



CARINSKA UPRAVA – SREDIŠNJI URED

CUSTOMS DIRECTORATE – CENTRAL OFFICE

CARINSKE MJERE I IDENTIFIKACIJA PROIZVODA

BORDER MEASURES AND PRODUCT IDENTIFICATION

Regional Meeting on Enforcement of IPR

Belgrade, September 11 – 12, 2013

PRAVNI OKVIR - LEGAL FRAME



- Uredba Vijeća (EZ) 1383/2003 od 22.7.2003.
Council Regulation (EC) 1383/2003) of 22 July 2003
- Uputa o poduzimanju carinskih mjera za provedbu prava intelektualnog vlasništva broj 35/2013
Instruction on implementation of border measures on IPR enforcement No. 35/2013
- zakoni iz područja prava intelektualnog vlasništva
IPR legislation



POSTUPAK – PROCEDURE (I)



- po službenoj dužnosti (3 radna dana)
ex officio (3 working days)
- po zahtjevu nositelja prava (10+10 radnih dana)
upon Application for Action (10+10 working days)
- nositelj prava može pregledati robu i uzeti uzorke
right-holder may inspect the goods and take samples
- vlasnik robe samo može pregledati robu
declarant may only inspect goods



POSTUPAK – PROCEDURE (II)



- tužba nadležnom trgovačkom sudu
law suit at the trade court
- zahtjev za uništenjem robe
claim for the destruction
- izjava da je roba krivotvorena
declaration that the goods infringe IP rights
- izjava vlasnika robe da je suglasan s uništenjem
consent of the owner of the goods with the destruction
- uništenje pod carinskim nadzorom
destruction under customs surveillance



ANALIZA RIZIKA – RISK ANALYSIS



- račun
- carinska deklaracija
- prodavač
- uvoznik
- ruta
- pregled robe
- miješana pošiljka



