

N.A.T.E.'S ANTI-COUNTERFEITING REPORT

Upcoming Events

April 23, 2014

Toronto Police Service
Financial Crimes Unit
Anti-Counterfeiting Seminar
Toronto, Ontario

May 7-9, 2014

Hong Kong, China
IACC Spring Conference
www.iacc.org

Dec 3 - Dec 5, 2014

19th Annual Fraud &
Anti-counterfeiting
Conference
Toronto, Ontario
www.ksllaw.com

Enforcement Summary

Project PACE (Partners Against Counterfeiting Everywhere) was a Toronto Police Financial Crimes Unit investigation and enforcement effort which targeted businesses across Canada and the United States from August 2013-December 2013. Over \$6.5 million in counterfeit merchandise was seized. The joint operation involved law enforcement from Toronto, Peel Region, York Region, Durham Region, South Simcoe and Windsor as well as the assistance from private industry, Kestenberg Siegal Lipkus LLP and Backlit Resource Group Inc. The investigation concentrated on businesses which were alleged to be importing, manufacturing and selling counterfeit product. The police executed 31 search warrants at twelve such businesses and at over 20 booths in the Pickering Flea market. Overall, 21 people were arrested and 115 charges were laid by the police.

Our firm assisted the police by providing intelligence to assist in the obtaining of the search warrants, including video and digital images of counterfeit product at these locations, sworn affidavits from intellectual property rights holders confirming that the products observed by the investigator(s) during the initial investigation period were counterfeit and conducting various internet and business searches related to the businesses. Members of Kestenberg Siegal Lipkus LLP and its agents were named on the search warrants so that we could attend during the execution of the warrants to identify and confirm which product was counterfeit, as well as assist

with the counting, cartage and storage of the counterfeit product. In most cases, our firm was asked by the police to take possession of the counterfeit product for storage purposes and the intellectual property rights holders involved were required to pay for the storage (and, ultimately, destruction) of the products until a disposition of each of these cases. Additionally, the police requested that our firm take samples from the execution of the search warrants so that we could arrange for Will Say Statements on behalf of each of the intellectual property rights holders, confirming, among other things, their intellectual property rights and reasons why the product seized was counterfeit .

This project received unprecedented media coverage and videos from the enforcement can be seen at: <http://www.youtube.com/watch?v=rtH7yRuA66Q>

New Canadian Anti-Counterfeiting Legislation

During the same period, in addition to keeping busy assisting police, Kestenberg Siegal Lipkus LLP enforcement teams served cease and desist letters at 20 counterfeit business locations in Toronto, Hamilton and the surrounding areas, on behalf of ten rights holders resulting in over 700 items voluntarily delivered up.

In October 2013, Lorne Lipkus and David Lipkus separately testified before Canada's House of Commons' Standing Committee on Industry, Science and Technology (INDU) to testify on Bill C-8—the "Combating Counterfeit Products Act. Bill C-8. Bill C-8 was originally introduced on March 1, 2013 and aims to improve anti-counterfeiting measures in Canada.

N.A.T.E.'s Anti-Counterfeiting Report

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19th Annual Fraud and Anti-Counterfeiting Conference

We are pleased to announce that registration is open for our upcoming 19th Annual Fraud and Anti-Counterfeiting Training Conference, taking place in Toronto, Ontario, from December 3 - December 5, 2014.

As in previous years we are expecting a "full house" of approximately 150 registrants. If you are looking for an opportunity to meet and network with the industry experts in fraud and anti-counterfeiting, then this conference is the place to be. Learn about the newest and most innovated techniques to combat internet counterfeiting and piracy. Augment your knowledge of the fraud, passing off, proceeds of crime and money laundering laws as they related to counterfeiting. Protect your business and businesses under your care and attention from dealing in counterfeits. Learn about what can and can't be done by our border agents. Touch and feel the difference between authentic and counterfeit products.

Be a part of the movement towards unprecedented anti-fraud and anti-counterfeiting enforcement results.

Register early to ensure yourself a spot!! Contact Wayne Lipkus at wlipkus@ksllaw.com or Robyn Masters at rmasters@ksllaw.com with any questions you have.

Toronto Police Service Financial Crimes Unit Anti-Counterfeiting Seminar

On April 23, 2014 the Toronto Police Service will be hosting a 1 day Seminar on Anti-Counterfeiting. The purpose of the seminar is to provide training and education to various members of law enforcement, government agencies and private stakeholders relating to the investigation and prosecution of crimes related to counterfeiting. A variety of topics will be covered including, methods to recognize counterfeit, investigative techniques and strategies, resources to assist investigators and the importance of partnerships between the police and private sector in the global fight against counterfeiting. Table displays/booth will be used to exhibit counterfeit and authentic products of some of the intellectual property rights holders and to concentrate on teaching those in attendance how to differentiate between authentic and counterfeit products.

To register use the link: <https://www.regonline.com/tpsfinancialcrimesacseminar> or contact either Wayne Lipkus at wlipkus@ksllaw.com or Robyn Masters at rmasters@ksllaw.com with any questions you have.

In the News

Lorne Lipkus was featured and questioned on numerous news outlets across Canada on the counterfeiting problem. Some of his interviews can be seen at:

<http://www.cbc.ca/player/News/ID/2420521959/?page=4&sort=Mo>

<http://www.youtube.com/watch?v=KK5jUFuEsMs>

<http://video.ca.msn.com/watch/video/beware-of-counterfeits-this-holiday-season-12-09-13-11-00-am/jvnmbd8h>

<http://www.torontosun.com/2013/11/28/beware-of-counterfeit-goods-on-black-friday>

<http://www.cbc.ca/news/canada/toronto/cne-raid-collects-1m-worth-of-counterfeit-goods-1.1402473>