

**Team for Counteracting Infringements
of Copyright and Related Rights**

PROGRAMME

**for the Protection of
Copyright and Related Rights
2008 - 2010**

Warsaw 2008

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Introduction

Raising of public awareness shows that the protection of copyright and related rights is conducive to large scale investments and leads to increased competitiveness, both in the field of industry and culture. It may also significantly influence creation of new jobs. Therefore, the field of protecting creative work should be of particular concern to the State.

Copyright and related rights play a fundamental role in this context, because they protect and support both the improvement and sales of new products and services, as well as the creative processes and the use of creative contents.

Artistic and economic successes of phonographic and film market contribute to economic growth in general. Illegal music and film products, on the other hand, reduce creativity, impair budget revenue, and impede investments. Such situation results in losses caused by unpaid taxes, and due to a decrease in the number of jobs, leading at the same time to a growth in organised crime.

Advanced computer programmes play an increasingly significant role in many branches of economy; CT may be regarded as a discipline of fundamental relevance to industrial development of the European Community, to which our country belongs. Creating computer programmes requires a significant intellectual, technical and financial expenditure, whereas their illegal copying only takes up a fraction of costs which would be necessary for their independent development. Piracy of programmes reduces entrepreneurs' profits, which are in a major part related to preparatory design work leading to further improvement and development of computer programming.

New economic realities, such as the emergence of new forms of use of copyright works, require that those new forms of use are adequately provided for in the legal order, within the scope of copyright and related rights, as well as other intellectual property rights. Elaboration of relevant legislative solutions should improve legal efficiency, at the same time providing for a high level of protection of these rights. Regulatory initiatives are conducive to investment in creative and innovative activities, in particular in web infrastructure, and lead to development and higher competitiveness of industry, both in the field of providing IT contents and technologies, as well as in many other fields of industry and culture.

Marketing pirated goods and other counterfeit goods violating all possible intellectual property rights causes considerable damage to legal manufacturers, traders and holders of the copyright. In many cases it is misleading for the consumers and sometimes may pose a threat to their health and safety.

Development of best practices and of effective methods to prevent copyright and related rights infringements, as well as providing for their efficient enforcement, is becoming increasingly necessary, especially after the accession of Poland to the Schengen Agreement, and in the era when new technologies emerge and the information society is built.

Poland's obligations under international contracts, conventions and agreements are an important argument for taking up activities aimed to protect copyright, related rights and other intellectual property rights. The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)¹ plays an important role in this context.

A momentous step was taken when the Act of 9 May 2007 was adopted, amending the Copyright and Related Rights Act and some other legal acts (Dz. U. No. 99, item 662), and implementing the provisions of Directive 2004/48/EC of the European Parliament and of the Council on the enforcement of intellectual property rights². The Act has introduced detailed regulations concerning civil procedures in cases of infringements of intellectual property rights, i.e. copyright and related rights, database rights, industrial property rights, and plant variety rights.

At present, almost four years after joining the European Community, Poland is experiencing continuous development of the civil society and the knowledge-based economy.

In such circumstances, constant raising of standards for protection of all intellectual property rights has become necessary and is the condition of further development. Protecting those rights ensures that creativity is maintained and developed for the benefit of authors, performers, producers, consumers, culture and economy, as well as the general public.

The phenomenon of systematic reduction in the scale of music, film, computer, television, and book piracy, which we have been experiencing in our country, contributes to developing a positive international image of Poland. Reducing the level of copyright and related rights infringements constitutes a particularly serious challenge for the Polish government, becoming one of its targets, relevant from the point of view of our international standing.

Another important aspect is to provide an efficient system to effectively counteract infringement of copyright and related rights. In this context, the leading role is played by the public administration services, cooperating with organizations of collective intellectual

¹ Agreement on Trade Related Aspects of Intellectual Property Rights enclosed as Annex 1 of the Agreement Establishing the World Trade Organization signed in Marrakesh on 15 April 1994 (Official Journal No. 32, item 143).

² Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights (Official Journal of the European Communities L No. 157 of 30.04.2004, page 45; Official Journal of the European Communities special edition, Chapter 17, Volume 2, page 32).

property rights management. Such cooperation results in permanent reduction of this harmful phenomenon.

When taking up systemic activities, initiatives connected with raising civic awareness must be strongly emphasized and piracy must be viewed as an act of high social harmfulness. Together with an efficient and coherent copyright and related rights protection system it is one of the essential ways to guarantee that new works of culture are created and that independence and dignity of authors and performers is maintained.

Today, at a time of widespread counterfeiting and piracy, the following reflection of Seneca – a Roman writer, poet and philosopher - seems particularly up-to-date:

“Longum iter est per praecepta, breve et efficax per exempla - Teaching by precept is a long road, but brief and beneficial is the way by example.”

When creating artworks, compositions, and developing various solutions, we make use of knowledge, tradition and universal experience of former generations. For modern societies of the 21 century, exchange of information, experience and ideas is essential. However, it is unacceptable that subjects of intellectual property rights should be illegally appropriated, thus impairing their development and hampering progress.

1. Piracy in Poland - description of the phenomenon

In recent years, the scale of copyright and related rights infringements in Poland has been systematically reduced in result of well-coordinated and intensive efforts of several state authorities supported by organizations of collective intellectual property rights management, as well as other public and private entities protecting holders of the copyright. However, due to piracy, the authors, performers, manufacturers, entrepreneurs, natural persons and the state budget still suffer great financial losses.

The aim of the “Programme for the Protection of Copyright and Related Rights”³ (hereinafter referred to as “the Programme”), prepared by the interministerial Team for Counteracting Infringements of Copyright and Related Rights (hereinafter referred to as “the Team”) is to set directions for public authorities how to combat piracy, as well to offer new solutions in this field. In consequence, the Programme should result in further decrease in the level of copyright and related rights infringements in Poland.

³ Adopted on 21 April 2008 by the Team for Counteracting Copyright and Related Rights infringements as the “Strategy for the Protection of Copyright and Related Rights in 2008-2010”.

The Programme relates to only one, but a very important and noticeable section of problems concerning intellectual property rights violations. However, due to the fact that legal regulations, common initiatives taken with other government administration bodies, such as for example the Patent Office of the Republic of Poland, as well as combating economic crime or smuggling, and also border protection are closely linked with each other and relate to a much broader field than just protection of copyright and related rights, we should also speak about intellectual property rights - especially in terms of the joined objectives. To prevent the misleading impression that some activities of individual services relate only to particular area of rights, omitting other areas, in this document we also refer to "other intellectual property rights".

Nowadays, the term "piracy" is generally understood as manufacturing and/or distribution of products that violate intellectual property rights (copyright, patent, trademark, utility model, industrial design). Illegal interception of radio or televisions broadcasts, and of other services rendered in the information society is also regarded as piracy⁴.

The term "piracy", as used for the purposes of the Programme shall above all mean:

- production and/or distribution (this applies to a large extent to the Internet⁵) of illegal copies of phonograms and videograms, computer programmes, photographs, works of plastic art, as well as folk art,
- publication and distribution of books without valid licences, lowering the number of printed copies by legal publishing houses and not informing about reprints (against the licence terms and conditions),
- illegal marketing of the so called information society services, including but not limited to electronic multiplication of databases or press articles as a form of commercial monitoring of newspapers and magazines, and consequently their distribution and publication (both on the Internet, and on Intranets),
- theft of television signal in cable networks, on digital platforms, or via the Internet,
- reprographic multiplication of works.

⁴ The definition according to: "Prawo autorskie i prawa pokrewne" ("Copyright and Related Rights"), introduction by Janusz Barta and Ryszard Markiewicz, Zakamycze, Cracow, 2004, p. 189.

⁵ In this study, the "Internet" refers to an ICT system, in compliance with Article 2 (3) of the Electronic Services Act of 18 July 2002 (Dz. U. N. 144, item 1204, as amended). An ICT system means a group of cooperating IT devices and software providing for processing, storing, as well as sending and receiving data via telecommunication networks by means of a terminal appropriate for the given type of network, within the meaning of the Act of 21 July 2000 – Telecommunications Law (Dz. U. No. 73, item 852, as amended).

The last form of piracy refers to illegal replication and sale of entire publications by print shops. The problem is especially vivid in university towns and cities. A considerable group of entrepreneurs who render illegal reprographic services pursue their activities in buildings owned by academic centres.

It must also be emphasised that production of reprographic copies of works that are traditionally published in the printed form (by means of photocopying, scanning, or printing an electronic version) and their further use is a phenomenon widespread in companies and institutions.

Protection of editorial contents from multiplication and publication by third parties is a separate issue. This applies to unauthorised use of art works by media monitoring institutions (including *press clipping* agencies and *PR* agencies) and by Internet service providers. In relation to the above mentioned forms of infringements (considering their scale and mass use), attempts should be undertaken to establish a licensing system which would cover both the traditional methods and the electronic environment.

Attention should also be drawn to mass multiplication of newspapers and magazines in ICT systems and in other electronic media. Selling copies of magazines withdrawn from the contractual distribution (without the publisher's consent) is another unwelcome phenomenon, not covered by the term of piracy though.

Piracy of books and other publications (especially the scientific ones) is another form of prohibited use of copyright and related rights.

Apart from reprography, it also takes the form of publishing and distributing publications without valid licences, lowering the number of printed copies by legal publishing houses and not informing about reprints, contrary to the licence terms and conditions.

According to the Team, the above mentioned types of copyright and related rights infringements are most common and striking in Poland at the moment.

With development of new technologies a new generation of commercial users has emerged who use musical pieces, films and other legally protected works in the ICT system, i.e. the Internet. Providing legal services via the Internet has become a major challenge, and it requires appropriate copyright and related rights management.

Today, when music, films and computer programmes are used through the Internet, we should take measures in relation to commercial users with a view to creating a functional licensing system which would cover various areas and be adequate for the borderless electronic environment. Such system should provide for a higher level of legal certainty

for commercial users in relation to their activities, and it should support development of legal web services, at the same time increasing financial revenue of copyright and related rights holders.

What is more, not only the abovementioned categories of works are used through the Internet, the same can be said about works of plastic and photographic arts and the phenomenon also affects other existing fields of exploitation.