invoice

customs
declaration

seller

importer

route

inspection of goods

mixed shipment



PREGLED ROBE – INSPECTION OF GOODS

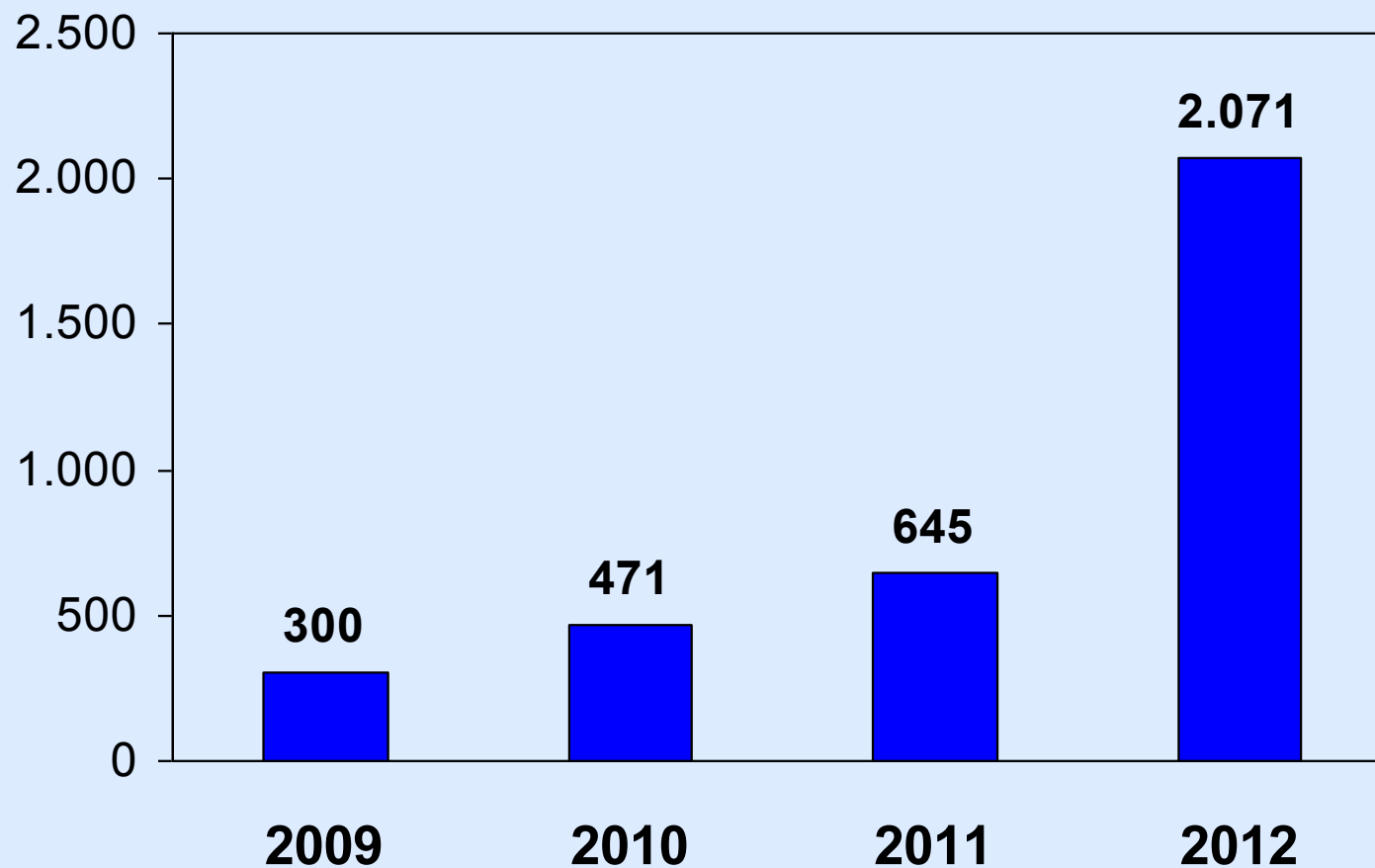


- opći izgled general impression
- kvaliteta quality
- spojevi, šavovi... connections, stitches...
- boje colours
- miris smell
- materijali materials
- etikete labels
- tipfeleri typos
- serijski broj serial number



