview of IP crime legislation since 2010, identifying legal gaps and areas for improvement.

## 5.3 Key workshops and events

Throughout the year, the EUIPO contributed to numerous workshops and events aimed at improving IP crime enforcement and raising awareness. Notable events included the EMPACT Strategic Meeting, the IP Crime Conference, the European Police Chiefs Convention (EPCC), and the international meeting of the European IP Prosecutors Network (EIPPN) at the World Intellectual Property Organization (WIPO). The EUIPO also co-organised workshops and events on Plant Variety Rights with the Community Plant Variety Office (CPVO) as well as the Sport Week event Customs Against Fakes with OLAF.

Additionally, the EUIPO supported the JAD Pirates II operation through the IP Enforcement Portal (IPEP) system and participated in key events, such as the Opson Workshop on Geographical Indications and the Operation IOS, all of which contributed to advancing operational actions to support IPR enforcement.

In conclusion, 2024 was a pivotal year for IP rights enforcement, marked by strategic cooperation, advanced technology integration, and extensive capacity-building efforts, ensuring stronger protection against IP crime across the EU.

## 5.4 Tools and technology for enforcement



The enhancement of tools and technology was instrumental in improving IP enforcement capabilities. The IP Enforcement Portal (IPEP) underwent significant upgrades, including new user access options and work on a mobile version for enforcers that will see the light in 2025. These improvements, alongside the mandatory entry into force of the electronic Application for Action (e-AFA) in October 2024, streamlined the process for rights holders to submit enforcement requests to customs. New functions were



added to the IPEP tool to facilitate communication between e-commerce marketplaces and enforcement authorities, strengthening enforcement in the digital realm.

Furthermore, the Anti-Counterfeiting and Anti-Piracy Technology initiative saw the development of a new searchable web guide explaining existing anti-counterfeiting and anti-piracy technologies, with plans to make the guide available in all 23 EU languages in 2025. These advancements helped to further bolster enforcement authorities in the fight against IP crime.

## 5.5 Impact of Technology

The work of the Expert Group on the Impact of Technology continued in 2024 analysing new technologies and their impact on enforcement. In 2024, a report on metaverse technologies and their impact on enforcement was published.

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# 6. Economics & Statistics

The activities in the Economics & Statistics area consist principally of studies and analyses that support one of the main goals of the Observatory, to provide facts and evidence to support policy formulation and public awareness efforts.

## 6.1 Quantification of infringement

A joint study with the Organisation for Economic Co-operation and Development (OECD) was published in March 2024, examining the [impact of the COVID-19 pandemic on trade in counterfeit goods](#). The report analyses shifts in product demand and supply chains during and after the pandemic. It also looks at the specific new challenges faced by enforcement authorities during and after COVID-19, and the new governance initiatives addressing them.

The [economic impact of counterfeiting in the clothing,](#)

[cosmetics and toy sectors](#) in the EU was analysed in a study published in January 2024. The study estimates the annual sales losses in the three sectors at EUR 16 billion and employment losses approaching 200 000 jobs across the EU as a result of the presence of counterfeit goods in the marketplace.

A [study on online copyright infringement in the EU](#) was published in November 2024. Following similar reports published in prior years, this report examines consumption of copyright-infringing content in the 27 EU Member States for TV, music and film during the 2017-2023 period. It also includes publications and software from desktop and mobile devices for 2021-2023. Overall, piracy is levelling out in the EU as a whole. However, software piracy and live sports events piracy have increased compared to the previous edition of the report. For the first time, IPTV piracy data is available although the actual consumption of content through this means remains unknown. However, simulations carried out under different scenarios show that this type of piracy is growing, as is the stock of potential users.

## 6.2 Studies on the role of IP in the economy



The [study of Green EUTMs](#), first published in 2021, was updated in 2024 to include data for the period 1996-2022. It examines the increasing frequency with which goods and services specifications of EUTMs reflect issues related to environmental protection and sustainability. The study shows that filings of 'green' EUTMs have increased significantly since the Office began operating in 1996, both in absolute figures and as a proportion of all EUTM filings, and that this trend continued in 2022, with EU filers showing particular strength in this area.

