

General Assembly (UNGA)

STUDY GUIDE



TOPIC:

**Combating Intellectual Property Theft
and Counterfeiting in a Globalized Economy**





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Introduction to the Committee

The General Assembly (GA) is one of the six principal organs of the United Nations and the only one where all 193 Member States have equal representation, each holding one vote. As the UN's main deliberative and policymaking body, it provides a global platform to discuss pressing international issues and adopt resolutions that, while not legally binding, carry significant political and moral weight. Through its work, the GA fosters cooperation, develops international norms, and advances collective action on matters of peace, security, human rights, and sustainable development.

In today's rapidly globalized and digitized economy, the General Assembly's role in shaping frameworks for economic justice and cooperation is more relevant than ever. Intellectual property (IP) theft and counterfeiting, ranging from the unauthorized replication of patents, trademarks, and copyrights to the exploitation of trade secrets, have become pressing global concerns. These illicit practices not only undermine innovation and the rule of law but also distort markets, deprive governments of revenue, and expose consumers to unsafe products, from counterfeit medicines to defective electronics.

Given its universal membership and convening power, the GA is uniquely positioned to bring together diverse perspectives on how to combat intellectual property violations in ways that balance protection, innovation, and accessibility. Delegates in this session will evaluate the effectiveness of existing international agreements, such as those under the World Intellectual Property Organization (WIPO) and the World Trade Organization's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). They will also explore pathways to strengthen enforcement mechanisms, promote cross-border cooperation, and encourage innovation while ensuring equitable access to knowledge and technology, particularly for developing nations.

Background of the topic

Glossary

	Term	Definition
1	Copyright	The legal right to control the production and selling of a book, play, film, photograph, or piece of music.
2	Counterfeiting	The activity of making illegal copies of things such as bank notes, DVDs, or official documents.
3	Intellectual Property	Someone's idea, invention, creation, etc., that can be protected by law from being copied by someone else.
4	Intellectual Property Rights	Legal rights granted to creators and owners of works that are the result of human intellectual creativity. Includes copyrights, patents, trademarks, and trade secrets.
5	IP Theft	Criminal acts involving digital platforms, including the theft of IP through hacking or illegal distribution.
6	Patent	The official legal right to make or sell an invention for a particular number of years.
7	Piracy	The act of attacking ships to steal from them.
8	Trade Secret	Confidential business information that provides a competitive advantage to its owner because it's not generally known to others and the owner makes reasonable efforts to keep it secret.
9	Trademark	A name or symbol on a product that shows it was made by a particular company, and that it cannot be used by other companies without permission.
10	TRIPS Agreement	Also known as Trade-Related Aspects of Intellectual Property Rights is a comprehensive international agreement on intellectual property (IP) rights, established by the World Trade Organization (WTO) in 1994.

Defining Intellectual Property and Counterfeiting

Intellectual property (IP) theft and counterfeiting pose major challenges in today's globalized and interconnected economy, undermining innovation, economic growth, fair competition, and even public health. Intellectual property refers to "creations of the mind," including inventions, literary and artistic works, designs, and symbols, names, or images used in commerce (WIPO, n.d.). These protections are designed to safeguard ideas, promote creativity, and reward innovation, while also enabling international cooperation and partnerships (Center for Strategic and International Studies, 2025).

From a legal standpoint, theft is a broad term that encompasses various forms of unlawful taking, including larceny, robbery, and burglary (Britannica, 2025). In the context of intellectual property, counterfeiting represents a specific crime involving the unauthorized use or reproduction of another entity's trademark or brand. Trademarks help businesses, both large and small, distinguish their goods and services in the marketplace. When stolen or imitated, they not only confuse consumers but also damage legitimate businesses and erode trust.

Despite decades of global efforts to combat it, IP theft remains a growing issue. One of the most pressing forms is the piracy of creative works such as films, music, and software, which continues to spread rapidly with digital technologies. Equally concerning is the theft of trade secrets, confidential business information such as formulas, processes, or designs, that often target large corporations. In some cases, these crimes are linked not only to commercial competitors but also to state-backed actors, making intellectual property theft both an economic and geopolitical issue.

The industries most affected highlight the breadth and danger of IP theft:

- **Pharmaceuticals:** Counterfeit medicines endanger lives by providing ineffective or harmful treatments, particularly in developing countries.
- **Technology and software:** Piracy of operating systems, applications, and video games undermines innovation and exposes consumers to cybersecurity risks.
- **Luxury fashion and consumer goods:** Fake clothing, accessories, and electronics flood global markets, damaging legitimate brands and exploiting consumers.

- **Automotive and industrial parts:** Counterfeit components jeopardize safety by failing to meet quality standards.
- **Agriculture and chemicals:** Fake fertilizers and pesticides disrupt farming practices and harm ecosystems.

Together, counterfeiting, piracy, and trade secret theft represent a multi-billion-dollar global industry with significant social, economic, and security implications. Addressing them requires not only strong legal protections but also international collaboration to ensure that innovation is safeguarded while fair access to knowledge and technology is maintained.

Historical Background

The protection of intellectual property (IP) is not a modern concept; it has deep historical roots that evolved alongside human innovation and commerce. The first modern patent law emerged in Venice in 1474, granting inventors exclusive rights for ten years to encourage creativity while preventing others from copying or exploiting new inventions without permission (History Walks in Venice, n.d.). This principle spread across Europe: England's Statute of Monopolies (1624) and France's patent law of 1791 laid important foundations for recognizing inventors' rights (Dent, n.d.).

At the same time, the protection of creative works gained ground. The Statute of Anne (1710) in Great Britain was the first modern copyright law, granting authors exclusive rights over their works for a limited period. This legal framework established the principle that creators should control and benefit from their intellectual contributions (Primary Sources on Copyright, n.d.).

The Industrial Revolution (1760–1840) marked a turning point. With rapid advances in manufacturing, engineering, and chemistry, the replication and theft of inventions surged. To address this, countries like the United States (1790) implemented strong patent laws, setting a global precedent. Later, in 1875, the United Kingdom introduced trademark registration systems, helping businesses establish brand identity and protect reputation in expanding markets.

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By the late 19th century, international cooperation became essential. Two landmark agreements shaped the global IP system:



- **The Paris Convention for the Protection of Industrial Property (1883):** Provided international recognition of patents, trademarks, and industrial designs.
- **The Berne Convention for the Protection of Literary and Artistic Works (1886):** Established a framework to protect authors' rights across borders.

