

ANTI-COUNTERFEITING IN THE CARIBBEAN: JAMAICA

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ATTORNEYS-AT-LAW • ESTABLISHED 1911



JAMAICA'S STRATEGIC LOCATION



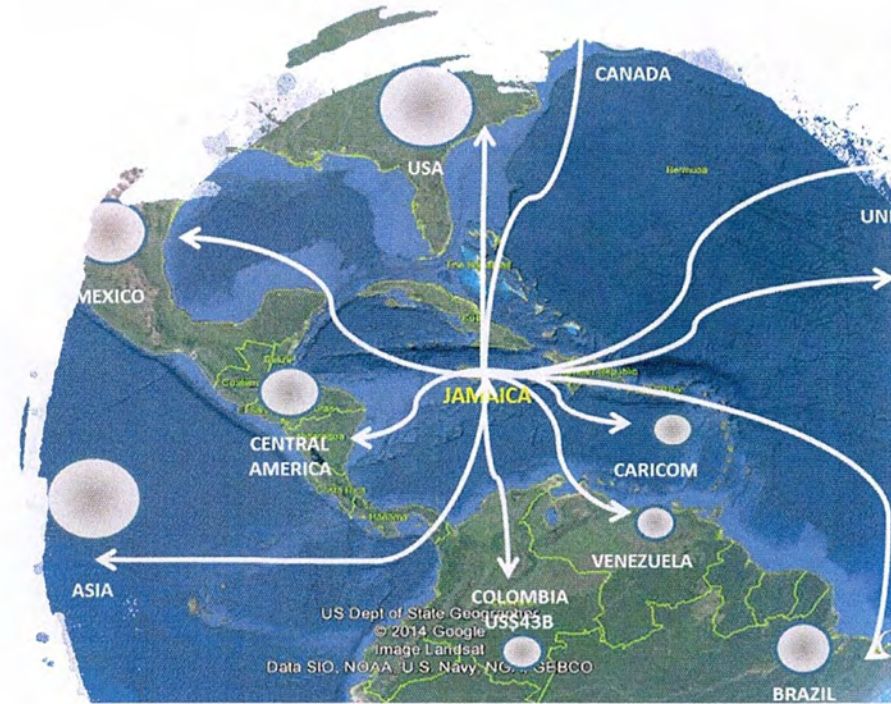
CLOSE PROXIMITY TO INTERNATIONAL SHIPPING LANES



DEEP WATER PORTS CAPABLE OF ACCOMODATING POST-PANAMAX SHIPS AND TRANSHIPMENTS



PORT INFRASTRUCTURE DEVELOPMENT AND LOGISTICS HUB BUILDOUT



COUNTERFEIT IN JAMAICA

- TARGET GOODS:
 - CLOTHING
 - SHOES
 - ACCESSORIES
 - PHARMACEUTICALS
 - RUM AND SPIRITS
 - TOBACCO
 - ELECTRONICS
 - CDS AND DVDS



THE RISE OF COUNTERFEIT IN JAMAICA



ECONOMY

Low Income but high demands.



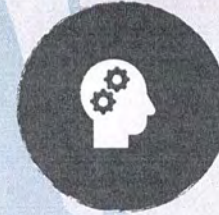
BLACK MARKET

Profitability factor of engaging in the trade attracts organised criminal entities.



BRAND CENTRIC

High demand for brand items but inability to afford genuine items



CONSUMER KNOWLEDGE

Low awareness of health and safety issues; low public concern regarding intellectual property crime



PENALTIES

Non-deterrent penalties



PORT SEIZURES

CUSTOMS LED
DETENTIONS,
FORFEITURES AND
DESTRUCTIONS.



POLICE ACTION

POLICE LED INLAND
OPERATIONS
INVOLVING RAIDS ON
STORES AND/OR
WAREHOUSES AND
CRIMINAL CHARGES.



CIVIL ACTION

CEASE & DESIST
LETTERS, INITIATION
OF LAWSUITS FOR
INJUNCTIVE RELIEF,
DAMAGES AND
ACCOUNTING OF
PROFITS.

ENFORCEMENT MECHANISMS

THE THREE-PRONGED
APPROACH

COMBATTING COUNTERFEIT

THE LEGISLATIVE APPROACH

- TRADE MARKS ACT
- COPYRIGHT ACT
- CUSTOMS ACT
- MERCHANDISE MARKS ACT
- CONSUMER PROTECTION ACT
- FOOD AND DRUGS ACT
- PHARAMACY ACT
- FAIR COMPETITION ACT
- PROCEEDS OF CRIME ACT



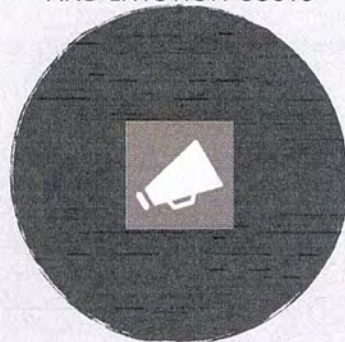
PENALTIES
 LEGISLATIVE REVIEW
 CUSTOMS ACT
 COPYRIGHT ACT



COST OF ENFORCEMENT
 STORAGE AND
 DESTRUCTION COSTS
 CIVIL ENFORCEMENT
 AND LITIGATION COSTS



RESOURCES
 PERSONELL AND
 DETECTION
 CAPABILITIES



**CONSUMER
 AWARENESS**
 NATIONAL ANTICONTRABAND
 COMMITTEE
 PUBLIC AWARENESS CAMPAIGN

COMBATTING COUNTERFEIT:

CHALLENGES

COMBATting COUNTERFEIT: RECENT SUCCESS



\$1.9B

• 2017 ANNUAL DESTRUCTION



\$1.2B

• 2018 ANNUAL DESTRUCTION



Jamaica Constabulary @JamaicaConstab · 1h
C-TOC detectives seized over JMD 10 million worth of counterfeit goods at a store located at the Boulevard Shopping Centre in St. Andrew today. An Indian national was taken into custody during the operation which is a part of continued efforts to rid the streets of fake goods.



2 21 21

Thousands Of Fake Name Brand Shoes Seized

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Published: Wednesday | March 18, 2015 | 11:03 PM | Christopher Serju

C-TOC makes big 'counterfeit' haul at downtown Kingston wholesales

LOOP NEWS

CREATED: 4 APRIL 2018

JAMAICA NEWS

News

Chinese national convicted for counterfeit goods

May 29, 2018 | Share on [G+](#)

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Shifu Huang, a Chinese national who was charged for the unlicensed use of trademark was convicted and sentenced when he appeared in the St James Parish Court yesterday.

He was fined J\$5 million

Photo



Deadly Fake Goods - \$1.9 Billion In Counterfeit Products Includes Rum, Shoes, Appliances

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Published: Friday | April 28, 2018

Fake Goods Valued At \$65m Seized By Customs In Less Than Two Years

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Published: Tuesday | September 19, 2017 | 12:00 AM | Paul Clarke

C-TOC Has Seized \$615M Worth Of Counterfeit Goods Since January

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Published: Tuesday | April 24, 2018 | 5:54 PM | Syranno Baines

\$10m in counterfeit goods seized in St Andrew

Wednesday, September 12, 2018


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5 Comments



THANKYOU

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