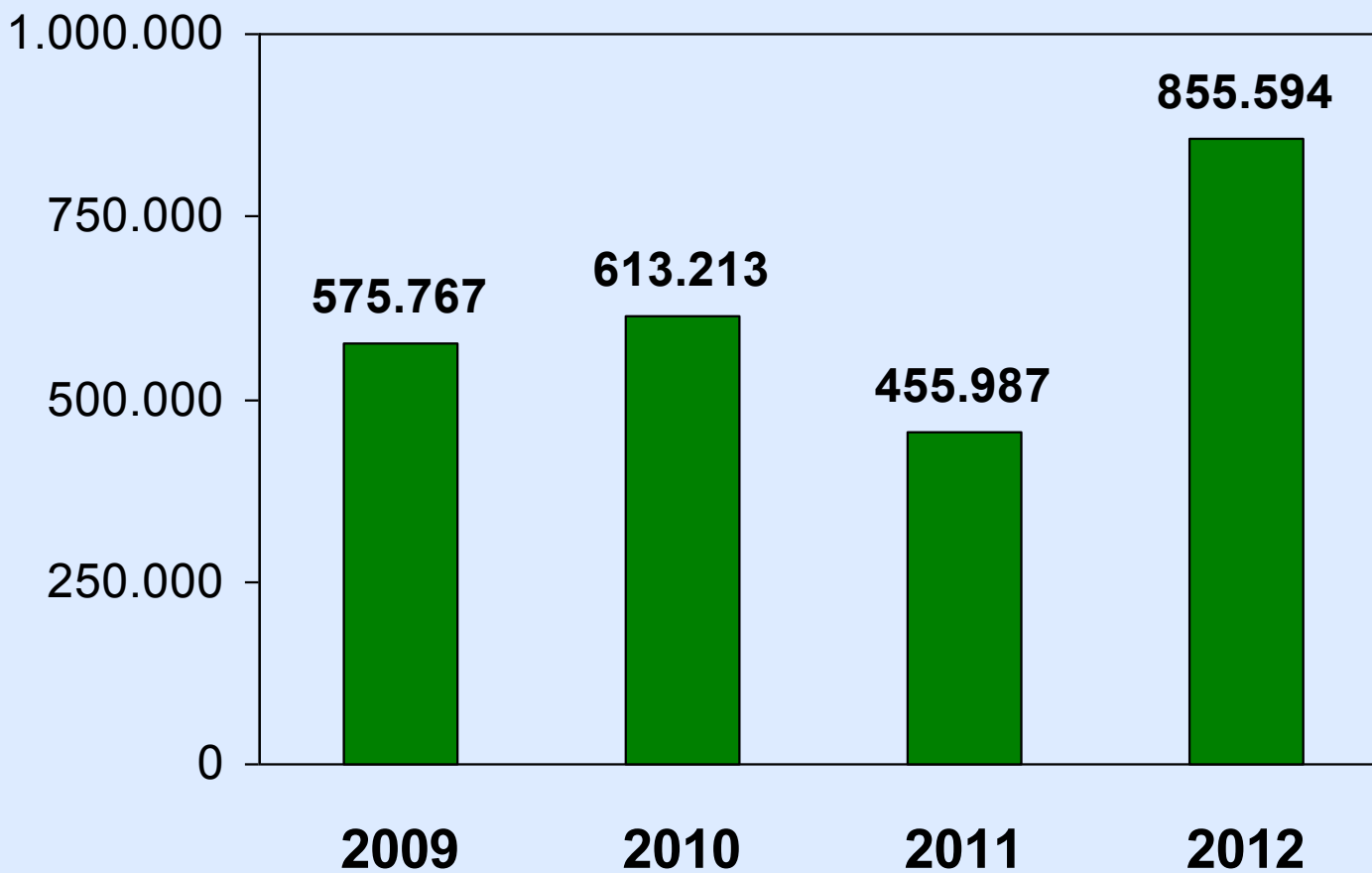


BROJ SLUČAJEVA – NUMBER OF CASES



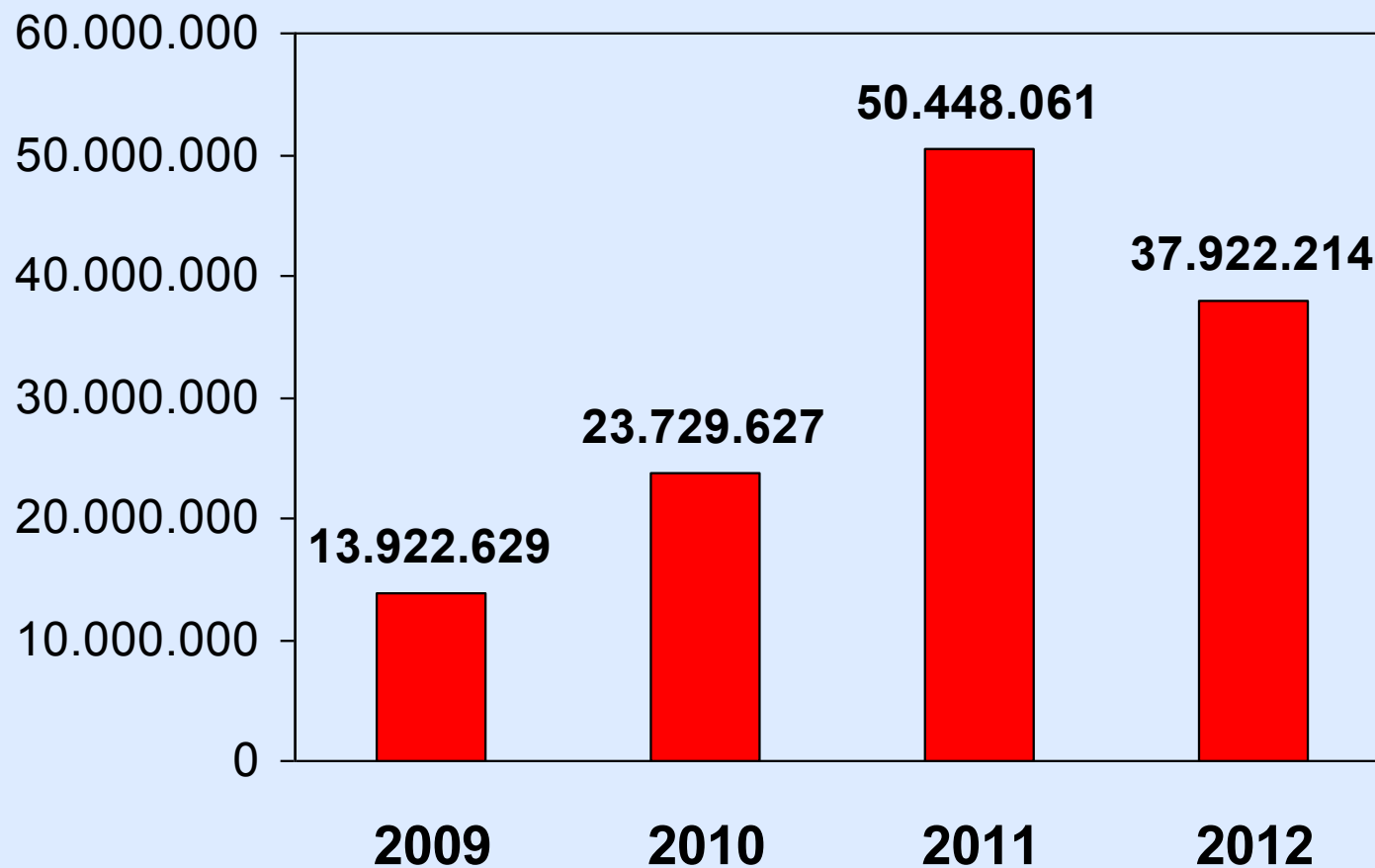


BROJ PROIZVODA – NUMBER OF ITEMS





VRIJEDNOST (€) – VALUE (€)



PROBLEMI – PROBLEMS



- poznavanje procedure

competence

- broj službenika

number of officers

- broj slučajeva

number of cases

- miješane pošiljke

mixed shipments

- male pošiljke

small consignments

- internet

internet

- motivacija

motivation



KONTAKT PODACI - CONTACTS



Ministarstvo financija RH
Carinska uprava
Središnji ured
Sektor za nadzor
Služba za carinske istrage
Odjel za kontrolu robe s
ograničenjima
Zagreb, Alexandera von Humboldta 4a

Ministry of Finance
Customs Directorate
Central Office
Sector for Customs Control
Service for Customs Investigations
Restrictions and Prohibitions Department

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