The 20th century reinforced these protections with global institutions. The World Intellectual Property Organization (WIPO), established in 1967, became the specialized UN agency tasked with coordinating international IP efforts. Later, during the Uruguay Round of trade negotiations (1986–1994), member states of the World Trade Organization (WTO) adopted the TRIPS Agreement (Trade-Related Aspects of Intellectual Property Rights), which remains the most comprehensive international treaty on IP protection. TRIPS harmonized global standards, promoting innovation and technology transfer while balancing intellectual property rights with public interest.

Today, the historical evolution of IP frameworks illustrates the growing recognition that protecting ideas and innovations is essential not only for economic development but also for cultural and scientific progress. From Venice's early patent laws to TRIPS, the trajectory shows a consistent movement toward international cooperation to safeguard creativity and ensure fair competition in an increasingly interconnected world.

Current Situation and Emerging Challenges

Intellectual property (IP) theft and counterfeiting remain pressing global challenges, despite decades of international agreements and enforcement efforts. In today's highly digital and interconnected economy, these crimes are no longer confined to local markets but operate through complex transnational networks that impact trade, innovation, and security. The problem affects both developed and developing countries, cutting across multiple industries and posing risks to consumers, businesses, and governments alike.

Escalation in Digital Piracy and Online Infringements

The rapid expansion of the digital economy has amplified issues of copyright infringement, particularly through streaming services, file-sharing platforms, and online marketplaces. Pirated films, music, e-books, and software remain widely available, undermining creative industries and exposing consumers to cybersecurity risks. In 2023, for

example, Europol's joint operation with Spain and Germany dismantled a major IPTV piracy network, seizing €4.8 million in assets and shutting down over 11,000 illegal streaming servers. This illustrates both the scale of the problem and the increasing need for coordinated enforcement across borders.

Pharmaceutical Counterfeiting

The healthcare sector has been especially vulnerable to counterfeiting. During the COVID-19 pandemic, demand for medicines and protective equipment surged, creating fertile ground for counterfeiters. Fake vaccines, antibiotics, and personal protective equipment circulated widely, endangering public health and eroding trust in medical systems. According to the **World Health Organization (2022)**, one in ten medical products circulating in Africa is either substandard or falsified, causing an estimated **250,000 deaths annually**. Counterfeit pharmaceuticals represent not only a health crisis but also a barrier to achieving equitable access to medicine.

Technology, Trade Secrets, and Industrial Espionage

The theft of trade secrets—including proprietary technologies, manufacturing processes, and research data—has become a critical dimension of IP crime. Major technology companies, particularly in the fields of **semiconductors, artificial intelligence, and biotechnology**, face risks from competitors and, in some cases, state-backed actors seeking to gain economic and strategic advantages. Such practices undermine fair competition, weaken global supply chains, and threaten national security.

Counterfeit Consumer Goods

Luxury products, clothing, electronics, and toys are among the most frequently counterfeited items. Beyond economic harm to legitimate businesses, these goods often fail to meet safety standards, putting consumers at risk. For example, counterfeit electronic devices have been linked to house fires and electrocution, while fake automotive parts can cause mechanical failures with life-threatening consequences.

Broader Implications

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The scale of intellectual property theft is staggering: according to recent studies, the **global economic cost of counterfeiting and piracy exceeds \$500 billion annually**. This not





only deprives businesses of revenue but also reduces tax income for governments, funds organized crime, and fosters environments where corruption flourishes. Moreover, weak enforcement in some jurisdictions fuels global disparities, with certain countries becoming hubs for production and export of counterfeit goods.

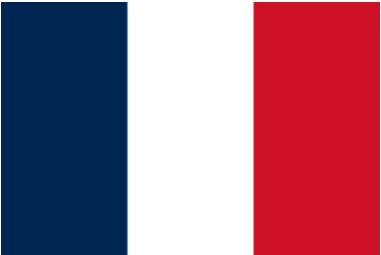
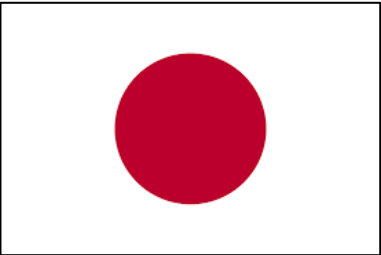


Key Stakeholders and Positions

Countries

Country	Position
The United States of America 	The U.S. is both a target and active participant in intellectual property disputes, with around 20% of software and movies globally pirated. Notable examples include the PRISM program, which raised concerns over government data collection from tech firms. Companies like Google, Microsoft, and Apple have faced lawsuits for allegedly copying innovations from smaller businesses. The U.S. entertainment industry, including Hollywood films and software like Windows and Adobe, also struggles with piracy. Additionally, U.S. pharmaceutical companies have been criticized for reverse-engineering European drug formulas to dominate the market.
People's Republic of China 	China faces widespread accusations of intellectual property theft, producing approximately 70% of the world's counterfeit goods, including fake luxury brands, pharmaceuticals, and electronics. Notable examples include the suspected replication of the U.S. F-35 jet and Huawei's alleged theft of Cisco's technology. The country has made efforts to strengthen IP laws, particularly after the Phase One Trade Deal with the U.S., but counterfeiting and cyber espionage continue to be major issues, impacting global industries and undermining trust in Chinese-made goods.

United Kingdom of Great Britain and Northern Ireland 	The UK faces major challenges with intellectual property crimes. Despite strong laws, enforcement is difficult, especially online. The UK strengthens its efforts through the Intellectual Property Office and international cooperation. A clear example is the case of Michael Campbell, investigated by MI5 in 2007. While claiming to be only a cigarette smuggler, undercover operations revealed he was involved in purchasing explosives and weapons for the Real IRA. Arrested in Lithuania, he was convicted of supporting terrorism and smuggling. His case shows how smuggling, an IP crime, can also hide serious security threats, highlighting the need for strong enforcement and global collaboration.
Russian Federation 	Russia faces widespread intellectual property theft, with over 30% of software and media being pirated. Common examples include counterfeit luxury goods, cars imitating Western brands, and the alleged copying of Sputnik V from Western vaccine research. Hacking groups like Fancy Bear have been linked to cyber espionage. Despite having IP laws, weak enforcement and strained relations with the West lead to ongoing challenges in protecting intellectual property.

