

GACG Network Board Meeting Autumn 2009 held in Madrid on October 2nd, at the Offices of High Council of Chambers of Commerce of Spain

Board Members Present:

GACG Chairman, John Anderson
SACG, Ann-Charlotte Söderlund
ANDEMA, Soledad Rodriguez Anton and Jose Antonio Moreno
UNIFAB, Quang-Minh Lepescheux
UAACP, Antonina Pakhareenko-Anderson
APM, Doris Möller
FACG, Ann-Charlotte Söderlund (by proxy)
INDICAM, Ann-Charlotte Söderlund (by proxy)

GACG Executive Administrator, Mikael Ludwigs

Members Present:

MARQUES, Antonina Pakhareenko-Anderson

Observers Present:

Intellectual Property Committee of American Chamber Mexico, Marta Martin

Apologies for absence

Board Members:

ABAC/BAAN, Véronique Mordant
IACC, Bob Barchiesi
ACGI (India), Amarjit Singh
DACG, Jakob Krag Nielsen

Members:

CACP/US Chamber of Commerce, Brad Huther
QBPC, Michael Ellis
NACG, Kristine Madsen
ECTA, Marius Schneider
CACN, John Cotter
CIPR, Tom Thomson
ACC, Uche Nwokocha
HKIPS, Jenny Wong
Comité Colbert, Elizabeth Ponsolle des Portes
CACP, Rob Calia

NOTE OF THE MEETING AND ACTIONS

The Chairman opened the Autumn Board meeting circulating the notes of last meeting. The notes were agreed as an accurate record of the meeting.

As has been noted before APDM (Portugal) had not paid their membership subscription for more than two years and APDM (Portugal) and has therefore been suspended from

GACG Membership. ANDEMA suggests a new Portuguese member should be sought and the Chairman agreed to consult with other colleagues in Portugal..

SNBReact has confirmed its resignation from the Network since their current activities and status no longer conform with GACG membership criteria..

There was one new member since the last meeting, Canadian Intellectual Property Council (CIPC).

Perhaps Intellectual Property Committee of American Chamber Mexico, attending as an observer, will become a member by next meeting.

SACG suggests that for countries where the lawyers and brand owners have difficulties to cooperate as a anti counterfeiting group, contacts could instead be directed to the Chamber of Commerce in such a country. SACG also reported on interests in the Netherlands to start a new national organisation.

The Chairman will continue to encourage BPG Lebanon, VACIP Vietnam, and Angardi Brazil and other potentials.

The Chairman will circulate the new Canadian application for CIPC for formal approval.

The Chairman will recirculate the amendments to the GACG Statutes made in Copenhagen in 2002 and ratified at the 2003 meeting in Amsterdam which set out the rules on Network Members's responsibilities when they or their members intend to carry out activities in other members' territories.

Quang-Minh Lepescheux presented the Treasurer's Report and showed a healthy balance. Still at least seven GACG members had not paid their membership for 2009, and two members may still have missed to pay for 2008. The Board decided that the membership fee should remain the same as for 2009.

The Chairman reminds the board that the account is only audited by Unifab, but not audited independently.

The Board agreed that the Unifab audit was sufficient for the GACG account.

The Executive Administrator will contact Monique Labouille at Unifab to check invoices paid 2008 and 2009 and gently remind those members who still have not paid.

Mikael and Monique will draft an income and expenditure budget for 2010.

The annual GACG meeting is to be held at ANDEMA in Madrid directly after the board meeting.

The GACG/Andema seminar the day before the board meeting turned out very well despite the late loss of speakers.

The Executive Administrator will together with ANDEMA ask for the seminar speakers presentations to make them available on the GACG.org homepage.

Some discussion following the APM Germany presentation on public awareness – especially involving Chris Oldknow of Microsoft representing BASCAP (and ACG etc). He suggested that GACG should undertake a survey of the membership of the different GACG Network groups and their partner groups such as AIM and ACG

In order to begin a discussion on how better to co-ordinate both strategic and operational policies and activities between the national, regional, multinational and single industry groups.

The Board agreed that the Chairman should initiate this survey

In the future the hosting member and the GACG must try to avoid clashes with other events and try to get more members to attend.