A study on [IP rights and firm performance in the EU](#) was carried out jointly with the EPO, with the

resulting report published in January 2025. The study shows that firms that register IPRs – patents, trade marks or designs – perform better than firms that do not register such rights. The effect is particularly pronounced for small and medium-sized enterprises and for companies that register more than one type of IP rights.

## 6.3 Economic impact of the COVID-19 pandemic



Besides its human cost, the pandemic had a significant negative economic impact in the EU and elsewhere due to the combined effect of lockdowns, restrictions on travel, and the concomitant reduced demand for services such as hospitality and transport. In addition, the pandemic led to shifts in consumer demand which in turn impacted the type of IP rights registered by companies. A study on the [dynamics of trade mark filings before and during the pandemic](#) examines those shifts. It showed that some Nice classes declined in importance during the pandemic, while others increased their share of overall EUTM filings.

## 6.4 Support for the memorandum of understanding (MoU) on the sale of counterfeit goods on the internet

Since 2017, the Observatory has assisted the European Commission (Directorate General for Internal Market, Industry, Entrepreneurship and SMEs – DG GROW) in measuring the key performance indicators (KPIs) related to the MoU on the sale of counterfeit goods over the internet signed in June 2016. The role of the Observatory is to be the trusted neutral party that receives the raw data from the parties to the MoU, analyses it and provides the results to DG GROW.

The dialogue between the brand owners and the internet sales platforms is viewed as constructive and beneficial by all parties to the MoU. Data collection exercises were carried out in May-June and November-December 2024.

## 6.5 EPIP grant

In September 2022, the Office signed a 4-year agreement with the European Policy for IP (EPIP) Association, an important academic organisation of IP researchers in Europe. The funding provided by the Office supports the annual EPIP conferences. Members of the Observatory staff play an active role in the conferences, presenting economic studies and encouraging academic research related to trade marks and designs and other topics of interest to the Office. The 2024 conference was held in September at the Scuola Superiore Sant'Anna in Pisa, Italy.

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## 7. Legal

### 7.1 Judges network



The Observatory organises events for a pool of 200 judges dealing with IPR infringements in national courts to inform, discuss and share best practices on the interpretation of EU legislation relevant for IP enforcement. In 2024, the Office continued the webinars for judges dealing with intellectual property rights and related infringements. These webinars enable judges to stay updated on recent developments in IP case-law. The webinars in 2024 focused on liability of intermediaries and GI rights enforcement. Two in-person seminars were also organised, one on

the accumulation of IP rights and enforcement, and the other on licensing.

## 7.2 Case-law

The EUIPO and its Observatory collect national key enforcement judgements and preliminary rulings on the infringement and enforcement of all types of IP rights across the EU, which are then placed in one single searchable repository ([eSearch Case Law database](#)). This collection includes key judgments on all types of IP rights from all the EU Member States and covers both civil and criminal cases. The judgments are considered 'key' as they provide a new trend or development in jurisprudence. Criminal cases are also being monitored under the European Intellectual Property Prosecutors Network.

In addition, the Observatory monitors, selects and reports on the latest significant European decisions related to infringing and enforcing IPRs which are frequently updated in the report 'Recent Case-law on IPR enforcement'.

## 7.3 Craft and Industrial Geographical Indications



In December 2024, the Observatory published the study '[EU Member States' potential for protecting craft and industrial Geographical Indications](#)' which explores the national interest for the protection of craft and industrial geographical indications (CIGIs) in the context of Regulation (EU) 2023/2411 which unifies the national regimes for the protection of geographically rooted craft and industrial products. The study, firstly, provides an overview of the current national legal frameworks for the protection of the names of geographically rooted craft and industrial products, and secondly, assesses the extent to which there is a local (national) interest in the protection of

CIGIs. The findings are intended to help policymakers and stakeholders understand the national landscape and prepare for the full application of the Regulation by December 2025.

## 8. International Cooperation

For several years now, the EUIPO has been the implementing agency of the EU's cooperation projects in non-EU countries initiated by the European Commission. These programmes are co-financed by the Office. The Observatory is now wholly involved in these programmes as, under the Regulation entrusting the EUIPO with the Observatory, the Office is also tasked with encouraging international cooperation, in close alignment with broader EU policies and priorities in the field of IP.