The negative phenomenon of violating personal copyright of architects can still be observed, consisting in media publications which refer to works of architecture without naming their author - the architect. Another problem consists in unauthorised modifying of architectural designs - often despite a clear protest of the author - i.e. in extensions, alterations and adaptations of architectural works. Violations are particularly frequent in the public procurement process.

Illegal trade in products that breach the law, within the meaning of the Act of 4 February 1994 on Copyright and Related Rights (Dz. U. of 2006, No. 90, item 631, as amended.) takes place primarily on bazaars and market places.

Specific feature of such trade consists in that the products are scattered over a large number of sales point, forcing law enforcement services, especially the Police, to engage considerable personnel forces in order to secure the pirated goods they discover as evidence for the purposes of legal proceedings. The big size of market places constitutes a serious problem, because the salespersons, as has already been mentioned, are scattered around which significantly impedes effective combat of piracy, and which requires involvement of considerable forces and funds for each operation.

Illegal trade is characterized by a high level of organization⁶. Behind the manufacturing, smuggling, distribution and sale of pirated goods there are usually

⁶ In the second half of January 2008, the Border Guard of the Republic of Poland broke an organized international criminal group which smuggled, copied and distributed optical media containing music and films. According to initial estimations made by experts from the Polish Society of the Phonographic Industry, the value of the secured goods amounted to over PLN 30 million. In the course of proceedings, the entire laboratory for making copies, including its equipment for illegal multiplication of discs, i.e: computers, CD-writers, printers, mobile memory devices, was secured. The group operated within the whole country and was very well-organised. It had a very well-organized logistic background, and owned passenger cars, trucks and minibuses. An initial expert report shows that the secured media had been produced in Russia. This shady business would start behind the eastern border of Poland and end up in several EU countries. Consignments of finished discs were destined for the intra-community market. According to experts from Polish Society of the Phonographic Industry and Protection of Audiovisual Property Foundation, the result achieved by the Border Guard is among the greatest achievements in EU-countries in the last 3 years. Quoted after: http://www.strazgraniczna.pl/aktualnosci/wydarzenia/news_item.2008-01-22.8419723770 (Official website of the Border Guard of the Republic of Poland).

organized criminal groups. The money raised in this way is invested in the drug business, prostitution, and smuggling of stolen cars, cigarettes and alcohol, and the like.

Problems related to infringements of copyright, related rights, and other intellectual property rights, in particular taking place on the 10th Anniversary Stadium (the so called Europe Bazaar in Warsaw), have for many years been commented by the European Commission and the US administration. However, in 2007 when Poland and Ukraine were granted the right to organise the 2012 UEFA European Football Championship, and the decision to build the National Stadium⁷ was taken, the situation of the Stadium changed.

Despite clear positive changes, consisting in reducing the trade in illegal products in result of organised operations of the Police and other services, it is necessary to implement consistently measures to eliminate the piracy phenomenon.

A great majority of pirated goods, especially optical media carriers which carry contents protected by copyright and related rights, may originate from Russia and other countries of the Commonwealth of Independent States, and be smuggled to Poland. According to the data provided by the International Intellectual Property Alliance (IIPA), counterfeited carriers from Russia constitute the main source of all pirated materials introduced on the national market⁸. It is suspected that pirate plants, which make copies illegally, also operate in Ukraine. The amount of illegal goods seized in Poland and their high quality suggest the existence of high-capacity pressing plants and technologically advanced equipment. Apart from the countries mentioned, pirated goods may also be manufactured in Asian countries and smuggled to Poland directly or in transit through Lithuania, Belarus and Ukraine. The Customs Service and the Border Guard of the Republic of Poland, in cooperation with their Lithuanian counterparts, make intensive efforts to strengthen

⁷ In the second half of 2007, a gradual liquidation of trade stalls began. On 17 December 2007, the Minister of Sport and Tourism, Mirosław Drzewiecki, officially announced that the National Stadium would be built on the site of Warsaw 10th Anniversary Stadium. The object will host the opening game of the European Football Championship in 2012, organized by Poland and Ukraine. The decision about the location of the National Stadium was presented by the Minister at a press conference in Warsaw, attended also by the President of *Narodowe Centrum Sportu Sp. z o. o.* - Michał Borowski, and by representatives of the following companies: *Konsorcjum JSK Architekci Sp. z o. o.* seated in Warsaw, *GMP Architekten von Gerkan, Marg und Partner* seated in Berlin and *Schlaich Bergermann und Partner* seated in Stuttgart. Location of the building on this site will make it possible to use the surrounding area of 10 ha *Narodowe Centrum Sportu Sp. z o. o.*, Michał Borowski signed a contract with representatives of the *JSK Architekci Sp. z o. o.* design consortium, which was commissioned to construct the facility. On 1 February 2008, the Minister of Sport and Tourism Mirosław Drzewiecki officially presented the conceptual design of the National Stadium in Warsaw. Quoted after: <http://www.msport.gov.pl/news.php?id=648>; <http://www.msport.gov.pl/news.php?id=665> (Official website of the Ministry of Sport and Tourism).

⁸ International Intellectual Property Alliance, 2008 Special 301 Report: Poland, Feb. 11, 2008, page 314. <http://www.iipa.com/rbc/2008/2008SPEC301POLAND.pdf>

controls on the eastern border of Poland. It is also suggested that cooperation with customs services of the neighbouring countries should improve. Strict customs procedures of the European Union should contribute to increasing the detection rate of smuggled pirated goods.

It is alarming, however, that in Poland the production of recordable media (CD – R, DVD – R) on personal computers and recording drives keeps increasing.

Problems related to manufacturing and distribution of counterfeited goods, by international organized criminal groups, infringing contents protected by copyright and related rights, require an intensified cooperation between diplomatic services and law enforcement services in Poland and other countries, especially the neighbouring ones.

In this respect, the cooperation between the Ministry of Interior and Administration and the Ministry of Foreign Affairs also constitutes one of the elements of combating piracy.

The following industries suffer losses due to piracy in Poland: music, film, television, and publishing. Another negative consequence of this phenomenon consists in the decreased number of legal jobs, as underhand dealings lead to their elimination. Legal manufacturers cannot endure competition with plants producing pirated goods, which are cheaper and not encumbered with overheads, such as royalties, salaries, insurance premiums, etc. An obvious consequence of the decreased revenue of companies which pursue legal activities is also a lower level of state budget revenue from taxation and other public commitments.

Apart from the budgetary losses, there is also a threat of negative public opinion concerning operation of state institutions responsible for law enforcement in this scope.

According to IIPA, the estimated value of piracy caused losses and the piracy level (expressed in millions of USD) for individual industry sectors in Poland in 2003 – 2007 were as follows:⁹

⁹ International Intellectual Property Alliance, 2008 Special 301 Report: Poland, op.cit., page 313. Some of the estimates for 2007 are only preliminary (item 1) or are not available (item 4). In the case of item 2, the quoted monetary values reflect the value of pirated goods now on the market, and not the final losses of the industry. To find out details about the evaluation methodology, visit <http://www.iipa.com/rbc/2008/2008SPEC301POLAND.pdf>. See also <http://www.iipa.com/pdf/2008SPEC301METHODOLOGY.pdf>. It must be said that losses in 2008 are higher, but in 2007 the data concerning item 2 have not been estimated yet.

POLAND

POLAND										
Estimated losses due to piracy (in m USD) and the level of piracy										
Industry section	2007		2006		2005		2004		2003	
	losses	level	losses	Level	losses	level	losses	level	losses	level
1. (Utility) software	337.0	57%	251.0	57%	202.0	58%	197.0	59%	171.0	58%
2. Other types of software (games, entertainment)	76.0	60%	no data	75%	no data	60%	109.3	94%	no data	no data
3. Audio recordings and musical compositions	28.0	36%	24.0	35%	25.0	31%	36.0	37%	34.0	45%
4. Film	no data		no data		102.0	66%	30.0	35%	30.0	30%
5. Books	no data		no data		5.0	no data	5.0	no data	5.0	no data
Total	441.0	—	275.0	—	334.0	—	377.3	—	240.0	—

Another aspect of the phenomenon discussed is general belief that this type of violations cause little harm or even no harm at all. Most people believe that authors' economic rights are not a property of the artist or the author, and therefore a single snatch at their work is not reprehensible and should not be condemned. Attention should, moreover, be drawn to the fact that prevailing deep ignorance of the illegality of acts which in fact are piracy, and of the value of copyright and related rights for development of society, as well as of the economic grounds for its functioning have not found enough appreciation yet. The state should strengthen the trust of rights holders that the use of their work will be sufficiently protected and financially compensated through prevention of piracy. It is highly probable that changing the social approach combined with efficient methods of combating piracy will considerably contribute to gradual elimination of infringements of copyright, related rights and intellectual property rights¹⁰.

An increase in the extent of piracy via the Internet has been observed. At the moment, the Internet is becoming one of the most powerful and fastest growing transfer technologies in the world. Thus its being used for activities which involve violation of copyright and related rights is alarming.

¹⁰ See: Report on counterfeit and look-alike products - Social awareness. (*Podróbki i produkty podobne. Świadomość społeczna.*). The Report by the Gdansk Institute for Market Economics on the basis of research commissioned by ProMarka the Polish Association of Branded Good Manufacturers, conducted by the Centre for Public Opinion Research. Warsaw, December 2007.

http://www.promarka.pl/Image/File/promarka_raport_small.pdf (Polish language version);
[http://www.promarka.pl/Image/File/promarka_raport_ang\(1\).pdf](http://www.promarka.pl/Image/File/promarka_raport_ang(1).pdf) (English language version).

As a matter of fact, there are no limits as to the categories of distributed pieces. They include music and films, plastic art works, software, as well as photographs, literature and press materials. The interest in musical and visual compositions converted into a digital form by means of lossy compression algorithms (e.g. *.mp3*, *Ogg Vorbis* – music; *DivX*, *XviD*, *MPEG* – films) keeps growing. There are cases of copying proprietary databases and other information. The Internet is also used for distribution of pirated products on traditional carriers, thus facilitating new types of crimes by providing additional fields of exploitation. Illegal sharing of television signal on paid satellite platforms is an example in this context. Illegal practices on the Internet consist among others in infringing the exclusive rights to trademarks and acts of unfair competition, harmful to the economic interest of entrepreneurs, especially in the scope of commercial use of electronic mail. Using the Internet as a tool to commit crimes is particularly harmful due to the high number of infringements, difficulties in detecting the offenders (increasing decentralization of the network, changing structures and encoding of connections - e.g. the P2P *Peer – to – Peer* type of communication or its anonymous type F2F *Friend – to Friend*, or P2M *Peer – to – Mail*), and in particular due to the low level of enforcement of the violated rights.