The Board members and Officers are up for election at the annual meeting. Nominations were sitting board members and officers. To replace SNBReact the UAACP had nominated QBPC. No other nominations were made.

The Board recommends re-election of the old Board and existing officers with addition of QBPC.

The Chairman will contact the QBPC for their acceptance.

The Chairman proposed the reappointment of the Executive Administrator

The Board agreed

The Chairman reported that the invitation from QBPC to host an Annual Meeting is an open one. The board however recognised that the time – considering the state of the economy – is not right for the 2010 annual meeting.

Of the European board members not yet acting as host in their country Belgium, Norway and Ukraine have not yet hosted. However NACG co-hosted the Anniversary in Stockholm and many members are “guests” in Brussels several times a year. UAACP told the board that they would love to host the annual meeting in Kiev, but that the timing might not be the best as Ukraine may yet have some political turmoil.

APM offered to host the 2010 annual meeting in Berlin and the invitation was accepted by the board.

The GACG annual meeting 2010 will be held in Berlin, Germany, on the 23-24 of September.

EU Observatory and other EU Consultations/Stakeholders Groups: Ann-Charlotte Söderlund reported on what is happening with the Observatory. She has received the request for names of persons to have on the Observatory. A sub-group of 10-20 people is suggested. She has not received any confirmation or news from the Commission concerning names she and others have suggested. She has also had suggestions for a Priority List.

Concerning the Review of the EU Customs Regulation, the board members were informed that there so far are no decisions. The rumour is that there will be no changes, but if there are changes it will not be in the direction of stronger rights for the right-holders. Some EU members think the use of importer-data from Customs is abused by right-holders, and there are reports of such abuse in some member states. According to ANDEMA the working group includes only a few small countries.

The Chairman reported on co-operation with UNICRI (the FAKES Project), IPOC and other projects. FAKES budget has been approved and the GACG is a partner with UNICRI for training after the review.

The Chairman will circulate a summary of the project immediately and a work plan as soon as it is available.

The Chairman reported on co-operation with other Business Associations, such as Global Congress, BASCAP and Authentics Foundation. The Global Congress is in Cancun on 1-3 December 2009.

Members should inform each other if they are attending the Congress. Chairman will attend with UAACP, the President of UAACP and several Ukrainian judges and officials. An informal meeting may be held and further discussions with potential Mexican member will take place

As to the ACTA negotiations the Chairman reported that most members are signing up to the business memo, but still the infringing countries are not involved in the negotiations.

The Chairman urged GACG Network members to make their views on ACTA known so that a co-ordinated and consistent response can be given to the so-called 'business' memoranda proposed by the INTA and BASCAP.

Concerning the Implementation of Civil Enforcement Directive; Proposed Criminal Sanctions Directive; and Customs Regulation revision, the Chairman reported that all EU members now have signed up to the CED, however the implementation in countries are not done fully even if members claim it is. We await the formal EC monitoring of the implementation.

The Executive administrator reported on the up-dated web-site and recommended all members to have a look and continuously send him suggestions and material for publication on the site. Concerning the World Anti-Counterfeiting Day there were suggestions for a future web info bank with examples from what members have created such as pins and pamphlets.

Next INTA meeting is in Boston and the board suggests an informal/social GACG-meeting. An informal GACG members meeting was also suggested for the Observatory-meetings in Brussels.

SACG will follow up on Boston and ANDEMA will follow up on Bruxelles.

The Chairman will contact IACC and remind them that they promised to send password for access to their web-site (to check criminal sanctions in different US States)

There were no Round the Table topics.

Next meeting will be held in Paris in the spring of 2010.

Quang-Minh Lepescheux will return with a set date and time for the meeting.

The GACG Annual Meeting was held immediately after the Board Meeting and with the same participants attending.

1. The agenda was approved unanimously
2. The Chairman's report was approved unanimously
3. The Treasurers report was approved unanimously
4. The Secretary's Membership report was approved unanimously
5. There were no questions to the Officers
6. The existing Board and officers were re-elected unanimously; QBPC was elected to fill the board vacancy unanimously subject to nomination approval.
7. The membership fee for 2010 will be unchanged at EUR 370
8. There was no other business
9. The 2010 Annual Meeting will be held in Berlin (to be confirmed).