

**STATE INTELLECTUAL PROPERTY OFFICE
OF THE REPUBLIC OF CROATIA**

**STATISTICAL REPORT ON THE INFRINGEMENTS
OF INTELLECTUAL PROPERTY RIGHTS
IN CROATIA**

Report for 2Q/2009

Zagreb, September 2009

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1. INTRODUCTORY REMARKS

In order to provide an objective tool for regular monitoring of the efficiency of Croatia's system for enforcement of intellectual property rights, in the course of year 2008 a methodology for collecting related statistical data was developed. As an integral part of the methodology an extensive statistical report¹ on related data was issued, covering available data up to year 2007.

Following Croatia's commitment to continue monitoring the enforcement of intellectual property rights on regular basis, a further extensive annual statistical report for year 2008 has been issued in the course of year 2009.

In addition to the extensive annual statistical reports, it has been decided (in the course of related negotiations between Croatia and EU in December 2008), that preliminary statistical reports containing rough data will be issued on quarterly basis. This report is the second of such quarterly reports and it covers the second quarter (April to June) of year 2009.

Furthermore, it should be noted that this report is envisaged to contain rough statistical data only, without an extensive analysis which will be available in the annual report. Consequently, the data are presented in related tables only.

The report has been drafted by the State Intellectual Property Office of the Republic of Croatia and is based on data as provided by all stakeholders of the system for the enforcement of the intellectual property rights.

Regarding the specific chapters of the report, the following should be noted:

- **Criminal and misdemeanour protection**

This report contains the tables showing a comprehensive course of the criminal and misdemeanour procedures from the criminal or misdemeanour report to a decision issued by the competent court. Namely, the data for 1Q/2009 were not available at the time of drafting the previous report, due to the time needed for the collection thereof. Now the mentioned data are given in this report together with the data relating to the second quarter.

- **Customs Administration – Statistical data on the number, types and values of the seized products**

Since developing of the methodology on which the previous two extensive annual reports were based, there has been a development in methodology related to the Customs Administration procedures, based on the EU best practice. Thus in this report some data are provided in, to some extent, different format than in the previous reports. Consequently, the annual report for 2009 will also provide some data not completely comparable with the previous reports.

¹ This report was actually issued in three parts, i.e. the basic study issued in May 2008 (*Measurement of the Infringements of Intellectual Property Rights – Study for the Improvement of the Methodologies for Statistical Data Collection*) and two subsequent supplements (issued in July and October 2008 respectively) based on the comments provided by the European Commission (*Measurement of the Infringements of Intellectual Property Rights – Supplements to the Study for the Improvement of the Methodologies for Statistical Data Collection and Measurement of the Infringements of Intellectual Property Rights – Supplements II*)

More specifically, the methodology and the previous annual reports provided for value of the seized goods based on the declared value of goods as indicated in the documents presented by the parties in customs procedure. However, EU practice provides for the value of the goods expressed as the value of damages which would be caused to the right holder in case the counterfeited goods would have reached the market. Thus, the data provided in this report and future reports for the value of the seized goods refers to the latter values in terms of retail price of the original goods on Croatian market (including the value added tax) converted into euros.

Furthermore, this report contains more detailed data regarding the types of the seized goods, following the EU best practice. Therefore a direct comparison with past data might not be possible in some cases. However, new data format will provide easier comparisons to the related EU data.

- **State Attorney's Office – Data on decisions on criminal offence reports relating to criminal offences comprising the infringements of intellectual property**

The data for 1Q/2009 were not available at the time of drafting the previous report, due to the time needed for the collection thereof. The mentioned data are given in this report.

- **Criminal Courts – decisions**

The data for 1Q/2009 were not available at the time of drafting the previous report, due to the time needed for the collection thereof. The mentioned data are given in this report.

2. CRIMINAL AND MISDEMEANOR PROTECTION – A COMPREHENSIVE COURSE OF THE CRIMINAL AND MISDEMEANOR PROCEDURES

Table 2.1.
Data on the criminal protection of intellectual property

Criminal Offences	Number of Criminal Cases					
	Total in 2009		First Quarter of 2009		Second Quarter of 2009	
	Received	Closed	Received	Closed	Received	Closed
Infringements of the rights of authors or of the rights of performers, Article 229 CC	0	0	0	0	0	0
Unauthorized use of an author's work or of a performer's performance, Article 230 CC	160	157	89	77	71	80
Infringement of the rights of producers of phonograms or videograms or the rights related to radio broadcastings, Article 231 CC	11	32	11	28	0	4
Infringement of the rights conferred by an invention applied for or protected, Article 232 CC	1	1	1	1	0	0
Infringement of the industrial property rights and unauthorized use of somebody else's firm, Article 285 CC	24	44	15	38	9	6

Table 2.2.
Data on the misdemeanour protection of intellectual property

Misdemeanours	Number of the Misdemeanour Cases					
	Total in 2009		First Quarter of 2009		Second Quarter of 2009	
	Received	Closed	Received	Closed	Received	Closed
Infringement of the copyright provisions	1.833	1.486	862	850	971	636
Infringement of the trademark provisions	13	34	8	16	5	18
Infringement of the patent provisions	0	0	0	0	0	0
Infringement of the industrial design provisions	0	1	0	0	0	1
Infringements of the provisions on geographical indications and designations of origin of products and services	0	0	0	0	0	0

