

False trade descriptions: FBR tells customs to invoke adjudication provision

The Federal Board of Revenue (FBR) has directed customs officials at ports to immediately invoke adjudication provision under section 15 of Customs Act, 1969 against importers and exporters of counterfeit/trade mark items and goods having false trade descriptions under Intellectual Property Rights (IPR) laws.

Sources told *Business Recorder* here on Wednesday that the decision has been taken during the last Chief Collectors/ Directorate General of Customs Conference held at the FBR House for effective enforcement of the IPR laws. As per FBR, wherever, IPR violations are detected and model customs collectorates (MCCs) invoke provision of Section 15 of Customs Act, 1969, information may be conveyed to DG (IPR) to intimate all stakeholders the extent of FBR's resolve in combating Intellectual Property Rights violations. To combat the violation of IPR in the country, capacity of Customs Officers in this area should be increased through training/ specialization to develop a pool of IPR specialists.

The action required by DG (IPR Enforcement) will pursue the matter with HRM Wing and DGTR Customs. Under section 15 of Customs Act, 1969, no goods specified in the following clauses shall be brought into or taken out of Pakistan: Counterfeit coins, forged or counterfeit currency notes, and any other counterfeit product; any obscene book, pamphlet, paper, drawing, painting, representation, figure, photograph, film, or, article, video or audio recording, CDs or recording on any other media; goods having applied thereto a counterfeit trade mark within the meaning of the Pakistan Penal Code, 1860, or a false trade description within the meaning of the Copyright Ordinance, 1962, the Registered Layout-Designs of Integrated Circuits Ordinance, 2000, the Registered Designs Ordinance, 2000, the Patents Ordinance, 2000 and the Trade Marks Ordinance, 2001.

Provided that offences relating to goods imported or exported in violation of Intellectual Property Rights shall, notwithstanding any thing contained in any other law for the time being in force, be adjudicated under section 179 by the appropriate officer of customs.

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