In line with this principle, the Office's engagement in EU-funded projects in non-EU countries allows the Observatory to provide input on how to increase respect for IP and help European companies investing in these areas to protect their IP rights.

The Observatory's international activities have focused on events with an IPR enforcement background and are aimed at reinforcing cooperation and networking among enforcement authorities across the different regions covered by the EU-funded projects.

In 2024, the Office continued to cooperate with the Directorate-General for Trade (DG Trade) to consolidate the EU Delegations IP Network. The Observatory also continued providing internal and external expertise to enforcement-related activities on an international scale.

In addition to providing expertise, the Observatory contributed to the annual programming phase with proposals to the Annual Work Programmes of the IP Key and AfriPI projects, based on consultations with stakeholders and the International Cooperation Expert Group.

Apart from EU-funded projects, the Observatory also provides support to the Office's bilateral cooperation activities.

Finally, the Observatory started to organise the next edition of the IP Enforcement Summit in Athens in cooperation with Greek IP Office, DIMEA and the European Commission. This summit will take place in June 2025.

## 8.1 Cooperation with the European Commission and EU agencies



The Observatory's enforcement work is based on very broad and deep cooperation with EU agency partners, such as Europol, Eurojust, OLAF, CEPOL and FRONTEX, as well as relevant EU Commission Directorate-Generals, in particular DG GROW, and other bodies. It also involves national law enforcement authorities. The Office has seconded staff members at the European Commission (OLAF, DG TAXUD, DG GROW, DG Trade and the Directorate-General for Agriculture and Rural Development).

Cooperation with Europol dates back to 2016. The agreement between the two agencies envisages cooperation in four high-level activities in the areas of operational and technical support in cross-border IP investigations; research and analysis; knowledge and expertise sharing; and a platform for stakeholders. A new agreement was signed in July 2023, covering cooperation during the next four years.

Cooperation with Eurojust continued during 2024 and has resulted in more effective collection and sharing of good prosecutorial practices. It has also added content and depth to the work of the EIPPN.

The Office's collaboration with OLAF intensified after signing a new SLA in 2022 to develop an automatic tool to collect nominal data in the context of the technical group's work. Cooperation on pre-operational work also continues.

Many of the knowledge-building events and activities organised in cooperation with Europol and Eurojust also benefit from cooperation with the European Union Agency for Law Enforcement Training (CEPOL), as well as OLAF.

DG CNECT (DG for Communications Networks, Content and Technology) also supports the Observatory's activities, in particular the anti-counterfeiting on blockchain forum and related follow-up activities, as well as the Out-of-Commerce Works Portal. Conversely, the Observatory supports DG CNECT in the establishment and monitoring of the Recommendation on live event piracy and the application of the Digital Services Act, as well on IPR enforcement and domain names.

The Observatory also supports DG GROW in the monitoring of the Anti-Counterfeiting Recommendation.

Cooperation with DG JUST covers the area of counterfeits that pose health and safety risks.

The Observatory also enjoys close cooperation with DG EAC of the European Commission on education, copyright and culture.

It also works with Eurostat, the EU's statistical office, in the project on measuring the economic value of cultural activities.

Following the publication in 2022 of a joint study with the Community Plant Variety Office on the contribution of Community plant variety rights to the EU economy and to the environmental objectives of the EU, joint outreach activities continued in 2024.

## 8.2 Cooperation with other organisations

### Organisation for Economic Co-operation and Development (OECD)

The Office cooperates with the OECD under a memorandum of understanding (MoU) signed in June 2017 and extended indefinitely in 2021. Under this MoU, the Office finances joint studies with the OECD



under 2-year contribution agreements. In October 2023, a new contribution agreement, running until 2025, was signed.

The Office is represented on the OECD's Working Party on Countering Illicit Trade. During 2024, the Office participated in ongoing work implementing the Code of Conduct regarding Free Trade Zones (FTZs) and on the workstream on e-commerce. The joint research projects are also carried out under the auspices of the Working Party.

### **European Patent Office**

The Office and the EPO cooperate on many levels. In terms of Observatory-specific activities, the main areas of cooperation are joint economic studies such as the study on IP contribution carried out in 2024. The chief economists of the two offices serve on the steering committees of their respective academic research programmes. Following the launch of the EPO's Observatory on Patents and Technology in October 2023, the two Observatories have been coordinating with each other and exploring opportunities for cooperation.