In this context it seems right to mention the use of the Internet as a tool to distribute counterfeited medicines, which is one of the most dangerous forms of criminality involving counterfeiting intellectual property goods.

In view of the experience resulting from the proceedings of law enforcement services against persons who violated copyright and related rights in 2007, it can be stated that:

- the most frequent form of violations is the unauthorised exchange of music and film files in P2P exchange networks and protocols, e.g.: *DC++*, or *BitTorrent*. It is to be expected that data encoding and other functions which improve privacy will spread. This priority is implemented, among others, by the *Freenet*, *MUTE* or *GNUnet* networks;
- students active in computer networks on university campuses are most active in this filed;
- unauthorised exchange of film and music files frequently takes place in closed local networks in housing estates;
- offering illegal film translations is still a wide-spread phenomenon;
- oftentimes the pirated material is stored on servers located outside Poland, which

makes prevention of this type of crime additionally difficult.

In the face of difficulties in investigating and conducting cases concerning the Internet, the detection rate of persons violating copyright and related rights who offer illegal files in the electronic environment is still moderate. The scale of the phenomenon has not been specified in detail yet, because no systematic research, which would allow to make estimations, has been conducted.

In 2006 and 2007, the "Internet" working group within the Team took up intensive work on the following issues:

- evaluation of the present state of copyright and related rights infringements on the Internet;
- analysis of factors hampering efficiency of combating piracy on the Internet (technical and legal aspects);
- rules and methods of communication and exchange of information between stakeholders.

On 27 March 2007, the Team adopted a document called "Methodology of Police work in detecting and combating illegal distribution on the Internet of works protected by copyright", and recommended its implementation to the Police. It was also sent to the Ministry of Justice as a useful tool for prosecutors and judges. The relevant units have already received the "Methodology".

In view of the rapid development of electronic environment and the increasing number of copyright and related rights violations, it is necessary that the "Internet Group" continue their work with particular emphasis on updating methods of detecting the most recent forms of Internet crime and on securing evidence effectively.

The working group is composed of:

- representatives of organizations of collective intellectual property rights management (experts and specialists in engineering, IT system architecture, and law);
- a representative of the National Public Prosecutor's Office;
- experts from the Criminal Bureau, Economic Crime Department of the National Police Headquarters, Capital Police Headquarters and the Higher Police School in Szczytno;
- a representative of the Customs Service of the Republic of Poland;
- a representative of the Minister of Culture and National Heritage;
- representatives of Internet service providers.

The following issues, raised by the “Internet Group” previously, remain valid for the methodology of combating Internet crime still includes:

- the necessity to detect and document cases of copyright and related rights infringements;
- establishing a procedure in cases of copyright and related rights infringements;
- advisability of taking legislative steps with the aim of amending the law in order to facilitate effective and fast application of legal sanctions to violators of these rights;
- application of technical solutions preventing activities which violate copyright and related rights in organised university networks and in other scientific and educational units.

Another problem related to enforcement of copyright and related rights in Poland is still the duration of court proceedings and lenient sentences, which are inadequate to the committed crimes.

In this case, the criticism does not mean that the applicable penal provisions are too lenient, but they are "inadequately" applied by the courts. More attention should be drawn to the necessity to differentiate the level of penal repressions depending on the type of violations - cases of piracy on an industrial scale should be sanctioned in a special way. It would be in public interest to make such cases and court judgements generally known - through the media.

Purely economic character of a crime, no signs of violence, a clean criminal record of the offender, and the persisting social trend, i.e. the misapprehension that offences against intellectual property are supposedly less harmful to society, result in a relatively less severe penalty for the offender.

When applying penal measures, attention must be paid to the necessity to take actions aimed at depriving the offenders of the benefits resulting from their offences (forfeiture of property, security on property, fines), as such penalties seem to be more severe than the suspended prison sentences usually passed - even the long-term ones.

Main victims of copyright and related rights infringements are authors and performers, as well as other holders of rights. Also record companies, producers, publishers and other bodies suffer considerable losses. Violations of copyright and related rights adversely affect the condition of Polish culture.

The postulates, made last year by groups representing authors, performers and manufacturers, and directed to the law enforcement services and justice and public order administration, should be repeated in the "2008-2010 Programme".

They have been expressed and updated in the following way:

- The Police should take immediate action against persons who infringe copyright and related rights, following each application for prosecution, as well as *ex officio*, and make efforts to punish the guilty parties;
- Public prosecutor's should strive to settle fast the copyright and related rights violation cases (especially those on a commercial scale), and to bring in action against the violating parties;
- Competent authorities should provide for fast and measurable enforcement;
- Efforts should be made to establish intellectual property courts¹¹;
- Specialist trainings should be continued for prosecutors, judges, policemen and other competent state services, raising both the level of technical knowledge and touching upon the subject of social aspects of copyright and related rights infringements;
- As regards piracy on the Internet, further cooperation between the representatives of rights holders and the Police should be supported. Such cooperation should also include government actions aimed at supporting the Police, e.g. by providing it with trainings and appropriate equipment.

Other recommended activities include the following:

- monitoring of persons in charge of bazaars and market places to check compliance with contractual provisions concerning the prohibition to sell any goods which violate intellectual property rights;
- further limiting the sale and distribution of counterfeited and pirated goods on bazaars and market places (in particular those located along the German border), and striving to prosecute the offenders;
- sealing the eastern and western borders of the country in order to prevent the flow of pirated and counterfeited goods (Belarus, Russia, Ukraine) by providing adequate technical facilities and increasing the personnel of the Customs Service and the Border Guard of the Republic of Poland;
- developing cooperation between the Customs Service of the Republic of Poland and

¹¹ One of the recommendations of authors, artists and manufacturers to the enforcement services and justice administration is to establish specialist courts dealing with cases in the field of intellectual property rights, including copyright and related rights. In 2007, consultations on this subject started between the Ministry of Culture and National Heritage and the Ministry of Justice.

its counterparts in the neighbouring countries;

- assigning in regional units prosecutors who specialise in recognizing violations of copyright and related rights;

The suggestions from the circles of architects, authors and publishers, as well as creators of scientific and technical works should also be mentioned and they are as follows:

- conducting trainings and information campaigns for public administration staff in charge of architecture and spatial order issues, as well as taking up information activities addressed to bodies which conduct proceedings under the Act of 29 January 2004 – Public Procurement Law (Dz. U. of 2007, No. 223, item 1655);
- raising the knowledge and skills of employees of law enforcement services and of justice administration as regards the illegal use of “printed word” (including reprographic piracy) in order to provide for efficient prevention and combating this type of violations, as well as launching a coordinated information campaign with the use of publicity tools.

2. Strategic goals

State administration, in cooperation with organisations representing performers, authors, manufacturers, publishers and other right holders, should strive to minimize the level of piracy in Poland, as well as the level of other copyright and related rights infringements. Parallel educational activities, consequent prosecution of offenders and penal should serve as the means to achieve the strategic goals. Numerous examples of highly developed countries show that piracy cannot be eliminated entirely. Following technological progress, one should be able to foresee that some new forms of piracy, unknown today, will come up, while others will disappear (e.g. increase of the *P2P*, *F2F* or *P2M* forms of communication, gradual decrease of CD multiplication without licence or in breach of contract conditions by legally working companies, resulting from controlling optical discs production). It is important that these processes are constantly monitored and that a reaction to the unwanted phenomena comes in time.

It is assumed that strategic goals will be pursued by various cooperating state authorities. However, coordination of activities within individual strategic goals belongs to the competences of individual ministers. Implementation of the Programme is based on the public - social partnership principle, meaning that actions taken up by public authorities

should, as much as possible, be consulted and agreed upon with organizations of collective intellectual property rights management and with other social bodies which protect these rights. Without cooperation between public authorities and the right holders, the fight against this type of crime is ineffective. The previous Polish experiences confirm this thesis. Organisations and other social partners share with state authorities their knowledge and experience; they participate in delivery of trainings and social/educational campaigns. Their representatives take active part in the work of the Team.

Implementation of the mission will be based on the following strategic goals:

(Table 1)

No.	STRATEGIC GOALS	COMPETENT AUTHORITY
1.	Increasing efficiency and continuous coordination of activities of state services (Ministry of Interior and Administration, Police, Border Guard of the Republic of Poland, Customs Service of the Republic of Poland, Patent Office of the Republic of Poland, Ministry of Justice, Ministry of Culture and National Heritage) in combating piracy.	Minister of Interior and Administration (Police, Border Guard of the Republic of Poland), Minister of Finance (Customs Service of the Republic of Poland), Minister of Justice, Minister of Culture and National Heritage, Patent Office of the Republic of Poland.
2.	Increasing efficiency of penal proceedings conducted by justice administration in cases of offences against copyright and related rights, as well as other intellectual property rights, with particular emphasis on efficiency in prosecution of new forms of penalized actions.	Minister of Justice.
3.	Reducing piracy on bazaars and market places.	Minister of Interior and Administration.
4.	Increasing efficiency of law enforcement services, justice administration, and customs officers in combating crime against copyright and related rights on the Internet.	Minister of Interior and Administration, Minister of Justice, Minister of Finance.
5.	Educational activities aimed at raising social and legal awareness about the criminal character of infringement of copyright, related rights, and other intellectual property rights, and the role of state administration in combating these infringements.	Patent Office of the Republic of Poland, Minister of Finance, Minister of Culture and National Heritage.

6.	Reducing negative effects of copyright, related rights, and other intellectual property rights infringements in science.	Minister of Science and Higher Education.
7.	Monitoring of public administration activities.	Minister of Culture and National Heritage.

3. Indirect goals

3.1. Strategic goal 1 – Increasing efficiency and continuous coordination of activities of state services (Ministry of Interior and Administration, Police, Border Guard of the Republic of Poland, Customs Service of the Republic of Poland, Patent Office of the Republic of Poland, Ministry of Justice, Ministry of Culture and National Heritage) in combating piracy.

