



Ministry of Foreign Affairs and Trade  
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# The Outline of ACTA and Implementation in Korea

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# Outline

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- 2. Negotiations**
- 3. Treaty content**
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# The Purpose of ACTA

- Anti-Counterfeiting Trade Agreement(ACTA) is a multinational treaty for the purpose of establishing international legal framework for intellectual property rights enforcement



# The Purpose of ACTA

- To establish **TRIPS-plus level** of international standards
- To deal with **enforcement of Intellectual Property Rights in the Digital Environment** as well as Border measures, Civil Enforcement and Criminal Enforcement



# Negotiation

- At the 2005 G8 Summit, Japan proposed the need to establish a advanced legal framework to prevent counterfeiting and piracy
- ACTA establishment was promoted by common proposal by the US and Japan from 2006.9
- Official negotiating rounds have been held for discussions based on the draft text of the ACTA
- Via negotiating formally 11 times, negotiations ended.



# Negotiation

- A signing ceremony was held on 1 October 2011 in Tokyo, with the United States, Australia, Canada, Japan, Morocco, New Zealand, Singapore, and South Korea signing the treaty
- The European Union, Mexico, and Switzerland attended but did not sign



# Treaty content

- The finalized agreement text includes Chapeau and 6 chapters with 45 articles
  - CH.1 : Initial provisions and definitions
  - CH.2 : Legal Framework for Enforcement of Intellectual Property Rights
    - Section 1(General Obligations), Section 2(Civil Enforcement), Section 3(Border Measures), Section 4(Criminal Enforcement), Section 5(Enforcement of Intellectual Property Rights in the Digital Environment)
  - CH.3 : Enforcement Practices
  - CH.4 : International Cooperation
  - CH.5 : Institutional Arrangements
  - CH.6 : Final Provisions

# Treaty content

in enforcement between ACTA and

TRIPs	ACTA
Officials act on request of a rights holder" respect import goods upon request of a rights holder"	<ul style="list-style-type: none"><li>- customs authorities can act upon their own initiative</li><li>- To be applied to import and export shipments and in-transit goods</li></ul>
wilful trademark counterfeiting or copyright or related rights infringement on a commercial scale	<ul style="list-style-type: none"><li>-wilful importation and domestic use of pirated labels or packaging</li><li>-unauthorized copying of cinematographic works</li><li>-authorities can act upon their own initiative</li></ul>
-	<ul style="list-style-type: none"><li>-In the digital environment, also Civil and Criminal enforcement are available</li><li>-Protection of rights management information, legal protection of effective</li></ul>

预览已结束，完整报告链接和二维码如下：

[https://www.yunbaogao.cn/report/index/report?reportId=5\\_7531](https://www.yunbaogao.cn/report/index/report?reportId=5_7531)