### **United Nations Interregional Crime and Justice Research Institute (UNICRI)**

Based on the MoU between the Office and UNICRI signed in 2016, UNICRI has developed a series of in-depth studies of IPR criminal cases from initiation to final judgment. Each case study includes an anonymised case note and a supporting presentation and is intended to be used by prosecutors as legal literature in court, to raise awareness among prosecutors and to increase the quality of seminars, meetings and workshops directed towards prosecutors. The 23 cases reflect as many different issues relevant to prosecutors dealing with IPR criminal cases as possible.

### **European Audiovisual Observatory**

In late 2016, the Office signed an MoU on bilateral cooperation with the European Audiovisual Observatory. Its scope includes cooperation on activities of common interest such as joint legal publications relevant to IP enforcement and the

audiovisual sector, information exchange on audiovisual economics, methodology and data, and information exchange as regards case-law and other legal developments related to IP enforcement and the audiovisual sector. In December 2021, the MoU was extended until 2026.

### **World Intellectual Property Organization (WIPO)**

The Observatory continued to collaborate with WIPO on a multilateral level, notably by inviting its representatives to attend meetings and by actively participating in relevant WIPO events such as the Advisory Committee on Enforcement (ACE). Furthermore, the Observatory takes part in the IP Economists' Network, coordinated by WIPO. The Observatory also provided a webinar on the relevance of UN sustainable development goals for IP enforcement.

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## **9. SME Activities**



The Observatory actively contributes to the implementation and development of the Office's SME Programme.

The Observatory continues to be involved in updating the Ideas Powered for business website, developing Discover Guides, and creating training content. It has also continued to participate in the 'Supporting SMEs' Working Group under the Office's European Cooperation Programme and in the respective working groups implementing several projects under the Programme.



The Observatory is actively collaborating with members of the Ideas Powered for business Network, in particular the European Institute of Innovation and Technology (EIT).

Moreover, the Observatory has been working on enforcement-related activities for SMEs. Under this umbrella, the Observatory supported the pilot of the IP Scan Enforcement initiative with the national IP offices of the Czech Republic and Slovenia. Under the memorandum of understanding signed by the Council of Bars and Law Societies of Europe (CCBE) with the Office in 2023, collaboration focuses on providing lawyers with information that would enable them to deliver to their clients, in particular SMEs, initial advice in IP rights-related pre-litigation situations. In this context, a brochure on IP enforcement for generalist lawyers was created in all EU languages and a webinar was organised which attracted over 1 000 lawyers.

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## 10. Contribution to the Commission Recommendation on measures to combat counterfeiting and enhance the enforcement of IPRs

The European Commission adopted on 19 March 2024 a Recommendation on measures to combat counterfeiting and enhance the enforcement of IP rights.

The Recommendation consists of strategic initiatives to combat counterfeiting and strengthen the enforcement of intellectual property rights, setting out dedicated tools to increase companies' resilience and ability to better protect their intangible assets, including against cyber-theft.

This initiative, a deliverable of the European Commission's 2020 Intellectual Property Action Plan,

builds upon the expertise and groundwork laid by the EUIPO, particularly through the Observatory, which facilitated a series of workshops engaging relevant stakeholders.

The Recommendation highlights the pivotal role of the Observatory and calls upon the EUIPO to support the dissemination, implementation and monitoring of this Recommendation.

In particular, the EUIPO will help gather information, monitor good practices, and liaise with its network to increase cross-border enforcement cooperation.

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## 11. Stakeholder meetings



Two meetings for each of the established WGs were held in 2024. The structure of the meetings continues to consist of group meetings over three days, with some of the meetings held in parallel, and a common session for all WGs. The spring meetings were held from 16-18 April 2024 in Alicante, while the autumn meetings were held online from 5-7 November 2024.

The 2024 public sector representatives meeting was held in Liège on 20-22 February 2024. Participants endorsed the 2023 Observatory Annual Activity Report and were given updates on the Observatory's work, including the latest studies. A second public sector representatives meeting was held in Budapest on 13-14 November 2024.

The private sector representatives meeting was held in Brussels on 7 March 2024. An online meeting with civil society stakeholders was held on 13 March 2024.