French Republic 	France faces notable challenges with intellectual property theft, especially in the luxury goods and pharmaceutical sectors. Counterfeit items like designer handbags, watches, and clothing from high-end brands such as Louis Vuitton and Chanel are frequently produced and sold. The pharmaceutical industry also struggles with fake medicines entering the market, posing risks to public health. Despite France's strong IP laws and enforcement efforts, counterfeiting continues to be a persistent issue, with online platforms playing a significant role in the distribution of fake goods. France is committed to improving enforcement and working internationally to combat IP theft.
Japan 	Japan, known for its innovation and technological advancements, faces significant intellectual property theft and counterfeiting, particularly in the electronics, automotive, and fashion industries. Brands like Sony, Toyota, and Uniqlo are often targeted by counterfeiters. Counterfeit electronics and auto parts, as well as pirated software, are common problems. Despite Japan's robust IP laws and enforcement, the rise of online marketplaces has made counterfeiting a persistent challenge.
Germany 	Germany faces significant intellectual property theft, especially in automobiles, technology, and pharmaceuticals. Major brands like BMW, Volkswagen, and Siemens are frequently targeted by counterfeiters. Despite strong IP laws and enforcement, counterfeit auto parts and electronics remain common issues. Germany works both nationally and internationally to improve IP protection and combat counterfeiting.

Republic of Korea (South Korea) 	South Korea faces significant intellectual property theft, especially in technology, automotive, and fashion. Brands like Samsung, LG, and Hyundai are frequently targeted by counterfeiters, with fake electronics, auto parts, and fashion items widespread. Despite strong IP laws, the rise of online platforms makes enforcement challenging, and South Korea continues to enhance protections through stricter regulations and international cooperation.
Brazil 	One of the most famous examples of intellectual property theft in Brazil is the widespread counterfeit of Nike products. Fake Nike sneakers, jerseys, and accessories are commonly sold in markets and online platforms, often at a fraction of the price of authentic goods. These counterfeit items are typically of lower quality, misleading consumers and undermining the brand's reputation. Despite Brazil's strong intellectual property laws, these counterfeit goods continue to flood the market due to inconsistent enforcement, especially in informal retail settings and online sales.
Canada 	Canada struggles with intellectual property theft, particularly in pharmaceuticals. A key example is the counterfeit Viagra, which was seized by authorities, posing health risks and infringing on Pfizer's patents. Fake luxury goods and pirated software are also prevalent. While Canada has strong IP laws, enforcement, especially online, remains a challenge.

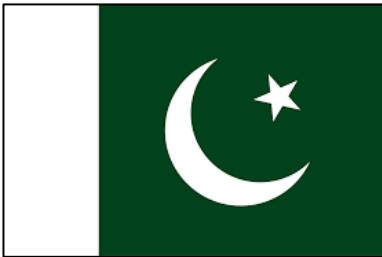
Italy 	Italy is actively combating intellectual property theft and counterfeiting, particularly in its luxury fashion, automotive, and food industries. Authorities, including the Guardia di Finanza, conduct large-scale operations, such as seizing €400 million worth of fake goods in major ports like Naples and Gioia Tauro. In Milan, police dismantled a counterfeit Ferrari and Lamborghini network, while online enforcement efforts have shut down hundreds of websites selling fake "Made in Italy" products. With strict laws imposing up to six years in prison for offenders, Italy continues to strengthen protections to safeguard its economy and global brand reputation.
Mexico 	One of the most significant issues of intellectual property theft in Mexico is the counterfeit of pharmaceuticals. Fake medications, including antibiotics and painkillers, are widely available, particularly in informal markets and through unregulated online platforms. These counterfeit drugs often contain incorrect ingredients or none at all, posing serious health risks to consumers. For example, fake insulin and cancer treatment drugs have been reported, endangering patients. Despite efforts to tighten regulations and improve enforcement, the sale of counterfeit medicines continues to be a major challenge.

Vietnam 	One of the most famous examples of intellectual property theft in Vietnam is the widespread production of counterfeit Apple products. Fake iPhones and iPads are commonly sold in markets, often with similar designs but subpar components. These counterfeit devices can be found online and in local stores, misleading consumers and damaging Apple's brand reputation. Despite improvements in IP laws, enforcement remains inconsistent, allowing the counterfeit market to flourish.
Thailand 	Thailand faces major issues with counterfeit luxury goods, especially Louis Vuitton bags, which are commonly sold in markets and online platforms. These fake products are made with inferior materials and sold at a fraction of the price of authentic items. Despite efforts to improve intellectual property laws and enforcement, counterfeiting continues to be widespread, posing risks to brands and consumers.
India 	India struggles with significant intellectual property theft, especially in pharmaceuticals, electronics, and fashion. Counterfeit medicines, as well as fake Apple and Samsung products, are widespread. While India has made strides to strengthen its IP laws, counterfeiting remains a persistent issue, particularly with the rise of online markets. The government continues efforts to improve enforcement, but challenges remain due to the scale of the problem.

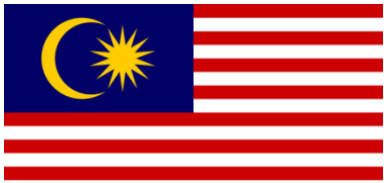
Turkey 	Turkey plays a dual role in the fight against intellectual property (IP) theft and counterfeiting, as both a major transit hub for counterfeit goods entering Europe and a country strengthening its IP enforcement. Despite efforts to align with EU standards, Istanbul's Grand Bazaar and online marketplaces remain hotspots for fake luxury goods. In 2023, Turkish authorities seized over 10 million counterfeit products, including fake Nike and Adidas shoes and counterfeit pharmaceuticals. The government has tightened penalties and increased raids, such as a major crackdown in Istanbul, where thousands of counterfeit designer bags were confiscated.
Indonesia 	Indonesia struggles with widespread counterfeiting, especially in Nike and Adidas products, pirated software, and counterfeit medications. Despite efforts to improve IP laws, enforcement remains weak, and counterfeiting thrives in markets and online. The government continues to enhance IP protection through legal reforms and international cooperation.
Switzerland 	Switzerland is known for its strong intellectual property protections, but it still faces challenges with counterfeiting, particularly in the luxury goods, pharmaceuticals, and watchmaking industries. Swiss brands like Rolex and Patek Philippe are frequent targets of counterfeiters. The country is also home to major pharmaceutical companies, which deal with counterfeit medicines and fake drug patents. Despite its rigorous IP laws and enforcement, Switzerland continues to confront the issue of counterfeiting, particularly as online markets expand and global demand for luxury items rises.