State services, which deal with crime detection and prosecution, take a variety of measures to prevent and combat crimes against copyright and related rights. Their experience shows the necessity to continuously raise the level of coordination and information exchange. Constant cooperation, information exchange, as well as common training, education or IT projects require including the Patent Office of the Republic of Poland, the Ministry of Justice and the Ministry of Culture and National Heritage in this strategic goal.

(Table 2)

Indirect goals	Methods of action
1.1. Increasing efficiency of activities of state services.	<ol style="list-style-type: none">1. Preparing an analysis of copyright, related rights and other intellectual property rights infringements, as well as of initiatives and methods applied so far in preventing these infringements, based on qualitative and quantitative reports.2. Analysing implementation of the directive on the enforcement of intellectual property rights.3. Raising knowledge and skills by a series of trainings on EU legislation, at both the central and local levels, with the aim to reduce piracy.4. Continuation of measures taken by Police and relating to detecting and combating intellectual and computer crime in ICT systems.5. Exchange of information and experience between piracy combating services by means of the Dedicated Knowledge Management Portal.
1.2. Maintaining a high level of border control, particularly at the eastern section of the border.	Conducting official proceedings aimed at reducing smuggling of goods which violate copyright, related rights and other intellectual property rights.
1.3. Development of IT systems to support activities of the Customs Service of the Republic of Poland, the Border Guard of the Republic of Poland, the Police and the Public Prosecutor' Office in fighting copyright, related rights and other intellectual property rights infringements.	<ol style="list-style-type: none">1. Conducting work on designing and creating an intellectual property database.2. Continuation of work on creating a database of seized goods and the "Vinci" information exchange system for the Customs Service of the Republic of Poland
1.4. Increasing efficiency of monitoring the manufacture of optical discs.	Conducting controls, keeping a register of the manufacture of optical media and facilities for their manufacturing, identification of optical media which show features of equipment forms used for their manufacturing.

3.2. Strategic goal 2 – Increasing efficiency of penal proceedings conducted by justice administration in cases of offences against copyright and related rights, as well as other intellectual property rights, with particular emphasis on efficiency in prosecution of new forms of penalized actions.

General problems involved in copyright and related rights protection, and resulting from often complicated factual and legal background of individual cases and their broad subject/object scope, are relevant also to prosecutor's offices and courts.

An analysis of the proceedings that are underway, as well as developing instructions and training materials concerning the proceedings, and supervision of high-level prosecutor's offices become methods to achieve this strategic goal.

(Table 3)

Indirect goals	Methods of action
2.1. Improving the level of penal proceedings for offences against copyright, related rights and other intellectual property rights, and streamlining such proceedings.	Developing instructions and training materials that draw attention to irregularities which may come up in the inquiries.
2.2. Raising the knowledge and skills of employees of law enforcement services and judges.	Training prosecutors and judges.

3.3. Strategic goal 3 – Reducing piracy on bazaars and market places.

One of the greatest Polish achievements in the field of copyright, related rights, and other intellectual property rights protection in the recent years resulted from, or was closely connected with the "Programme for the Protection of Copyright and Related Rights". There was a noticeable permanent reduction observed in the supply of pirated goods at the 10th Anniversary Stadium. The systematic action of government and local government services brought about some reduction of the volume of sales of pirated and counterfeited goods.

It is suggested that the method of combating piracy and trade in counterfeited goods used in the case of the 10th Anniversary Stadium should be used in other places in Poland where copyright, related rights and other intellectual property rights are infringed. The model

of cooperation between the Police and municipal guards, which brought good results in other market places as well, should also be mentioned.

In the historical context, it should be mentioned that the control conducted in 2004 by the Supreme Chamber of Control at the 10th Anniversary Stadium confirmed the efficiency of methods included in the consecutive "Copyright and Related Rights Protection Strategies", and in this Programme, and applied in practice by state services competent for counteraction of the infringements.

It should be repeated that in connection with the Euro 2012 European Football Championship. and as a result of the construction of the National Sports Centre (including the National Stadium), the problem of the 10th Anniversary Stadium as a market place have been resolved once and for all.

(Table 4)

Indirect goals	Methods of action
3.1. Efficient supervision over enforcement of copyright, related rights and other intellectual property rights in market places with particular emphasis on the western border.	Monitoring of trade activities in market places aimed at enforcement of their managers' obligation to comply with the law.

3.4. Strategic Goal nr 4 – Increasing efficiency of law enforcement services, justice administration and customs officers in combating crime against copyright and related rights on the Internet.

The new field of exploitation, which the Internet has become, emerged as a result of development of technological society. This development led to an increase in, and differentiation of creativity, manufacturing and utilization indices. To ensure legal use of works placed on the Internet, efficient methods should be developed to reduce piracy, as well as adopt and supplement the present law in terms of copyright and related rights, so that the economic reality and emergence of new exploitation forms are included in it.

(Table 5)

Indirect goals	Methods of action
4.1. Raising the knowledge and skills of employees of enforcement services, law administration and customs officers.	Conducting trainings.
4.2. Continuation of work of the "Internet Group" in order to develop efficient methods of detecting new forms of offences against copyright, related rights and other intellectual property rights on the Internet, with particular emphasis on an efficient method of securing evidence.	<ul style="list-style-type: none"> • Regular updating the "Methodology of Police work in detecting and combating illegal distribution of pieces protected by copyright on the Internet" in the scope of recognizing new forms of copyright, related rights and other intellectual property rights infringements. • Permanent monitoring of violations and controlling the development of new ways and methods of violating copyright, related rights and other intellectual property right on the Internet.

3.5. Strategic goal 5 – Educational activities aimed at raising social and legal awareness about the criminal character of infringement of copyright, related rights, and other intellectual property rights, and the role of state administration in combating these infringements.

Raising legal and civic awareness by educational activities is particularly important for changing social attitudes.

In many circles there are no positive behaviour models, consisting in purchase of legal goods. The availability and a relatively low price of pirated goods lead to the conclusion that purchasing legal recordings, videograms, software, school books, or authorised use of editorial contents is unrewarding. What is more, obtaining attractive but illegal goods is considered a sign of competence, especially among young people. In general opinion, the picture of

the wronged person (author) and of the loss is blurred. It is also difficult to understand the social relevance of copyright and related rights, as well as their nature¹².

This goal will be achieved by raising awareness in the scope of nature and protection of copyright, related rights and other intellectual property rights, and at the same time acceptance and implementation of legal social behaviours.

It should be emphasized that the crucial initiative consisted in including contents concerning protection of intellectual property rights into the teaching standards of all fields of university studies.

The regulation of Minister of Science and Higher Education of 12 July 2007 on educational standards for individual fields and levels of education, as well as on the mode of establishment and the conditions a higher education institution has to meet to offer interdisciplinary studies (Dz. U. No. 164, item 1166) – in section "V. Other Requirements" concerning individual disciplines - provides that curricula should include classes in this field. The regulation entered into force on 1 October 2007.

The standards apply from the first year of studies. The competent basic organizational unit of the university decides about the other years.

(Table 6)

Indirect goals	Methods of action
5.1. Reaching the widest possible public by means of artistic expression in order to make them aware of the consequences of copyright, related rights and other intellectual property rights infringements.	<ul style="list-style-type: none"> • Organizing art competitions and exhibitions. • Educational activities.
5.2. Raising awareness and stimulating interest in the problems of copyright, related rights and other intellectual property rights among university teachers and students.	<ul style="list-style-type: none"> • Educational activities. • Organizing a science competition.

¹² See footnote 10.

3.6. Strategic goal 6 – Reducing negative effects of copyright, related rights and other intellectual property rights infringements in science.

Copyright and related rights are frequently violated during scientific activities. Most common types of infringements include unauthorised use of published and unpublished research results, plagiarism, failure to comply with the co-authorship rules in the case of works by several authors, breaking the rules applicable for preparation of theses based on which an academic grade or title is to be granted, as well as unauthorised and illegal use of contents of theses by thesis supervisors and/or advisors. What is more, one of the fields where copyright and related rights are generally violated is illegal copying of other persons' scientific work. All the abovementioned categories - inconsistent at the same time with good scientific practice - are characterized by high harmfulness and frequency, not only in the material sense, but also in the social and moral sense. Therefore, they have again been raised in 2008, in the "2008-2010 Programme".

(Table 7)

Indirect goals	Methods of action
6.1. Dissemination of general principles of authorship of scientific publications.	Analysing specific cases, developing evaluation criteria and developing a catalogue of rules..

3.7. Strategic goal 7 – Monitoring of public administration activities.

Under Article 2 (1) (1) of the Regulation of the Prime Minister of 9 November 2000 establishing the Team for Counteracting Copyright and Related Rights Infringements, the Minister of Culture and National Heritage is the head of the interministerial Team for Counteracting of Copyright and Related Rights Infringements¹³. This post puts the Minister of Culture and National Heritage under the obligation to monitor progress in Programme implementation..

¹³ Regulation 83 of the Prime Minister of 9 November 2000 establishing the Team for the Prevention of Copyright and Related Rights Infringements (Monitor Polski No. 36, item 727).

(Table 8)

Indirect goals	Methods of action
7.1. Constant monitoring of activities of individual public authorities in the scope of implementations of the "Programme for the Protection of Copyright and Related Rights".	<ul style="list-style-type: none">• An Annual Report of compliance with copyright and related rights in Poland and recommendations.• Reports on current activities of the Team for Counteracting Copyright and Related Rights Infringements, of its individual members and working groups.

4. The principles of introducing the changes into the “Programme on copyright and related rights”.

In the course of Programme implementation, it may be necessary to introduce to it some changes resulting from the existing situation. Pursuant to the scope of authorization specified in Article 3 of the Regulation of the President of the Council of Ministers of 9 November 2000, the Team is entitled to present to the President of the Council of Ministers proposals of the necessary changes to be introduced to the Programme¹⁴.

5. Impact on the state budget

The activities defined in the annexe to the Programme do not result in specific financial impact on the state budget.