The Observatory Plenary meeting was held in Alicante on 15 and 16 October 2024. The 2025 Work Programme of the Observatory was presented and suggestions from the stakeholders were discussed.

The meetings held in Alicante and Brussels were hybrid events, to allow for as many stakeholders to attend as possible.

combatting IP infringement. The Observatory will monitor developments closely.

Following entry into force of Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act), the Observatory stands ready to provide assistance and analysis to the European Commission during the implementation of the Act, if requested to do so. The Office will also continue to support the European Commission in monitoring the impact of the Recommendation on live events piracy, and the Recommendation on combating counterfeiting.

## 12. Challenges for 2025



As from January 2025, the new Strategic Plan 2030 has entered into force, with a continuing emphasis on building respect for IP, supporting enforcement of IP rights, and helping European businesses, especially SMEs, leverage their intellectual property to obtain financial resources to enable them to grow and generate economic activity and employment in the EU.

Making sure that the intermediaries, in the broad sense of the term (including shippers, payment providers, internet platforms, influencers for example), and rights owners cooperate to create a 'clean' market for genuine products in the EU will continue to require considerable effort.

Keeping IP crime as part of law enforcement priorities under EMPACT new cycle as of 2025 will also be instrumental in ensuring that efforts engaged so far are followed up on.

The explosive growth of artificial intelligence will undoubtedly continue in 2025 and beyond, creating new challenges for the enforcement of IP rights. However, these technologies can also assist in

Notwithstanding any new activities, cooperation partnerships and areas of research, the Observatory will continue to carry out its core tasks of quantifying IPR infringement, examining the importance of IPR to the economy, studying the public's perception of IP and raising their awareness of its importance, helping enforcers do their job by providing tools and knowledge sharing, and will in general continue to deliver on the mandate set out in Regulation (EU) No 386/2012.

# Annex 1: 2024 Budget Execution

The Observatory is part of the EUIPO, and its budget is embedded in the overall budget of the Office. For 2024, the total expenditure on Observatory activities (including salaries of statutory staff and other staff-related expenditure) was EUR 14.6 million.

The table below summarises the expenditure by subject area. Due to the activity-based budget used in the Office, the Observatory budget is still organised using the previous structure. However, all activities described in this report are included in one of the subject areas below.

Observatory activities	Execution 2024
	(EUR million)
Economics and Statistics	1.4
Enforcement	4.8
IP in the Digital World	1.2
Legal and International	1.0
Public Awareness	2.6
Statutory meetings*	0.8
SP2025 Projects	2.8
<b>TOTAL</b>	<b>14.6</b>

\*Statutory meetings' refers to the cost of hosting meetings such as the Public and Private Stakeholder meetings, the Plenary, and the Working Group meetings.

Table 1. Expenditure by subject area

# Annex 2: List of Observatory publications in 2024

Economic impact of counterfeiting in the clothing, cosmetics, and toy sectors in the EU

The dynamics of trade mark filings before and during the COVID-19 pandemic

Illicit trade in fakes under COVID-19 – joint EUIPO-OECD study  
EMPACT Intellectual Property Owner Guide to Criminal Referrals in Intellectual Property Crime Cases

Green EU trade marks – 2023 update

OPERATION JAD PIRATES I Analysis Report: tackling the smuggling of counterfeit goods at the external borders of the EU

Infringing Business Models phase 6 – Applications used in IPR infringements

APPS & APPS STORES – Challenges and good practices to prevent the use of apps and app stores for IP infringement activities

Legislative Measures related to Intellectual Property Infringements – Phase 3

–Criminal Legislative Measures in Serious and Organised Intellectual Property Crime Cases

[Uncovering the ecosystem of Intellectual Property crime – A focus on enablers and impact](#) – joint EUIPO-Europol Study

Impact of Technology Deep Dive Report II – Impact of the metaverse on infringement and enforcement of intellectual property

Online copyright infringement in the European Union – films, music, publications, software and TV (2017-2023)

EU enforcement of intellectual property rights: results at the EU border and in the EU internal market 2023 – joint study EUIPO-DGTAXUD

EU Member States’ potential for protecting craft and industrial Geographical Indications

Search Engines – Challenges and good practices to limit search traffic towards intellectual property infringing content and services

## Annex 3: Observatory tasks fulfilling Regulation 386/2012

According to Article 7(3)(c) of Regulation (EU) No 386/2012, the Annual Report should contain ‘an overall assessment of the fulfilment of the Office’s tasks as provided for in this Regulation and in the work programme’.