Australia 	Australia has strong intellectual property laws and actively combats counterfeiting and piracy, particularly in luxury goods, pharmaceuticals, and technology. The Australian Border Force plays a key role, seizing counterfeit goods at major ports and airports. In 2023, ABF intercepted over 600,000 fake items, including counterfeit Apple products and designer handbags. Australia also collaborates with the World Intellectual Property Organization and Interpol to tackle international IP crimes. Additionally, the government has cracked down on illegal streaming services, shutting down platforms distributing pirated content. Despite these efforts, online marketplaces and small-scale imports of counterfeit goods remain challenges.
South Africa 	South Africa faces significant challenges in combating intellectual property theft and counterfeiting, particularly in pharmaceuticals, electronics, and luxury goods. The country serves as a key entry point for counterfeit products in Africa, with major seizures occurring at Durban and Johannesburg ports. In 2023, authorities confiscated counterfeit medicines worth over \$10 million, highlighting the risks to public health. The South African Police Service and customs officials frequently raid markets like Johannesburg's China Mall, a known hotspot for fake branded goods. While South Africa has strict IP laws, enforcement is inconsistent, and counterfeit trade remains a persistent issue.

Netherlands 	The Netherlands is a key player in combating intellectual property theft and counterfeiting, serving as both a major entry point for counterfeit goods into Europe and a leader in enforcement. The Port of Rotterdam, one of the world's largest trade hubs, is a primary checkpoint where Dutch customs regularly intercept counterfeit electronics, pharmaceuticals, and luxury goods. In 2023, authorities seized over 1.5 million fake products, including counterfeit Nike shoes and Apple accessories. The Netherlands also collaborates with Europol and the European Union Intellectual Property Office to dismantle counterfeit networks. Despite strong laws, the high volume of trade makes tackling counterfeiting an ongoing challenge.
Singapore 	Singapore is a global leader in combating intellectual property theft and counterfeiting, with strict IP laws and harsh penalties for offenders. As a major trading hub, the country faces challenges with counterfeit goods transiting through its ports, particularly at Changi Airport and Jurong Port. In 2023, Singapore customs seized over \$100 million worth of counterfeit products, including fake luxury watches and electronics. The government collaborates with Interpol and the World Intellectual Property Organization to strengthen enforcement and disrupt counterfeit networks. With specialized IP courts and advanced surveillance systems, Singapore remains one of the most proactive nations in protecting intellectual property.

Nigeria 	Nigeria faces significant challenges in combating intellectual property theft and counterfeiting, particularly in pharmaceuticals, electronics, and consumer goods. The country is a major market for counterfeit medicines, which pose serious health risks. In 2023, Nigerian authorities seized over 20 million counterfeit pharmaceutical products, including fake anti-malarial drugs. The National Agency for Food and Drug Administration and Control leads efforts to curb counterfeiting, but enforcement remains inconsistent, especially in informal markets. Nigeria also collaborates with international organizations like Interpol and WIPO to address the growing issue, though weak enforcement and corruption continue to hinder progress.
United Arab Emirates 	The United Arab Emirates is actively combating intellectual property theft and counterfeiting, particularly in luxury goods, electronics, and automotive parts. As a major trade hub, cities like Dubai and Abu Dhabi face challenges with counterfeit goods passing through Jebel Ali Port, one of the
Pakistan 	Pakistan struggles with intellectual property theft and counterfeiting, particularly in the electronics, pharmaceuticals, and fashion sectors. Counterfeit medications, including fake antibiotics and painkillers, are a significant issue, posing serious health risks. The country also faces widespread counterfeiting of luxury goods like Rolex watches and Nike shoes. Despite improvements in IP laws, enforcement remains inconsistent, and counterfeiting continues to thrive in local markets and online platforms.

Kingdom of Saudi Arabia 	Saudi Arabia faces challenges with counterfeit pharmaceuticals, electronics, and luxury goods entering its markets. The government has strengthened enforcement through the Saudi Authority for Intellectual Property (SAIP), introduced harsher penalties for IP violations, and increased public awareness campaigns. The Kingdom emphasizes international cooperation, particularly within the Gulf Cooperation Council (GCC), and supports stronger enforcement under TRIPS to protect consumers and legitimate businesses.
Kingdom of Spain 	Spain is both a transit and consumer hub for counterfeit goods, particularly in fashion, pharmaceuticals, and electronics. Spanish customs and the Guardia Civil actively cooperate with Europol and EUIPO to intercept counterfeit products entering Europe. Spain supports strong EU frameworks, stricter regulation of e-commerce platforms, and international partnerships to safeguard IP. Its position highlights the need for stronger coordination within the EU and global institutions like WIPO.
Kingdom of Sweden 	Sweden places strong emphasis on innovation and the protection of creative industries, pharmaceuticals, and technology. As an EU member, it aligns closely with European Commission policies on IP enforcement. Sweden also prioritizes consumer safety, highlighting the dangers of counterfeit medicines and electronics. Its position promotes capacity building in developing countries and stresses balancing IP protection with global access to essential medicines.

Malaysia 	Malaysia remains both a market and transit hub for counterfeit goods, particularly in luxury products, software, and pharmaceuticals. Enforcement is complicated by widespread informal markets and online sales. The government has strengthened its IP legal framework and works with WIPO and ASEAN to improve enforcement capacity. Malaysia advocates for regional cooperation and emphasizes public-private partnerships to address consumer safety risks.
Republic of Poland 	Poland faces growing issues with counterfeit clothing, electronics, and automotive parts, much of which enters through cross-border trade with non-EU states. The Polish government collaborates with the EUIPO and Europol to combat IP crime and has increased penalties for offenders. Poland supports harmonized EU standards, stronger customs inspections, and international cooperation to dismantle organized counterfeiting networks.

Organizations

European Commission

The European Commission plays a central role in shaping the European Union's approach to intellectual property (IP) enforcement. It emphasizes the need for stronger measures against cross-border and organized IP crime, recognizing that counterfeiting and piracy are not only economic issues but also linked to serious organized crime. The Commission works closely with the European Union Intellectual Property Office (EUIPO) to coordinate law enforcement and criminal justice responses. It also funds research, training, and events focused on counterfeiting, including the rising threat of fake medicines and pharmaceutical crimes. Internationally, the Commission has participated in negotiations such as the Anti-Counterfeiting Trade Agreement (ACTA) and maintains observer status in fora like the Council of Europe Convention on Counterfeit Pharmaceuticals, reinforcing its commitment to harmonized global standards (Directorate-General for Migration and Home Affairs, 2025).

