[ES] The Spanish Government Approves Anti Piracy Plan

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On 26 April 2005, the Spanish government published in the Official Journal (BOE) the Order approving an Integral Plan for the decrease and the elimination of Intellectual Property damaging activities. This plan is an ambitious project which involves 11 Ministries, as well as the Autonomous and Local Administrations.

The Plan has two main objectives: to establish punitive measures to stop the offences against intellectual property and to raise awareness in Spanish society about the damaging consequences that piracy causes nowadays to culture and the different sectors involved. To achieve this objective and try to eliminate piracy, the Plan introduces the following five sets of measures, which are developed through different actions:

- Cooperation and collaboration measures

- Preventive measures

- Measures encouraging social awareness

- Legal measures

- Measures geared towards training public officials

The first set of measures concentrates on cooperation and collaboration, the main action in this field is the creation of an inter-sectoral commission, composed of representatives of the Public Administration, the organizations protecting intellectual property rights (collecting cooperatives), the technology industry, and consumers' associations. This commission shall be a forum in which to discuss different points of view and to make decisions.

Secondly, preventive measures are put in place. The idea is to create a platform from which the Piracy concept is analysed and studied, trying to discover its future trends. The preventive actions try to detect the following points about piracy: What is infringed? Who is infringing? Who are the consumers of illegal products? Why do people consume illegal products?

Thirdly, the plan introduces measures seeking to raise awareness through institutional campaigns. The objective is to make the population aware of how

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damaging breaching intellectual property rights can be, not only culturally, but also economically and socially. These campaigns shall be aimed at the entire population, but will especially target the younger generations. The measures can be developed through specific activities such as: informing society about the concept of intellectual property, explanation of the cultural and economic value of intellectual property, contributions of the media, etc.

Fourthly, a legal basis is given to this plan. The government shall adapt the different laws to the circumstances and shall use all the tools to prosecute the offences related to piracy. The collaboration of many institutions, including the autonomous and local administrations, the police and other security bodies, the courts and judges shall be essential to achieving that aim.

The last set of measures focuses on training the public officials responsible for implementing the law. The idea is to enhance their theoretical and practical capacity to develop their functions, making them aware of the significance of the offences against intellectual property. These measures shall also be implemented in schools and universities.

The gravity of the problem entails that some measures shall be taken with urgency, for instance, the foundation of a police group specialized in intellectual property, development of campaigns for consumers, reinforcement of international cooperation, etc.

As the piracy problem shall not disappear in a short period of time, the Plan is not conceived as a static instrument, but as a method that should be updated from time to time in accordance with the experiences and conclusions drawn in time.

Plan Integral para la Disminución y la Eliminación de las Actividades Vulneradoras de la Propiedad Intelectual

http://www.mcu.es/gabipren/notas/2005/abril/cul_08_piratas.pdf

Integral Plan of the Government for the Decrease and the Elimination of Intellectual Property Damaging Activities

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