All of the tasks of the Ministry of Interior and Administration, and the tasks of the subsidiary law and order services, as well as those of the Customs Service of the Republic of Poland and of the Ministry of Justice of the Republic of Poland (National Public

¹⁴ § 3. The Team is responsible for elaborating the conclusions and proposals concerning improving coordination of the administrative authorities with regard to efficient combating of the infringements of the copyright and the related rights, especially:

- 1) presentation of the current analysis of the situation concerning the observance of the copyright and the related rights to the President of the Council of Ministers,
- 2) presentation of the proposal on the activities timing at preventing the infringement of the copyright and the related rights as well as combating the crimes,
- 3) preparation of the legislation amendments proposals timing at efficient enforcement of the copyright and the related rights,
- 4) carrying out periodic evaluations of the progress in the activities with regard to the infringement of copyright and the related rights.

Prosecutor's Office) are carried out as part of official duties. Dedicated trainings are among those tasks.

The prizes for the educational purposes are established individually by the involved entities. Last year, the Minister of Culture and National Heritage allocated 18.000 PLN for this purpose from the Fund for the Promotion of Culture¹⁵. The scheduled amount for 2008 is to be app. PLN 20 thousand.

In line with strategic goal no 1 – “Increasing efficiency and continuous coordination of activities of state services (Ministry of Interior and Administration, the Police, Border Guard of the Republic of Poland, the Customs Service of the Republic of Poland, Patent Office of the Republic of Poland, Ministry of Justice, Ministry of Culture and National Heritage) in combating the piracy.” – the indirect goal 1.3 – the method ‘a’, provides for the follow-up and completion of construction and implementation of the IT system, supporting the activities of the Customs of the Republic of Poland, Border Guard of the Republic of Poland, and the Police in fighting against the piracy and other infringements of intellectual property rights.

The funds allocated for the implementation of the project come from the “Transition Facility 2004 – Strengthening the protection of intellectual and industrial property rights” No 2004/016–829.02.02. *Twining Project* PL04–IB–OT–03, ref. No: 2004/016-829.02.02.02A. It was the trans-institutional programme coordinated by the Ministry of Finance. The participants of the project were the following: Patent Office of the Republic of Poland, Ministry of Culture and National Heritage, Ministry of Interior and Administration (Border Guard of the Republic of Poland and the Police).

Under the Act of 29 January 2004 – Public Procurement Law (Dz. U. 2007, No 223, item 1655), the contractor has been selected to carry out a project consisting in development and implementation of an IT system of granting access to data (*System Udostępniania Danych*) concerning notifications and legal status of items of industrial property subject to protection on the territory of Poland, as well as to data of the Ministry of Culture and National Heritage related to production of optical carriers, and types of identification codes (along with the electronic register)¹⁶.

¹⁵ Article 47 e (5) of the Act of 29 July 1992 on gambling and betting services (Dz. U. of 2004, No 4, item 27, as amended); Regulation of the Minister of Culture as of 28 January 2005 on detailed terms and conditions concerning co-financing of the tasks implementation with regard to culture, mode of application and allocation of the funds from the Fund for the Promotion of Culture (Dz. U. No24, item 200, as amended); regulation of the Minister of Culture of 6 July 2006 on detailed terms and conditions concerning economy financed from the Fund for the Promotion of Culture (Dz. U. No 128, item 898). Fund for the Promotion of Culture; Part 24; Section 921; Chapter 92195; § 3040.

¹⁶ The Regulation of the Minister of Culture of 30 April 2004 on the register of information on the production of optical carriers and types of identifying codes, (Dz. U. of 2004, No 124, item 1301).

The contractor is ARAM Sp. z o. o., a member of Sygnity S.A. group. In 2007, consultations were held with the beneficiaries, dedicated training were organised, the system was designed, and specification for the purposes of purchasing equipment and licence for the software were made – all under the component of the agreement No 2004/016-829.02.02.03. Tender process was carried out, the contract was signed and the object of the contract was delivered. However, full implementation of the final product has not been completed. It is scheduled for the first half of 2008.

As part of the contract component – acquisition of IT equipment – the budget, made up of national special purpose reserve funds, was planned to cover the costs of acquisition – by open tender – of equipment and license for the software; for the purpose of the remaining components – technical support.

Those components include the following:

- Developing IT solutions accessible to all the beneficiaries, and
- Design, development and implementation of the information flow system in the Patent Office of the Republic of Poland.

Total disbursed amount:

- PLN 297,182.69 net; and
- PLN 362,562.88 - gross.

On 26 April 2007, the contractor chosen under the technical support (Developing IT solutions accessible to all the beneficiaries) component presented the draft of Specification of Orders Important Terms and Conditions. Envisaged value of one investment contract (for the Patent Office of the Republic of Poland) is 85,400 €.

The financing of the database of the Customs Service of the Republic of Poland - “Vinci” - also takes place under the twinning agreement “Transition Facility 2004 – Strengthening the protection of intellectual and industrial property rights” – *Transition Facility – Twinning Project PL04-IB-OT-03*. (Strategic goal no 1; indirect goal 1.3; method b). Financing the purchase of necessary IT infrastructure (servers) and license, in the amount of approximately PLN 70 thousand (scheduled for 2006), in 2007 was allocated from the state budget from the part being at the disposal of the Minister of Finance. In 2008, the expenditures are planned to be allocated for:

- Training in implementation of “Vinci” system - in the amount of PLN 40 thousand;
- System development (infrastructure) – in the amount of PLN 10 thousand.

Moreover, in accordance with the strategic goal 5 – “Educational activities aimed at raising social and legal awareness about the criminal character of infringement of copyright, related rights, and other intellectual property rights, and the role of state administration in combating these infringements”, indirect goal 5.1 – “Reaching the widest possible public by means of artistic expression in order to make them aware of the consequences of copyright, related rights and other intellectual property rights infringements” – it has been planned to establish a special award for the winners of artistic contest promoting the protection of intellectual property rights, in the amount of PLN 8 thousand, and to be financed from the part being at the disposal of the Minister of Finance.

Remaining tasks, such as trainings, workshops, conferences on the issues concerning intellectual rights protection are carried out by the ministry within its own budget planned for a particular year, allocated from the Union funds.

The cost of the strategic goal no 6 - “Reducing negative effects of copyright, related rights, and other intellectual property rights infringements in science” - will include costs of an expertise aimed to define the scale of the phenomenon of intellectual property rights infringement in scientific publications in terms of the provisions in force, and to evaluate the efficiency of the preventive and disciplinary measures¹⁷.

The estimated cost of such expertise for the year 2008 is PLN 35 thousand, and it is included in the state budget, in the part being at the disposal of the Minister of Science and Higher Education – financing the activities supporting research¹⁸.

The second method, i.e. “Elaboration and publishing of recommendations (e.g. uniform rules for all the science fields) concerning establishment of authorship of collective scientific publications, on the grounds of the above mentioned analysis and the solutions accepted in the EU countries” is a part of the current operations of the Council for Ethics in Science, and is financed from the state budget - from the part being at disposal of the Minister of Science and Higher Education¹⁹.

¹⁷ In “2007 Strategy” these goals were not achieved.

¹⁸ Drawing up expert’s report – Article 14, paragraph 1, point 1 of the Act dated 8 October 2004 on the principles of science financing rules (Dz. U., No 238, item 2390, as amended). “Article 14 .1. Financing of the activities supporting research include: 1) drawing up the expert’s report, scientific opinions and evaluations;”.

¹⁹ Activities of the Council for Ethics in Science – Article 16, paragraph 1, point 2 of the Act of 8 October 2004 on the principles of science financing rules (Dz. U., No 238, item 2390, as amended). “Article 16.1. Financing of the operations conducted by the bodies of opinions and advisory bodies of the Minister, reviewers and experts as well as monitoring activities include the costs: 2) operations of the authorities established by the Minister pursuant to Article 30;”.

It is also very important to stress that a large number of tasks, for example trainings, educational campaigns, and storage of the intercepted goods is done at no extra charge by organizations of collective copyright and related rights management, as well as by other social partners who work for protection of these rights.

Annex

Strategic goal 1, Indirect goal 1.1. (Method a).

Strategic goal 1: Increasing efficiency and continuous coordination of activities of state services (Ministry of Interior and Administration, the Police, Border Guard of the Republic of Poland, Customs Service of the Republic of Poland, Patent Office of the Republic of Poland, Ministry of Justice, Ministry of Culture and National Heritage) in combating piracy.

Indirect goal 1.1.: Increasing efficiency of activities of state services.

Method a): The analysis of the observance of copyright and related rights, as well as other intellectual property rights and the initiatives and measures taken thus far to counteract these crimes, on the basis of the quality and quantity reports.

Responsible bodies: Minister of Interior and Administration (the Police, Border Guard of the Republic of Poland), Minister of Finance (Customs Service of the Republic of Poland), the Minister of Justice, Minister of Culture and National Heritage.

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
Making the analyses of infringement of the copyright and related rights and the initiatives thus far taken and resources in order to counteract these crimes.	<ul style="list-style-type: none"> – The last day of the month following each half-year – report. – 31 January, each year – annual report. 	Drawing up annual reports and half-year informational reports and submitting them to the Ministry of Culture and National Heritage.	Ministry of Interior and Administration, the Police, Border Guard of the Republic of Poland, Customs Service of the Republic of Poland, Patent Office of the Republic of Poland, Ministry of Justice, Ministry of Culture and National Heritage.

Strategic goal 1, Indirect goal 1.1. continuance - (Method b).

Strategic goal 1: Increasing efficiency and continuous coordination of activities of state services (Ministry of Interior and Administration, the Police, Border Guard of the Republic of Poland, Customs Service of the Republic of Poland, Patent Office of the Republic of Poland, Ministry of Justice, Ministry of Culture and National Heritage) in combating piracy.

Indirect goal 1.1.: Increasing efficiency of activities of state services.

Method b): The analysis of implementation of the directive on the enforcement of the intellectual property rights²⁰.

Responsible bodies: Minister of Culture and National Heritage.

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
The analysis of the implementation of the directive on enforcement of intellectual property rights on the basis of the questionnaires sent by the authorised bodies for copyright and related rights, <i>sui generis</i> right to the database, industrial property rights as well as plant variety right.	29 April 2009	Submitting the report on the implementation of the directive on the enforcement of the intellectual property rights to the European Commission.	Ministry of Culture and National Heritage.

²⁰ See: footnote 2.

Strategic goal 1, Indirect goal 1.1. continuance - (Method c).