European Union and the Association of Southeast Asian Nations (ASEAN)

The European Union (EU) and ASEAN are key partners in addressing counterfeiting at the transregional level. Southeast Asia is a hotspot for counterfeit production, with markets in countries like Thailand deeply impacting industries such as luxury goods, electronics, and pharmaceuticals. In response, the EU has invested heavily in technical assistance programs. The IP Key Southeast Asia (IP Key SEA) program, with a €7 million budget over four years, focuses on protecting European businesses operating in ASEAN markets. Similarly, the ARISE Plus program, funded with €5.5 million over five years, emphasizes regulatory cooperation, innovation, and secure trade practices. This partnership reflects the EU's concern about the annual €90 billion in losses and 800,000 jobs affected by counterfeit goods, while also supporting ASEAN in building stronger IP enforcement frameworks (Yam, 2018).

International Trademark Association (INTA)

The International Trademark Association (INTA) is one of the most influential non-governmental actors in the fight against counterfeiting. INTA, alongside fourteen other IP and anticounterfeiting organizations, has urged the European Union to prioritize IP crime within the 2026–2029 EMPACT policy cycle—a framework for combating serious international crime in the EU. According to INTA, counterfeiting undermines economic stability, innovation, and consumer safety, with the EU clothing industry alone losing an estimated €12 billion annually due to counterfeit products. INTA advocates for enhanced cooperation between governments, industry stakeholders, and law enforcement to deter counterfeiters, protect consumers, and foster a fair and competitive market. By elevating IP crime as a priority, INTA argues that enforcement will become more consistent and effective, supporting legitimate businesses while encouraging innovation and economic growth (Eyers, 2024).

Previous UN Actions and Resolutions

The United Nations has long recognized the importance of intellectual property (IP) protection as a cornerstone of innovation, fair trade, and economic stability. Over the years, it has developed resolutions, conventions, and capacity-building initiatives aimed at strengthening international cooperation against IP theft and counterfeiting.

Key UN Resolutions and Treaties

- **Resolution A/RES/55/25: United Nations Convention Against Transnational Organized Crime (2000)**

This landmark treaty, also known as the Palermo Convention, addresses transnational organized crime in its many forms. While not exclusively focused on intellectual property, it recognizes counterfeiting and piracy as activities often linked to organized criminal networks. By framing IP violations within the broader context of global crime, the resolution encourages states to adopt stronger legal measures and collaborate across borders to combat illicit trade.

- **Resolution A/RES/64/136: Strengthening International Cooperation in Combating Counterfeiting (2009)**

This resolution emphasizes the need for enhanced international cooperation to prevent the proliferation of counterfeit goods. It highlights the risks that counterfeit products pose to consumer safety, economic stability, and legitimate industries. The resolution calls for improved customs controls, information sharing, and partnerships between governments, businesses, and international organizations.

- **Resolution A/RES/70/186: Consumer Protection and Legitimate Trade Promotion (2015)**

This resolution underlines the negative impact of counterfeiting on consumer trust and fair trade. It urges member states to strengthen consumer protection mechanisms, enforce intellectual property rights more effectively, and adopt regulatory frameworks that foster legitimate trade and innovation.



UNDP and WIPO Programs

- **IP for Creative Industries in Developing Countries (UNDP & WIPO)**

This joint initiative supports the development of effective national IP frameworks, particularly in developing economies. By equipping governments and creators with resources, tools, and networking opportunities, the program fosters local innovation and helps integrate creative industries into the global economy.

- **WIPO Academy**

As the training and education branch of the World Intellectual Property Organization, the Academy provides courses, workshops, and capacity-building initiatives for government officials, business professionals, and creators. Its goal is to improve the understanding, implementation, and enforcement of intellectual property rights, thereby enabling states to protect innovation and strengthen their economies.



Current Challenges and Debates

Current Challenges

- 1. Online Piracy and Counterfeit Products:** Digital platforms have made it easier than ever to share pirated movies, music, and software, as well as sell counterfeit goods. Online marketplaces often host sellers offering fake products that closely mimic genuine ones, making detection difficult. The speed and scale of online distribution allow counterfeit networks to adapt quickly and evade enforcement.
- 2. Inconsistent Legal Frameworks Across Countries:** Intellectual property (IP) laws vary widely among states, and some governments lack the capacity or political will to enforce them. This creates loopholes that transnational criminals exploit, moving operations across jurisdictions to avoid accountability (Interpol, 2022).
- 3. Emerging Technology Risks:** New technologies such as 3D printing and artificial intelligence (AI) present both opportunities and risks. While they foster innovation, they also make it easier to replicate patented designs or generate creative content that challenges traditional ownership definitions. Legal frameworks often lag behind these technological shifts (WIPO, 2023).
- 4. Complex Global Supply Chains:** Modern supply chains span multiple countries, making it difficult to trace the origins of counterfeit components. This lack of transparency complicates enforcement, particularly in industries like electronics, automotive manufacturing, and pharmaceuticals (OECD & EUIPO, 2021).
- 5. Knowledge and Resource Gaps:** Small businesses and individual creators are disproportionately affected by IP theft. Many lack the knowledge, resources, or access to legal counsel necessary to protect their innovations, leaving them vulnerable to exploitation by larger counterfeit networks (WIPO, 2023).
- 6. Illicit Markets on the Dark Web:** The rise of the dark web and the use of cryptocurrencies provide counterfeiters with new ways to conduct transactions anonymously. These platforms make it harder for law enforcement to track criminal actors and dismantle illicit networks.

