



Brussels, 20 February 2013

Forum on Intellectual Property, Counterfeit, Contraband and Organised Crime

"Cybercrime: Where lies the big money online"

- **Jean Bergevin the Head of Unit for DG Internal Market and Services** discussed the inhibiting factors that succeed in slowing down the fight against intellectual property crime. He pointed towards the current fragmented legal framework within the EU, business practices often used that lead people to dangerous websites, and the continuing new technological developments which create an environment where online criminals can thrive. Beyond this Mr. Bergevin warned of further threats to the economy and jobs that could arise with 3D printing that could be used to make counterfeits. This all undermines citizens trust in the internet and their willingness to purchase online. This in turn prevents online business selling across borders, expanding and creating jobs in the digital single market. Enforcement is important for tackling IP theft and the future online economy.

- **Erik Barnett, Head of European Policy from US homeland investigations** is currently on a mission from the US. He spoke of the currently state of play in the US in relation to Cybercrime; how the problem has developed and become more sophisticated, and that how the selling and distribution of counterfeits on the internet has been transformed. He emphasised that public health and safety was threatened by: counterfeit airbags, baby carriers, farmer goods and even heart medicine. This is happening because it is where criminals perceive the real 'big money' to be. Fake websites have emerged that appear identical to the original- making it ever more problematic for public and law enforcement in order to distinguish between the illicit and genuine. He explained how he believes the willingness from the public and law enforcement bodies to try and stop the problem is already there, but that now we need a collaboration of agencies such as Europol and Interpol, working alongside agencies in the US, to help combat a problem that is now worldwide. Also pay companies like PayPal, MasterCard and Visa are now working with IP rights holders to tackle the problem. Safe pharma lists of drugs are being drawn up to fight against counterfeit drugs online.

- **Yoeri Vandaele, Specialized Chief Inspector of the Federal Judicial Police-Computer Crime Unit, Brussels** explained in detail his on-the-job experience of tackling computer crime. He explained how easy it is for the criminals to commit online crimes and that often, the law enforcement bodies are months behind catching up to them. He emphasised that it takes up to 3 years or more to investigate certain cross border crimes. Citing corruption, he explained that stealing film and music was big business. Mafia type organisations pay people \$ 5000 or \$ 10.000 to steal movies which are sold as fake DVDs and on to pirate websites. Profits can be \$ 800 that of the drugs trade and Mafia type organisations like the Camorra are heavily involved.

Looking to the policy-makers in the room he reiterated how the data retention limits in individual EU countries are a problem for law enforcement in these complex cases i.e. in Belgium it is 1 year and in Germany it is 6 weeks. Other obstacle to effective pursuit of Cyber criminals is the lack of a harmonized information sharing centre and no overarching EU law on Cybercrime. This ensures that the online criminals are always one step ahead. He expressed how Joint Investigation Teams (JIT's) need to be utilised more as a result of their considerable effectiveness, as well as highlighting that the role of the intermediaries (such as credit card companies) can be major facilitating factors for these illicit online activities. They need to be assessed, monitored and held to account more effectively.