Strategic goal 1: Increasing efficiency and continuous coordination of activities of state services (Ministry of Interior and Administration, the Police, Border Guard of the Republic of Poland, Customs Service of the Republic of Poland, Patent Office of the Republic of Poland, Ministry of Justice, Ministry of Culture and National Heritage) in combating piracy.

Indirect goal 1.1.: Increasing efficiency of activities of state services.

Method c): Awareness and skills development during the series of trainings aimed at reducing piracy and devoted to Union legislation on both central and local level.²¹

Responsible bodies: Minister of Interior and Administration (the Police, Border Guard of the Republic of Poland), Minister of Finance (Custom Services of the Republic of Poland).

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
Programme training.	Continuing process. – The last day of the month following each half-year – report. – 31 January, each year – annual report.	– Drawing up quarterly reports and submitting them to the Ministry of Culture and National Heritage. – Drawing up annual reports and submitting them to the Ministry of Culture and National Heritage.	The Police, Border Guard of the Republic of Poland, Custom Services of the Republic of Poland.

²¹ The training should cover the issue touched on in the part concerning the description of piracy and other offences (not being piracy itself) which occur with regard to the copyright and the related rights in Poland, especially as far as the “written word” is concerned, audiovisual products (including films), music and word and music compositions, architectonic, plastic and photographic and computer programmes. In this regard public and social cooperation and partnership is presumed.

Strategic goal 1, Indirect goal 1.1. Continuance - (Method d).

Strategic goal 1: Increasing efficiency and continuous coordination of activities of state services (Ministry of Interior and Administration, the Police, Border Guard of the Republic of Poland, Customs Service of the Republic of Poland, Patent Office of the Republic of Poland, Ministry of Justice, Ministry of Culture and National Heritage) in combating piracy.

Indirect goal 1.1.: Increasing efficiency of activities of state services.

Method d): Continuation of the Police' operations on revealing and counteracting intellectual and computer crimes in the computerised systems.

Responsible bodies: Minister of Interior and Administration.

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
Further implementation of current tasks resulting from the course of the proceedings on the basis of the existing organisational structure.	Continuing process.	Achieving excellent coordination of the officers group's activities, which are responsible for revealing and combating crimes against copyright and related rights in the Internet.	The Police.
The training on the computerised systems structure, and on the telecommunications network.	Continuing process. – The last day of the month following each half-year – report. – 31 January, each year – annual report.	Drawing up annual and semi-annual reports and submitting them to the Ministry of Culture and National Heritage.	

Strategic goal 1, Indirect goal 1.1. continuance - (Method e).

Strategic goal 1: Increasing efficiency and continuous coordination of activities of state services (Ministry of Interior and Administration, the Police, Border Guard of the Republic of Poland, Customs Service of the Republic of Poland, Patent Office of the Republic of Poland, Ministry of Justice, Ministry of Culture and National Heritage) in combating piracy.

Indirect goal 1.1.: Increasing efficiency of activities of state services.

Method e): Information and experience exchange between the services for combating piracy by means of the Dedicated Portal for Knowledge Management.

Responsible bodies: Minister of Interior and Administration.

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
Expansion of the Dedicated Portal for Knowledge Management by the information and experience exchange platform of the national authorities responsible for combating piracy.	30 April 2008 – delivery date.	Implementation of the electronic platform for information and experience exchange.	The Ministry of Interior and Administration, the Police, Police High School in Szczytno (platform's administrator), Border Guard of the Republic of Poland, Custom Services of the Republic of Poland, Ministry of Culture and National Heritage, Ministry of Justice.
Continuous information and practices exchange.	Continuing process. – The last day of the month following each half-year – report. – 31 January, each year – annual report.	Drawing up annual and semi-annual reports and submitting them to the Ministry of Culture and National Heritage.	

Strategic goal 1, Indirect goal 1.2.

Strategic goal 1: **Increasing efficiency and continuous coordination of activities of state services (Ministry of Interior and Administration, the Police, Border Guard of the Republic of Poland, Customs Service of the Republic of Poland, Patent Office of the Republic of Poland, Ministry of Justice, Ministry of Culture and National Heritage) in combating piracy.**

Indirect goal 1.2.: **Maintaining a high level of border controls, particularly at the eastern section of the border.**

Method : **Carrying out professional services towards reduction of smuggling of goods which infringe copyright and related rights as well as other intellectual property rights.**

Responsible bodies: **Minister of Interior and Administration, Minister of Finance.**

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
1. Periodic training in Union legislation.	Continuing process – The last day of the month following each half-year – a report. – 31 January, each year – annual report. 31 October 2010 – training needs scheme for 2011 – 2013.	Trainings. – Producing studies concerning trainings organized in subsequent years and evaluation of usefulness of such trainings - in quarterly and annual reports. – Designing training needs scheme and submitting it to the Ministry of Culture and National Heritage, as the proposal for the „Programme for 2011 – 2013”.	Custom Services of the Republic of Poland.
2. Achieving high level of coordination of operations run by state services by means of enforcing capacity of the staff.	Continuing process. 31 January, each year – annual report.	Achieving high level of coordination of operations run by state services, with regard to each service or between them. Report.	Custom Services of the Republic of Poland.

Strategic goal 1, Indirect goal 1.2. – follow-up

Strategic goal 1: **Increasing efficiency and continuous coordination of activities of state services (Ministry of Interior and Administration, the Police, Border Guard of the Republic of Poland, Customs Service of the Republic of Poland, Patent Office of the Republic of Poland, the Ministry of Justice, Ministry of Culture and National Heritage) in combating piracy.**

Indirect goal 1.2.: **Maintaining a high level of border controls, particularly at the eastern section of the border.**

Method : **Carrying out professional services towards reduction of smuggling of goods which infringe copyright and related rights as well as other intellectual property rights.**

Responsible bodies: **Minister of Interior and Administration, Minister of Finance.**

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
3. Ministerial and inter-ministerial training, inter alia in methodology of carrying out operations on protection of copyright and related rights and other intellectual property rights, as well as improving the efficiency of information exchange between the national and regional coordinators ²² .	Continuing process.	Trainings. <ul style="list-style-type: none"> – Producing studies concerning trainings organized in subsequent years and evaluation of usefulness of such trainings - in quarterly and annual reports. – Designing training needs scheme and submitting it to the Ministry of Culture and National Heritage, as the proposal for the “Programme for 2011 – 2013”. 	Border Guard of the Republic of Poland, the Police.
	<ul style="list-style-type: none"> – The last day of the month following each half-year – the report. – 31 January, each year – annual report. 		
	31 October 2010 – training needs scheme for 2011 – 2013.		

²² See: footnote no 14.

Strategic goal 1, Indirect goal 1.2. – follow- up

Strategic goal 1: Increasing efficiency and continuous coordination of activities of state services (Ministry of Interior and Administration, the Police, Border Guard of the Republic of Poland, Customs Service of the Republic of Poland, Patent Office of the Republic of Poland, Ministry of Justice, Ministry of Culture and National Heritage) in combating piracy.

Indirect goal 1.2.: Maintaining a high level of border controls, particularly at the eastern section of the border.

Method : Carrying out professional services towards reduction of smuggling of goods which infringe copyright and related rights as well as other intellectual property rights.

Responsible bodies: Minister of Interior and Administration, Minister of Finance.

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
4. High level of coordination of the state services operations, also on the international level.	Continuing process. 31 January, each year – annual report.	Achieving high level of coordination of the state services operations, also on the international level. Report.	Custom Services of the Republic of Poland, Border Guard of the Republic of Poland, the Police.
5. Taking over the obligation of annual reporting on the operations conducted by the relevant authorities in order to combat piracy.	31 January, each year – annual report.	Annual report submitted to the Ministry of Culture and National Heritage.	Custom Services of the Republic of Poland, Border Guard of the Republic of Poland, the Police.

Strategic goal 1, Indirect goal 1.3.

Strategic goal 1: Increasing efficiency and continuous coordination of activities of state services (Ministry of Interior and Administration, the Police, Border Guard of the Republic of Poland, Customs Service of the Republic of Poland, Patent Office of the Republic of Poland, Ministry of Justice, Ministry of Culture and National Heritage) in combating piracy.

Indirect goal 1.3.: Development of IT systems to support activities of the Customs Service of the Republic of Poland, the Border Guard of the Republic of Poland, the Police and the Public Prosecutor' Office in fighting copyright, related rights and other intellectual property rights infringements.

Method a): Carrying out design and implementation works on creating database of intellectual property.

Responsible bodies: Patent Office of the Republic of Poland.

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
1. Realization works on implementation of intellectual property database which is capable of generating information from the central database of the Patent Office of the Republic of Poland, as well as from the customs administration database with regard to the protection of the intellectual property rights and register of optical carriers run by the Ministry of Culture and National Heritage ²³ .	First half of 2008 - implementation. 15 July 2008 – final statement. 31 January, each year – annual report.	Implementation of intellectual property database. Elaboration of final statement on the functions and use of the database.	Custom Services of the Republic of Poland, Patent Office of the Republic of Poland, the Police, Border Guard of the Republic of Poland, Ministry of Justice, Ministry of Culture and National Heritage.

²³ The Project is implemented under the Transition Facility 2004 – “Strengthening the protection of intellectual and industrial property rights” no 2004/016-829.02.02. See also chapter 5 – Influence on the state budget.

Strategic goal 1, Indirect goal 1.3. – follow-up

Strategic goal 1: Increasing efficiency and continuous coordination of activities of state services (Ministry of Interior and Administration, the Police, Border Guard of the Republic of Poland, Customs Service of the Republic of Poland, Patent Office of the Republic of Poland, Ministry of Justice, Ministry of Culture and National Heritage) in combating piracy.

Indirect goal 1.3.: Development of IT systems to support activities of the Customs Service of the Republic of Poland, the Border Guard of the Republic of Poland, the Police and the Public Prosecutor' Office in fighting copyright, related rights and other intellectual property rights infringements.

Method b): Further works on creation of database on the intercepted goods and information exchange system of the Customs Service of the Republic of Poland - "Vinci".

Responsible bodies: Minister of Finance.

Activities	Implementation date	Methods to achieve the goal	Entities Involved:
1	2	3	4
Carrying out necessary realization works on the implementation of database of the Customs Service of the Republic of Poland "Vinci" ²⁴ .	30 June 2008 – implementation.	Delivery of database for use. Elaboration of final report and the annual reports on the functioning and use of the database.	Custom Services of the Republic of Poland.
	15 September 2008 – final report.		
	31 January, each year – annual report.		