Debates

- **Developed vs. Developing Countries:** A central debate in international IP policy is the balance between protection and access. Developed countries advocate for strong IP protections to safeguard innovation and industry. In contrast, many developing countries argue that rigid laws restrict access to affordable medicines, technology, and educational resources, calling for more flexible frameworks.
- **Technology as a Solution or Risk:** Some stakeholders promote emerging technologies like blockchain, digital watermarking, and AI-based monitoring to track and prevent counterfeiting. However, critics caution that such systems are costly, may exacerbate inequality between states, and could raise privacy concerns if misused.
- **Responsibility of Online Platforms:** E-commerce platforms such as Amazon, eBay, and Alibaba face growing pressure to take responsibility for counterfeit sales. While some governments argue platforms should proactively monitor and remove fake goods, others believe accountability should lie with individual sellers to avoid overburdening digital trade systems.
- **Links to International Security:** Counterfeiting extends beyond economic loss. Profits from counterfeit goods have been tied to organized crime and terrorism financing, particularly through counterfeit weapons, electronics, and pharmaceuticals. This connection undermines trust among states and elevates IP crime to a matter of international security.
- **Human Rights Concerns:** The human impact of counterfeiting is profound. Fake medicines, car parts, and electronics put consumer lives at risk. Moreover, many counterfeit goods are produced under exploitative conditions, including child labor and unsafe working environments, raising serious human rights concerns.

Case Studies

Pfizer vs. Viagra Counterfeiters (Pharmaceutical Industry)

Viagra, developed by Pfizer and marketed by Viatris, is one of the most recognized prescription drugs globally and has become one of the most counterfeited medicines in the world. Estimates suggest that around 30 million men in the United States alone suffer from erectile dysfunction, making the drug highly sought after (Skiba, 2021).

In the United Kingdom, authorities seized counterfeit Viagra worth nearly US\$15 million in 2015. Globally, illegal trafficking of erectile dysfunction pills generates revenues of approximately US\$1.5 billion annually. Many of these counterfeits are produced in artisanal workshops in China or as knockoffs like *Kamagra* from India, designed to mimic the distinctive “blue diamond” shape of Viagra tablets.

The counterfeit versions vary in content:

- Some contain no active ingredient or incorrect dosages.
- Others include dangerous contaminants or toxic fillers.
- A few imitate packaging so well that even experienced buyers may be deceived.

The consequences are severe:

- **Public Health Risks:** Consumers risk serious side effects or even death from adulterated medicines.
- **Financial Losses:** Pfizer loses hundreds of millions annually to counterfeit competition.
- **Distrust in Healthcare:** Counterfeits undermine public confidence in pharmacies, doctors, and legitimate pharmaceuticals.
- **Organized Crime:** Counterfeit drug sales are often tied to transnational criminal networks.

To combat this, Pfizer has pursued legal action against fake online pharmacies, coordinated with the FBI, FDA, and U.S. Department of Justice, and flagged over 650 websites misusing the term “Viagra” in their domains. Despite these measures, counterfeit drugs continue to proliferate through unregulated online sales (Ser, n.d.; Skiba, 2021).

Louis Vuitton vs. Alibaba (Fashion and Luxury Industry)

Louis Vuitton, one of the world's leading luxury brands, has been a frequent target of counterfeiters. The rise of e-commerce has made platforms like Alibaba, China's largest online marketplace, central to the debate over accountability for counterfeit sales.

Louis Vuitton accused Alibaba of indirectly facilitating the sale of thousands of counterfeit bags, accessories, and leather goods by enabling third-party sellers to list fake products on its site. Counterfeiting in the luxury industry is particularly lucrative because consumers often struggle to distinguish between genuine and fake goods.

This case illustrates several key issues:

- **Trademark Infringement:** The use of fake logos and branding constitutes a clear violation of intellectual property rights.
- **Platform Accountability:** E-commerce companies face increasing pressure to police counterfeit listings and strengthen seller verification.
- **Cross-Border Enforcement Challenges:** Even when brands win lawsuits, counterfeit sellers often operate anonymously and relocate quickly across jurisdictions.

International organizations like WIPO have stressed the need for stronger cooperation between states, brands, and digital platforms. The case demonstrates that luxury companies alone cannot combat counterfeiting: public-private partnerships and stricter global oversight are required to safeguard innovation and protect consumer trust.

Europol and Spain Crack IPTV Network (Entertainment Industry)

In April 2023, Europol and Spanish authorities dismantled a massive illegal IPTV (Internet Protocol Television) service that had been streaming movies, television shows, and sporting events across Europe without authorization.

The network provided illicit services to more than 500,000 users, generating millions of euros in profits. These revenues were funneled through cryptocurrencies and shell

companies, demonstrating the increasingly sophisticated financial operations of IP crime networks (AP News, 2024).

The raid resulted in the arrest of the group's leaders and the seizure of over 11,000 servers hosting pirated content (Cadena Ser, 2025). This case highlights:

- **Digital Piracy's Scale:** With widespread internet access, unauthorized streaming services undermine the film, television, and sports industries.
- **Organized Crime Links:** The use of money laundering schemes illustrates how piracy connects to broader criminal activities.
- **Law Enforcement Cooperation:** International collaboration between Europol, national police forces, and cybercrime units was crucial for dismantling the network.

This case underscores the challenges of digital enforcement in an era where piracy adapts quickly to new technologies and consumer demand for low-cost content.

Fake COVID-19 Vaccines During the Pandemic (Health and Security)

The COVID-19 pandemic exposed how counterfeit medical products can threaten global health security. As demand for vaccines and protective equipment surged, organized crime groups and opportunistic counterfeiters flooded markets with fake vaccines, masks, and sanitizers.

In 2021, Interpol coordinated Operation Pangea XIV, which involved authorities from over 90 countries. They seized more than 9 million counterfeit medical products, including fake vaccines falsely labeled as Pfizer or Moderna. Many of these counterfeits contained no active ingredients, while others included harmful substances that posed severe health risks.

The consequences were far-reaching:

- **Public Health Risks:** Fake vaccines endangered lives and undermined trust in immunization campaigns.



- **Economic Losses:** Billions were diverted from legitimate pharmaceutical supply chains.
- **Organized Crime:** Profits from counterfeit medicines were linked to global criminal networks exploiting weak health systems.
- **Trust Erosion:** Counterfeits spread misinformation and skepticism, complicating efforts to fight the pandemic.

This case demonstrates how intellectual property theft in the pharmaceutical sector goes beyond economics, directly threatening global health, human security, and international cooperation during emergencies. It also highlights the importance of rapid information sharing, cross-border enforcement, and stronger regulation of online medical sales platforms.



