

## FICCI on a Crusade against Piracy & Counterfeiting

Counterfeiting & Piracy has become 'Achilles heel' for the Indian industry. The violation of intellectual property rights with impunity has compelled FICCI (Federation of Indian Chambers of Commerce and Industry), an apex business organization, to petition the Government to impose "exemplary punitive damages". In a communication to the Department of Industrial Policy and Promotion (DIPP), FICCI has called upon the Government to ensure that enforcement authorities impose punitive damages on the offender.

FICCI feels that the fear of coughing up large sums of money as penalty may arrest the rising incidence of counterfeiting & piracy. To support the strong deterrent to those who indulge in selling, distributing, storing and trading counterfeit, spurious and pirated products, the trade organization also wants the Government to evolve a system of "plea bargaining/summary trials" of such instances to ensure quick redressal.

FICCI in its drive against counterfeiting and piracy has set up the *National Initiative Against Piracy and Counterfeiting (NIPAC)* to create awareness and capacity building. Awareness among all section of the society including policymakers, legislatures, judiciary and public at large and capacity building of enforcement system in association with professional bodies, training institutions and concerned departments of the government. FICCI-NIPAC in its mission to make the fight against piracy & counterfeiting as a 'National Cause' has constituted specific sub-groups. The *Legal Sub-group* is headed by a former Chief Justice of India and the *Enforcement Sub-group* by a former Commissioner of Police. The entire initiative is under the patronage of a former Prime Minister of India.

In March, 2007 FICCI organized 'Intellectual Property Week' which ended with a national seminar on 'Combating Piracy & Counterfeiting'. Three sessions namely "Initiative by Industry to combat Piracy and Counterfeits", "Enforcement action to protect Intellectual Property" and "IP and Consumer Protection" were held. It feels that a structured and planned approach towards curbing piracy would also send signals to the international business community that the Indian business/industry sector as well as government is committed in tackling Intellectual Property violations.

Globally, the International Chamber of Commerce (ICC) has come up with an on-line portal *BASCAP - Business Action To Stop Counterfeiting And Piracy*. This initiative connects global business sectors as diverse as pharmaceutical and electronics providing gateways to useful information thus helping in identifying and addressing Intellectual Property Rights issues. BASCAP provides pool of information on counterfeiting and piracy and also facilitates the exchange of information among

industry players, government, policy makers and enforcement officials. The brand protection directory, informs interested parties of measures which business community can take to protect their brands through investigation or use of anti counterfeiting technologies.

FICCI's crusade to fight the scourge of piracy and counterfeiting is a step akin to David against Goliath. There is a need of other business organizations and like parties to join hands and eventually end this practice. The consumer also has to understand and appreciate the rights accruing from the intellectual capital.