²⁴ The Project is implemented under the Transition Facility 2004 – “Strengthening the protection of intellectual and industrial property rights” no 2004/016-829.02.02. See also chapter 5 – Influence on the state budget.

Strategic goal 1, Indirect goal 1.4.

Strategic goal 1: Increasing efficiency and continuous coordination of activities of state services (Ministry of Interior and Administration, the Police, Border Guard of the Republic of Poland, Customs Service of the Republic of Poland, Patent Office of the Republic of Poland, the Ministry of Justice, Ministry of Culture and National Heritage) in combating piracy.

Indirect goal 1.4.: Increasing efficiency of monitoring the manufacture of optical discs.

Method a): Carrying out controls, maintaining a register of production of optical carriers and of equipment used for their manufacturing, identification of optical carriers which have attributes of the forms of equipment used for their production.

Responsible body: Minister of Culture and National Heritage.

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
1. Control of the production of optical carriers (discs) and of the equipment used for their manufacture.	Continuing process.	1. Checking the number and localization of the equipment used for the production. Post-audit reports. 2. Report on the application of the obligatory codes used in production of optical carriers. Post-audit reports. 3. Taking the templates of the carriers from the production equipment.	Ministry of Culture and National Heritage.
2. Carrying out the register and conducting other controlling activities.	Continuing process.	1. Updating the register of equipment and production of optical carriers in an electronic format and in the traditional one – paper documentation. 2. Permanent monitoring of the production procedures and the ones multiplying optical carriers within the scope of meeting the obligation of drawing up monthly reports on the production and the condition of the equipment.	Ministry of Culture and National Heritage.
3. Improving employees' qualifications.	Continuing process.	Constant monitoring of new technologies and market trends with regard to multiplying (including production of recording carriers).	Ministry of Culture and National Heritage.
4. Cooperation between the Ministry of Culture and National Heritage and the Central Laboratory of Crime and Forensic	1 half of 2008	Conclusion of the agreement between the Ministry of Culture and National Development and the Central Laboratory of Crime and Forensic Identification Services on providing the Police with the comparable materials for the purpose of research in a form of discs which have the features of injection moulding machine for CD/DVD production.	Ministry of Culture and National Heritage, the Police.

Identification Services in terms of identification of optical carriers.	Continuing process.	Providing the Police with the comparable materials for the purpose of research in a form of discs which have the features of injection moulding machine for CD/DVD production.	
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Strategic goal 2, Indirect goal 2.1.

Strategic goal 2: Increasing efficiency of penal proceedings conducted by justice administration in cases of offences against copyright and related rights, as well as other intellectual property rights, with particular emphasis on efficiency in prosecution of new forms of penalized actions.

Indirect goal 2.1.: Improving the level of and streamlining the penal proceedings for offences against copyright, related rights and other intellectual property rights.

Method : Drawing up the guideline documentation and training material with special focus on the abnormalities occurring in the course of preparatory procedures.

Responsible body: Minister of Justice.

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
1. Audit by the superior prosecutor's entities of files of a selected category of proceedings in cases of crimes against the copyright and related rights, including the penal proceedings conducted pursuant to Article 305 (1) of the Act of 30 June 2000 – Intellectual property rights ²⁵ ; and elaboration of the summary of audit results.	– 30 September each year – semi-annual report. – 31 January, each year – annual report.	Analysis, at National Prosecutor's Office level, of file audit results and of the conclusions concerning the most common irregularities..	Appellate Prosecutor's Office, National Public Prosecutor's Office.

²⁵ Act of 30 June 2000 – Industrial Property Law (Dz. U. of 2003, no 119, item 1117, as amended).

2. Official supervision over the proceedings in cases of crimes against the copyright and related rights and other intellectual property rights with complicated actual and legal status, as well as monitoring by the National Public Prosecutor's Office of the preparatory proceedings in cases most interesting for media or shocking for the public.	Continuing process.	Analysis of files of conducted preparatory proceedings and the proceeding in front of the court in cases of crimes against copyright and related rights and other intellectual property rights where the actual or legal status is complicated, with the aim to elaborate methodological guidelines facilitating the examination of cases, including cases where preparatory proceedings were carried out erroneously.	Regional Prosecutor's Office, National Public Prosecutor's Office.
	31 January, each year – annual report.		

Strategic goal 2, Indirect goal 2.2.

Strategic goal 2: **Increasing efficiency of penal proceedings conducted by justice administration in cases of offences against copyright and related rights, as well as other intellectual property rights, with particular emphasis on efficiency in prosecution of new forms of penalized actions.**

Indirect goal 2.2.: **Raising the knowledge and skills of employees of law enforcement services and of judges.**

Method : **Delivery of trainings²⁶.**

Responsible body: **Minister of Justice.**

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
Improving skills of the employees.	Continuing process.	Trainings for the prosecutors and judges. Reports on trainings carried out in subsequent years and evaluation of their usefulness, in semi-annual and annual reports.	National Training Centre for the Officials of the Common Courts of Law and the Public Prosecutor's Office, Public Prosecutor's Office, common courts.
	– The last day of the month following each half-year – report. – 31 January, each year – annual report.		

²⁶ See: footnote no 14.

Strategic goal 3, Indirect goal 3.1.

Strategic goal 3: Reducing piracy on bazaars and market places.

Indirect goal 3.1.: Efficient supervision over enforcement of copyright, related rights and other intellectual property rights on market places, with particular emphasis on the western border.

Method : Monitoring of commercial activities on market places and bazaars to ensure that their administrators are obliged to respect the law.

Responsible body: Minister of Interior and Administration.

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
1. Establishing local groups consisting of representatives of the Police, Border Guard of the Republic of Poland, voivodes, local self-government administration and organizations representing owners of copyright and related rights - in bigger cities, for example Gdansk, Szczecin, Wroclaw, Katowice, Cracow, Lublin, Lodz, Poznan.	31 December 2008	Publication in the annual report.	Ministry of Interior and Administration, the Police, Border Guard of the Republic of Poland, voivodes, local self-government administration, organizations representing owners of copyright and related rights.
	31 January 2009 – annual report.		

Strategic goal 3, Indirect goal 3.1. – follow-up

Strategic goal 3: Reducing piracy on bazaars and market places.

Indirect goal 3.1.: Efficient supervision over enforcement of copyright, related rights and other intellectual property rights in market places, with particular emphasis on the western border.

Method : Monitoring of commercial activities on market places and bazaars to ensure that their administrators are obliged to respect the law.

Responsible body: Minister of Interior and Administration.

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
<p>2. Finding new partners and maintaining the existing relations with administrators of selected market places in, in order to make them aware that cooperation for combating infringement of copyright and related rights and other intellectual property rights on the market places is a must. Activities intended to seize pirate and fake products and arrest their distributors, etc.</p>	<p>Continuing process.</p> <p>31 January, each year – annual report.</p>	<p>Monitoring of the activities and account on it in the annual report.</p>	<p>Ministry of Interior and Administration - "Warsaw Group", the Police, Custom Services of the Republic of Poland, Border Guard of the Republic of Poland, voivodes, local self-government administration, organizations representing owners of copyright and related rights.</p>
<p>3. Follow-up of the "Cracow Group" operations.</p>	<p>– The last day of the month following each half-year – the report. – 31 January, each year – annual report.</p>	<p>Report on the activity of the "Warsaw Group".</p>	<p>The Ministry of Interior and Administration ("Warsaw Group"), the Police, Border Guard of the Republic of Poland, Custom Services of the Republic of Poland, Ministry of Culture and National Heritage, voivodes, local self-government administration, organizations representing owners of copyright and related rights.</p>

Strategic goal 4, Indirect goal 4.1.

Strategic goal 4: Increasing efficiency of law enforcement services, justice administration and customs officers in combating crime against copyright and related rights on the Internet.

Indirect goal 4.1. Raising the knowledge and skills of employees of enforcement services, law administration and customs officers.

Method : Delivery of trainings.²⁷.

Responsible bodies: Minister of Interior and Administration, Minister of Justice, Minister of Finance.

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
1. Greater number of trainings for the customs officials.	31 December 2008 31 January 2009 – annual report.	Educating a group of customs officials, responsible for coordination and supervision, on trade of goods violating copyright and related rights and other intellectual property rights in the Internet.	Custom Services of the Republic of Poland.
2. Dedicated training in the copyright and related rights and other intellectual property rights, as well as in the ways and possibilities of infringing these rights in the Internet.	Continuing process.	Improving skills of the customs officers responsible for combating piracy in the Internet, as advised by their superiors. The report.	The Police, Custom Services of the Republic of Poland, organizations representing owners of copyright and related rights.
	31 January, each year – annual report.		
3. Common training for the Police and Public Prosecutor's Office.	Continuing process.	Elaborating efficient methods in order to carry out the cases and reveal the cases of crimes in the Internet.	National Training Centre for the Officials of the Common Courts of Law and the Public Prosecutor's Office, Public Prosecutor's Office, the Police, organizations representing owners of copyright and related rights.
	31 January, each year – annual report.		

²⁷ See: footnote no 14.

Strategic goal 4, Indirect goal 4.2. (Method a).

Strategic goal 4: Increasing efficiency of law enforcement services, justice administration and customs officers in combating crime against copyright and related rights on the Internet.

Indirect goal 4.2. Continuation of work of the "Internet Group" in order to develop efficient methods of detecting new forms of offences against copyright, related rights and other intellectual property rights on the Internet, with particular emphasis on an efficient method of securing evidence.

Method a): Permanent update of the document entitled "Police operations methodology of revealing and combating intellectual piracy in the Internet", with regard to identification of the new forms of infringing copyright and related rights and other intellectual property rights.

Responsible bodies: Minister of Interior and Administration, Minister of Justice.

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
1. Carrying out activities with regard to the obligation of constant update of the document titled "Police operations methodology of revealing and combating intellectual piracy in the Internet".	Continuing process. The very last day of the month following each quarter – report. 31 January, each year – annual report.	Constant update, resulting from observations, of the document entitled "Police operations methodology of revealing and combating intellectual piracy in the Internet", elaborated by the "Internet Group" for the purpose of law enforcement services and justice administration, through the Dedicated Knowledge Management Portal (electronic platform administrated by the Police High School in Szczytno).	" Internet Group" - the Police, Public Prosecutor's Office, Custom Services of the Republic of Poland, Ministry of Culture and National Heritage, organizations representing owners of copyright and related rights.