Possible Solutions and Future Perspectives

1. **Strengthening International Cooperation.** Intellectual property (IP) theft and counterfeiting are global challenges that frequently involve cross-border operations. A key solution lies in enhancing international cooperation. This can be achieved by expanding multilateral agreements through organizations such as the World Intellectual Property Organization (WIPO) and the World Trade Organization (WTO), promoting intelligence-sharing between law enforcement, customs, and border agencies, and supporting regional frameworks like the European Union's IP enforcement network or ASEAN initiatives, which can serve as models for global application.
2. **Enhancing Technological Tools for Detection and Enforcement.** Modern technologies are essential in the fight against counterfeiting. Blockchain can be used to trace supply chains and verify product authenticity, while artificial intelligence (AI) can monitor online platforms to identify counterfeit listings in real time. Customs and law enforcement agencies can employ big data analytics to flag suspicious trade patterns, intercept illicit shipments, and prevent counterfeit goods from reaching consumers.
3. **Capacity Building in Developing Countries.** Many developing nations face difficulties enforcing IP rights due to limited resources and infrastructure. The international community, through the UN system, donor states, and regional organizations, can provide technical assistance, training, and financial support to strengthen enforcement mechanisms. Public education campaigns can raise awareness of the dangers of counterfeit goods, such as fake medicines or unsafe electronics. Moreover, updating national legal frameworks and aligning them with international standards can improve deterrence and compliance.
4. **Stricter Regulation of E-Commerce Platforms.** E-commerce platforms have become one of the main channels for counterfeit distribution. Governments should adopt stricter regulations to hold platforms accountable. This includes verifying the identity of sellers, imposing liability for counterfeit products sold on their sites, and requiring mechanisms for consumers to easily report suspected fakes. Platforms should also be mandated to disclose supply chain information, thereby increasing transparency and consumer trust.



5. **Public–Private Partnerships.** Collaboration between governments and the private sector is critical to combating counterfeiting. Intellectual property owners, such as luxury brands, pharmaceutical companies, and technology firms, can contribute by sharing expertise, developing advanced detection tools, and co-funding public awareness campaigns. These partnerships can also empower consumers by educating them on the harms of counterfeit goods and promoting responsible purchasing behavior.

Ultimately, addressing intellectual property theft and counterfeiting requires a holistic, multi-stakeholder approach that balances enforcement with equity. While stronger IP protections safeguard innovation, they must also align with the Sustainable Development Goals (SDG 9: Industry, Innovation, and Infrastructure; and SDG 8: Decent Work and Economic Growth) and ensure fair access to knowledge, medicines, and technology in developing countries. By combining legal frameworks, technological innovation, community awareness, and international cooperation, the global community can work toward a safer, fairer, and more innovative economy.



Guiding Questions

Understanding the topic	
1	What are the main forms of intellectual property theft and counterfeiting that impact today's economy?
2	In what ways do intellectual property violations affect different sectors like technology, pharmaceuticals, fashions and entertainment?
3	How has the growth of digital platforms and e-commerce influenced the prevalence of IP theft and counterfeiting?
4	What are the social, economic and cultural factors that promote the counterfeit?

National Perspectives	
1	What's the delegation's current position and approach regarding the protection of intellectual property rights?
2	Which are the national laws and regulations strategies, does the delegation have developed to combat IP theft and counterfeit?
4	In what ways do IP theft and counterfeiting affect the delegation's economy, innovation and commercial trade relations?

International Cooperation	
1	What international agreements or treaties related to IP protection have the delegation signed (e.g., TRIPS Agreement, WIPO treaties)?
2	In what way the international collaborations between nations have had success in order to combat IP theft?
3	What role does WIPO and other international bodies (like WTO, Interpol) play in addressing this issue, and what measures do they take?

Challenges and solutions	
1	What are the main challenges in enforcing International IP laws, such as jurisdiction issues, technological gaps, and politics?
2	In what order would it be ethically correct to establish global standards for penalties and enforcement related to IP?

Suggested Readings and Resources

Websites

To understand the topic

Directorate-General for Migration and Home Affairs. (2025, March 31). *Counterfeiting*. European Commission. <https://home-affairs.ec.europa.eu>

Intellectual Property Office. (2024, November 21). *The effect of counterfeit goods*. GOV.UK. <https://www.gov.uk/government/publications/meta-counterfeit-and-piracy-campaign/the-effect-of-counterfeit-goods>

Role of UN and NGO's

Eyers, T. (2024, December 13). *INTA supports joint statement for the inclusion of IP crime as a priority in the European Union's EMPACT 2026–2029 policy cycle*. International Trademark Association. <https://www.inta.org/news-and-press/press-releases/the-international-trademark-association-supports-joint-statement-for-the-inclusion-of-intellectual-property-crime-as-a-priority-in-the-eu-commissions-empact-2026-2029-policy-cycle/>

United Nations Office on Drugs and Crime. (n.d.). *Organized crime module 16 key issues: Intellectual property crime and terrorism*. SHERLOC. <https://sherloc.unodc.org/cld/en/education/tertiary/organized-crime/module-16/key-issues/intellectual-property-crime-and-terrorism.html>

Examples

Kirkwood, H., Carter, R., & Durant, S. (2020). The counterfeit conundrum: A case study to examine the best way to combat counterfeit consumption. *Atlantic Marketing Journal*, 9(2). <https://digitalcommons.kennesaw.edu/cgi/viewcontent.cgi?article=1282&context=amj>



Chafetz, G. (2023, July 31). How China's political system discourages innovation and encourages IP theft. *The SAIS Review of International Affairs*. <https://saisreview.sais.jhu.edu/how-chinas-political-system-discourages-innovation-and-encourages-ip-theft/>

Zheng, H. (2020). Challenges related to intellectual property rights in China. *Trustiics*. <https://www.trustiics.com/posts/intellectual-property-rights-challenges-china>

Videos

European Union Intellectual Property Office. (2016, June 29). *ACRIS – Anti-Counterfeiting Rapid Intelligence System* [Video]. YouTube. <https://www.youtube.com/watch?v=my-SWgYALY0>

National White Collar Crime Center. (2014, July 15). *Intellectual property theft: Fake products, real crime* [Video]. YouTube. <https://www.youtube.com/watch?v=9NIH9zOXvdg>