The tasks assigned to the Office are set out in Article 2(1) of Regulation (EU) No 386/2012. These tasks are listed below, together with the activities and projects carried out in 2024 in support of each task. It should be noted that in some cases an activity can contribute to more than one task. In addition, the Orphan Works Database is set up under a specific legal mandate, Directive 2012/28/EU of the European Parliament and of the Council of 25 October 2012 on certain permitted uses of orphan works, while the work on the Out-of-Commerce Works Database is carried out pursuant to Directive 2019/790/EU of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market.

**(a)** Improving understanding of the value of intellectual property:

- *Green EUTM study;*
- *Study of the economic impact of COVID-19;*
- *SME support activities outlined in section 9 of this report;*
- *Craft GI study;*
- *EPIP grant.*

**(b)** Improving understanding of the scope and impact of IPR infringements:

- *infringement quantification: joint studies with the OECD;*
- *online copyright infringement study;*
- *report on the detentions at the EU border and in the EU internal market 2023;*
- *enablers report;*
- *study on business models infringing IPR;*

- *study on trade in fakes under COVID-19;*
- *smuggling counterfeit goods analysis report;*
- *apps & app stores study;*
- *metaverse study;*
- *search engines study.*

**(c)** Enhancing knowledge of best public and private sector practices to protect IPR:

- *data collection, analysis, reporting;*
- *cooperation with intermediaries;*
- *support for the MoUs of the European Commission;*
- *support of the European Commission Recommendation on Live Event Piracy;*
- *pre-operational training with cooperation partners (Europol, OLAF);*
- *regional meetings for inter-agency cooperation;*
- *CEPOL IP enforcement training week;*
- *webinars with CEPOL;*
- *online training via the Virtual Training Centre;*
- *IP owner guide to criminal referrals;*
- *Legislative measures study.*

**(d)** Assisting in raising citizens’ awareness of the impact of IPR infringements:

- *Agorateka, the European online content portal;*
- *FAQs on copyright for consumers;*
- *FAQs on copyright for teachers;*
- *Ideas Powered;*
- *support for awareness-raising activities in Member States;*
- *IP in Education;*
- *media campaigns.*

**(e)** Enhancing the expertise of those involved in IPR enforcement:

- *pre-operational training with cooperation partners (Europol, OLAF);*
- *regional meetings for inter-agency cooperation;*
- *CEPOL IP enforcement training week;*
- *webinars with CEPOL;*
- *collaboration with DG JUST and MSA;*
- *studies related to infringement listed under items (b) and (c) above;*
- *online training on IPR through the Virtual Training Centre;*

- *EIPPN meetings and exchanges;*
- *UNICRI case studies;*
- *seminars for judges;*
- *collaboration with Law Enforcement Working Party (Customs).*

**(f)** Enhancing knowledge of technical tools to prevent and tackle IPR infringements, including tracking and tracing systems, which help to distinguish genuine products from counterfeit ones:

- *IP Enforcement Portal;*
- *EBSI ELSA Forum and follow-up activities;*
- *enforcement technology watch.*

**(g)** Providing mechanisms that help to improve the online exchange, between Member States' authorities working in the field of IPR, of information relating to the enforcement of such rights, and fostering cooperation with and between those authorities:

- *IP Enforcement Portal (information exchange module and statistical module);*
- *support for protection of IP rights outside the EU;*
- *EIPPN;*
- *SLA with Europol;*
- *SLA with Eurojust.*

**(h)** Working in consultation with Member States to foster international cooperation with intellectual property offices in non-EU countries, and thereby build strategies and develop techniques, skills and tools for the enforcement of IPRs:

- *cooperation activities discussed in section 8 of this report, in particular:*
  - o *engagement in EU-funded projects;*
  - o *cooperation within the OECD's Working Party on Countering Illicit Trade;*
  - o *participation of non-EU officials in knowledge-building events organised by the Observatory.*

In summary, the Office is carrying out a broad range of activities to accomplish all the tasks assigned to the Observatory in Regulation (EU) No 386/2012.