Strategic goal 4, Indirect goal 4.2. (Method b).

Strategic goal 4: Increasing efficiency of law enforcement services, justice administration and customs officers in combating crime against copyright and related rights on the Internet.

Indirect goal 4.2. Continuation of work of the "Internet Group" in order to develop efficient methods of detecting new forms of offences against copyright, related rights and other intellectual property rights on the Internet, with particular emphasis on an efficient method of securing evidence.

Method b): Constant monitoring of the crimes and control of the development of the new ways and methods of crimes against copyright and other related rights and other intellectual property rights in the Internet.

Responsible bodies: Minister of Interior and Administration, Minister of Justice.

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
2. Monitoring of the types of crimes against copyright and related rights and other intellectual property rights committed in the Internet and aiming at elaboration of new methods to counteract these crimes. 3. Analysis of changes resulting from technology development in the Internet and the programming in the network.	Continuing process. The last day of the month following each quarter – report. 31 January, each year – annual report.	<ul style="list-style-type: none"> Improving efficiency of detecting and counteracting crimes against copyright and related rights and other intellectual property rights, committed in the Internet. Implementation of subsequent, updated versions of operation methodology in cases of detected violations of copyright and related rights and other intellectual property rights committed in the Internet, designed for the needs of law enforcement services and justice administration. 	“ Internet Group” - the Police, Public Prosecutor’s Office, Custom Services of the Republic of Poland, Ministry of Culture and National Heritage, organizations representing owners of copyright and related rights.

Strategic goal 5, Indirect goal 5.1.

Strategic goal 5: Educational activities aimed at raising social and legal awareness about the criminal character of infringement of copyright, related rights, and other intellectual property rights, and the role of state administration in combating these infringements.

Indirect goal 5.1.: Reaching the widest possible public by means of artistic expression in order to make them aware of the consequences of copyright, related rights and other intellectual property rights infringements.

Method : Organisation of art contests and exhibitions. Carrying out educational activities.

Responsible bodies: Patent Office of the Republic of Poland, Minister of Finance, Minister of Culture and National Heritage.

Activities	Implementati on date	Methods to achieve the goal	Entities involved:
1	2	3	4
1. Organisation of art contests and exhibitions: <ul style="list-style-type: none"> • Annual contest of the Patent Office of the Republic of Poland for the best poster presenting the issues concerning protection of industrial property; • Exhibition of the posters rewarded in the previous contests organised by the Patent Office of the Republic of Poland. 	31 May 2008	Adjudicating the contest.	Patent Office of the Republic of Poland, Ministry of Culture and National Heritage.
2. Publication of information and promotion materials: <ul style="list-style-type: none"> – Cartoons for the youth; – Brochures aimed at students and potential authors and entrepreneurs, including brochures dedicated to issues of patents, industrial patterns and trademarks; – calendars, postcards, and the like. 	Year-long process. 31 January 2009 – annual report.	Dissemination of materials promoting intellectual property rights protection among the target groups.	Patent Office of the Republic of Poland.

Strategic goal 5, Indirect goal 5.1. – follow up

Strategic goal 5: Educational activities aimed at raising social and legal awareness about the criminal character of infringement of copyright, related rights, and other intellectual property rights, and the role of state administration in combating these infringements.

Indirect goal 5.1.: Reaching the widest possible public by means of artistic expression in order to make them aware of the consequences of copyright, related rights and other intellectual property rights infringements.

Method : Organisation of art contests and exhibitions. Carrying out educational activities.

Responsible bodies: Patent Office of the Republic of Poland, Minister of Finance, Minister of Culture and National Heritage.

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
3. Conclusion of the art contest, first began in 2007, promoting protection of intellectual property rights, in the presence of representatives of the owners of the rights, and under the patronage of the American Chamber of Commerce in Poland.	First half of 2008 – adjudicating the contests and post-contest exhibition of art works.	<ul style="list-style-type: none"> • Adjudicating the contest. • Putting on the exhibition. • Launching information, educational and promotional activities on web pages of the participating entities and of the interested organisations, representing owners of copyright and related rights and other intellectual property rights. 	Custom Services of the Republic of Poland, Ministry of Culture and National Heritage (honourable patronage).

Strategic goal 5, Indirect goal 5.2. (Method a).

Strategic goal 5: Educational activities aimed at raising social and legal awareness about the criminal character of infringement of copyright, related rights, and other intellectual property rights, and the role of state administration in combating these infringements.

Indirect goal 5.2.: Raising awareness and stimulating interest in the problems of copyright, related rights and other intellectual property rights in scientific circles and among students.

Method a): Carrying out educational activities.

Responsible bodies: Patent Office of the Republic of Poland.

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
Carrying out seminars, conferences, trainings and tutorials on legal protection of intellectual property rights, organised by the Patent Office of the Republic of Poland.	14 March 2008	<ul style="list-style-type: none"> Organising the conference titled “Protection of the intellectual property rights as a condition for the women to make a success in the field of culture, science and business”. Co-organisers of the conference: World Intellectual Property Organisation (WIPO), United Nations Economic Commission for Europe, Polish Agency for Enterprise Development and Polish Confederation for Employers “LEWIATAN”. 	Patent Office of the Republic of Poland.
	25 April 2008	<ul style="list-style-type: none"> Organising the conference celebrating the World Day of Intellectual Property Rights under the logo of combating piracy, as well as the related happenings. The enterprise will be organised in cooperation with World Intellectual Property Organisation (WIPO), Ministry of Cultural and National Heritage, ZAIKS Authors’ Society, The Polish Society of the Phonographic Industry (ZPAV), Foundation for the Protection of Audiovisual Works - FOTA, Union of Polish Artists - ZASP, Union of Polish Performing Artists’ Associations - STOART, The Polish National Police and Microsoft sp. z o. o. in Poland; 	Patent Office of the Republic of Poland, Minister of Culture and National Heritage, the Police Custom Services of the Republic of Poland.
	28 – 30 May 2008	<ul style="list-style-type: none"> Organising an international conference PATLIB, being a kind of forum of knowledge and experience exchange between the patent information centres in the Member States of the European Patent Organisation, and users and providers of patent information ; 	Patent Office of the Republic of Poland.

Strategic goal 5, Indirect goal 5.2. continuance - (Method b).

Strategic goal 5: Educational activities aimed at raising social and legal awareness about the criminal character of infringement of copyright, related rights, and other intellectual property rights, and the role of state administration in combating these infringements.

Indirect goal 5.2.: Raising awareness and stimulating interest in the problems of copyright, related rights and other intellectual property rights in scientific circles and among students.

Method b): Organisation of the scientific competition.

Responsible bodies: Patent Office of the Republic of Poland.

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
VI edition of the competition for the best habilitation thesis, PhD dissertation, MA theses and student works on the subject of industrial property protection.	14 November 2008	Competition adjudication.	Patent Office of the Republic of Poland

Strategic goal 6, Indirect goal 6.1.

Strategic goal 6: Reducing negative effects of copyright, related rights, and other intellectual property rights infringements in science.

Indirect goal 6.1.: Dissemination of general principles of authorship of scientific publications.

Method : Analysis of individual cases, implementation of evaluation criteria, and developing a catalogue of rules.

Responsible bodies: Minister of Science and Higher Education.

Activities	Implementation date	Methods to achieve the goal	Entities involved:
1	2	3	4
<p>1. Analysis of infringements of copyright and related rights in scientific publications, with special consideration to joint publications and theses written specifically for a scientific degree or title – defining the scale of the phenomenon in the context of provisions in force and evaluating efficiency of preventive and disciplinary measures undertaken so far (expert opinion).</p> <p>2. Elaboration and publication of the guidelines (e.g. uniform principles for all the scientific fields) on the proper establishment of copyright in case of collective scientific theses on the basis of the aforementioned analysis and the solutions adopted by the EU countries.</p>	<p>Continuing process.</p> <p>31 January, each year – annual report.</p>	<p>1. Commissioning an expert opinion by the Intellectual Property Law Institute of the Jagiellonian University²⁸.</p> <p>2. Formulating and disseminating the principles – in the form of recommendations and statements – of good scientific practice, especially with regard to respecting copyright and related rights and other intellectual property rights in scientific publications – current operations of the Council for Ethics in Science²⁹.</p>	<p>Ministry of Science and Higher Education.</p>

²⁸ The estimated cost of the expert opinion for the year 2008 is PLN 35 thousand, and is included in the state budget in the part being at the disposal of the Minister of Science and Higher Education – financing of the research aid operations. Expert opinion preparation – article 14 item 1 point 1 *act dated 8 October 2004 on the science financing rules* (Dz. U. No 238, item 2390, as amended). „Article 14 paragraph 1. Financing of the research aid activities includes: 1) preparation of expert opinion, opinions and scientific evaluation;”

²⁹ Financing from the state budget in the part being at the disposal of the Minister of Science and Higher Education. Operations of the Council for Ethics in Science – article 16 paragraph 1 point 2 *of the act dated 8 October 2004 on the science financing rules*. „Article 16.1. Financing of the activities of the opinions and advisory bodies of the Minister, reviewers and experts and the as well as monitoring activities include the costs: 2) operations of the authorities established by the Minister pursuant to Article 30;”

Strategic goal 7, Indirect goal 7.1.

Strategic goal 7: Monitoring of public administration activities.

Indirect goal 7.1.: Constant monitoring of activities of individual public authorities in the scope of implementations of the “Programme for the Protection of Copyright and Related Rights”.

Method : Annual collective report on copyright and related rights observation in Poland along with the recommendations. Reports on the current activities run by the Team for Counteracting Infringements of Copyright and related Rights, its individual members and working groups.

Responsible body: Minister of Culture and National Heritage.

<p>Implementation date : Each year, on 31 March - elaboration of the collective, annual report. On-going evaluation of the activities carried out by the Team for Combating the Infringements of Copyright, by “Warsaw Group” and “Internet Group” - on the basis of the reports from the meetings sent to the Ministry of Culture and National Heritage.</p>	<p>Entities involved: All the entities involved in Programme implementation.</p>
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