References

- AARP. (2021, May 4). *Píldoras falsas de disfunción eréctil, una estafa peligrosa*.
<https://www.aarp.org/espanol/dinero/estafas-y-fraudes/info-2021/pildoras-falsas-de-disfuncion-erectil.html>
- Associated Press. (2025, January 2). *Europol dismantled a network of illegal streaming of sports and other pirated content*. AP News. <https://apnews.com/article/spanish-league-piracy-europol-f8024734ba5987ec17e9235b8df1ec2b>
- BBC News Mundo. (2016, May 12). *Las píldoras falsas de Viagra: El multimillonario negocio de los medicamentos falsificados*.
https://www.bbc.com/mundo/noticias/2016/05/160512_salud_viagra_negocio_falso_india_china_mercado_amv
- Cadena SER. (2004, August 3). *La falsificación de medicamentos causa más de 200.000 muertes al año en el mundo*.
https://cadenaser.com/ser/2004/08/03/ciencia/1091499873_850215.html
- Cadena SER. (2025, January 2). *LaLiga colabora con la Europol y desmantela una red de piratería que distribuía contenido a más de 22 millones de usuarios*.
<https://cadenaser.com/nacional/2025/01/02/laliga-colabora-con-la-europol-y-desmantela-una-red-de-pirateria-que-distribuia-contenido-a-mas-de-22-millones-de-usuarios-cadena-ser/>
- Center for Strategic and International Studies. (2023, September 6). *RAI explainer: A brief history of the international IP regime*. <https://www.csis.org/blogs/perspectives-innovation/rai-explainer-brief-history-international-ip-regime>
- Chafetz, G. (2023, July 31). *How China's political system discourages innovation and encourages IP theft*. The SAIS Review of International Affairs.
<https://saisreview.sais.jhu.edu/how-chinas-political-system-discourages-innovation-and-encourages-ip-theft/>
- Copyright History. (n.d.). *About the project*.
<https://www.copyrighthistory.org/cam/index.php?select=about>

Copyright History. (n.d.). *Statute of Anne, 1710*.

https://www.copyrighthistory.org/cam/tools/request/showRecord.php?id=record_uk_1710

Directorate-General for Migration and Home Affairs. (2025, March 31). *Counterfeiting*.

Migration and Home Affairs. https://home-affairs.ec.europa.eu/policies/internal-security/organised-crime-and-human-trafficking/counterfeiting_en

Elle México. (2024, May 22). *El grupo francés LVMH se asocia con la empresa china Alibaba*.

<https://elle.mx/moda/2024/05/22/grupo-frances-lvmh-asocia-empresa-china-alibaba>

Encyclopaedia Britannica. (2025, March 23). *Theft*. <https://www.britannica.com/topic/theft>

Eurojust. (2024, November 27). *Crackdown on illegal streaming networks with 22 million*

users worldwide. <https://www.eurojust.europa.eu/news/crackdown-illegal-streaming-network-22-million-users-worldwide>

Eyers, T. (2024, December 13). *INTA supports joint statement for the inclusion of IP crime as*

a priority in the European Union's EMPACT 2026–2029 policy cycle. International Trademark Association. <https://www.inta.org/news-and-press/press-releases/the-international-trademark-association-supports-joint-statement-for-the-inclusion-of-intellectual-property-crime-as-a-priority-in-the-eu-commissions-empact-2026-2029-policy-cycle/>

German Criminal Defence Lawyers. (2023). *Theft charges in Germany*. Schlun & Elseven.

<https://se-legal.de/criminal-defense-lawyer/theft-in-germany/?lang=en>

History Walks Venice. (2024, March). *Venetian patent law 1474*.

<https://historywalksvenice.com/2024/03/venetian-patent-law-1474/>

International AntiCounterfeiting Coalition. (n.d.). *What is counterfeiting?*

<https://www.iacc.org/resources/about/what-is-counterfeiting>

Intellectual Property Office. (2024, November 21). *The effect of counterfeit goods*. Gov UK.

<https://www.gov.uk/government/publications/meta-counterfeit-and-piracy-campaign/the-effect-of-counterfeit-goods>

Kappers, E. (2024, July 26). *Authorities go for gold on fake fashion enforcement as Paris*

Olympics begin. Retail & Consumer Products Law Observer.

<https://www.retailconsumerproductslaw.com/2024/07/authorities-go-for-gold-on-fake-fashion-enforcement-as-paris-olympics-begin/>

- Kirkwood, H., Smith, J., & Johnson, P. (2020). *The counterfeit conundrum: A case study to examine the best way to combat counterfeit consumption*. Atlantic Marketing Journal, 9(2).
<https://digitalcommons.kennesaw.edu/cgi/viewcontent.cgi?article=1282&context=amj>
- Sherman, B., & Bently, L. (2009). *The development of intellectual property law in the UK*. University of Melbourne.
https://law.unimelb.edu.au/_data/assets/pdf_file/0003/1705278/33_2_4.pdf
- Sterkel, C. (2025, March 15). *Russia allows companies to steal intellectual property from unfriendly nations*. Edwhitelaw.com. <https://www.edwhitelaw.com/blog/russia-allows-companies-to-steal-intellectual-property-from-unfriendly-nations>
- United States Patent and Trademark Office. (n.d.). *Trademark scams: How to avoid them and what to do if you get fooled*. <https://www.uspto.gov/about-us/events/trademark-scams-how-avoid-them-and-what-do-if-you-get-fooled>
- U.S. Copyright Office. (n.d.). *What is copyright?* <https://www.copyright.gov/what-is-copyright/#:~:text=Copyright%20is%20a%20type%20of,plays%2C%20and%20so%20much%20more>
- World Intellectual Property Organization. (2016). *Comprender la propiedad intelectual*. https://www.wipo.int/edocs/pubdocs/es/wipo_pub_895_2016.pdf
- World Intellectual Property Organization. (n.d.). *About IP*. WIPO.
<https://www.wipo.int/en/web/about-ip>
- World Trade Organization. (n.d.). *Overview: The TRIPS Agreement*.
https://www.wto.org/english/tratop_e/trips_e/intel1_e.htm
- World Trade Organization. (n.d.). *TRIPS: Enforcement of intellectual property rights*.
https://www.wto.org/english/tratop_e/trips_e/intel2_e.htm
- Yam, C. (2018, May 17). *The European Union fights counterfeiting in Southeast Asia*. DépôtDe-Marque.com. <https://depot-de-marque.com/en/eu-fight-against-counterfeiting-in-south-east-asia/>
- Zheng, H. (2020). *Challenges related to intellectual property rights in China*. Trustiics.
<https://www.trustiics.com/posts/intellectual-property-rights-challenges-china>