3. CUSTOMS ADMINISTRATION – DATA ON NUMBER, TYPES AND VALEUS OF THE GOODS AS SEIZED

Table 3.1.
Statistical data on the type of procedure relating to the infringement of intellectual property - Customs Administration

INFRINGEMENT OF THE TRADEMARK PROVISIONS	TOTAL	Number of Procedures	
		ex officio	at the request of the right holder
TOTAL	735	137	598
2004	18	9	9
2005	42	24	18
2006	48	6	42
2007	282	29	253
2008	225	24	201
First quarter of 2009	61	27	34
Second quarter of 2009	59	18	41

Table 3.2.
Statistical data on the procedures relating to the infringement of intellectual property –
Customs Administration

	TOTAL	PROCEDURES		
		Destruction of goods	Suspension of the procedure	Actions before Courts
TOTAL	737	393	307	32
2004	18	11	1	6
2005	42	9	32	1
2006	48	21	21	6
2007	282	151	116	10
2008	225	141	76	8
First quarter of 2009	63	29	33	1
Second quarter of 2009	59	31	28	0

Table 3.3.
Statistical data on the value of goods – Customs Administration

	VALUE EXPRESSED IN EUROS			
	Declared	Destroyed	Suspension of the procedure	Cases pending before the courts
TOTAL	16.466.271,88	13.161.507,04	2.052.077,59	1.252.688,19
2004	69.479,30	10.010,70	37.589,00	21.879,60
2005	343.697,25	57.075,22	286.554,53	67,50
2006	423.641,90	248.550,60	160.625,10	14.466,20
2007	5.915.022,00	4.818.507,80	997.315,14	99.200,00
2008	488.773,28	43.122,42	410.975,97	34.674,89
First quarter of 2009*	5.436.772,63	4.200.542,60	153.830,03	1.082.400,00
Second quarter of 2009*	3.788.885,52	3.783.697,70	5.187,82	0,00

* Since 01.01.2009, the Customs Administration has not monitored the value of the goods as declared, but has monitored the amount of damage that would be suffered by the right holder if such goods were released into free circulation, representing a retail price of such original goods on the domestic market, expressed in euros.

Table 3.4.**Data on the number and type of seized products and the number of procedures in the second quarter of 2009**

Type of seized products	Number of procedures	%	Number of seized products	%
1. Foodstuffs, alcoholic and other beverages	-	-	-	-
a) foodstuffs	-	-	-	-
b) alcoholic beverages	-	-	-	-
c) other beverages	-	-	-	-
2. Body care products	-	-	-	-
a) perfumes and cosmetics	-	-	-	-
b) other products	-	-	-	-
3. Clothes and clothing accessories	20	33,33	40.433	34,10
a) clothes	20	33,33	40.433	34,10
b) clothing accessories	-	-	-	-
4. Footwear	6	10,00	44.280	37,34
a) sports footwear	3	5,00	10.332	8,71
b) other footwear	3	5,00	33.948	28,63
5. Personal accessories	-	-	-	-
a) sunglasses and prescription glasses	-	-	-	-
b) bags	-	-	-	-

c) watches	-	-	-	-
d) jewellery and other accessories	-	-	-	-
6. Mobile phones, parts and implements	1	1,67	2.750	2,32
a) mobile phones	-	-	-	-
b) parts and implements	1	1,67	2.750	2,32
7. Electrical / electronic and computer equipment	2	3,33	1.620	1,37
a) audio/video devices including spare parts and implements	-	-	-	-
b) memory cards and sticks	-	-	-	-
c) toners and inks	-	-	-	-
d) computer equipment (hardware) including parts and implements	2	3,33	1.620	1,37
8. CDs, DVDs, cassettes and other data carriers	-	-	-	-
a) recorded (music, film, programs, games)	-	-	-	-
b) unrecorded	-	-	-	-
9. Toys, games and sports equipment	-	-	-	-
a) toys	-	-	-	-

b) games (including electronic game consoles)	-	-	-	-
c) sports equipment (including leisure time equipment)	-	-	-	-
10. Tobacco products	1	1,67	2.000	1,69
a) cigarettes	1	1,67	2.000	1,69
b) other tobacco products	-	-	-	-
11. Medical products	27	45,00	13.058	11,00
12. Other	3	5,00	14.444	12,18
a) machines and tools	-	-	-	-
b) vehicles including parts and implements	-	-	-	-
c) office supplies	-	-	-	-
d) lighters	-	-	-	-
e) labels, stickers	1	1,67	1.883	1,59
f) textile products	-	-	-	-
g) packaging material	-	-	-	-
h) other	2	3,33	12.561	10,59
TOTAL	60*	100,00	118.585	100,00

* The total number of procedures has increased by 1 in relation to the data referred to in tables 3.1 and 3.2, since one consignment intended for the same right holder contained 2 different kinds of products.

Table 3.5.

Data on the number and types of the seized goods by the outcome of the procedure in the second quarter of 2009

Type of seized goods	Goods as seized and destroyed	Action before the court	Suspension of the procedure
1. Foodstuffs, alcoholic and other beverages	-	-	-
a) foodstuffs	-	-	-
b) alcoholic beverages	-	-	-
c) other beverages	-	-	-
2. Body care products	-	-	-
a) perfumes and cosmetics	-	-	-
b) other products	-	-	-
3. Clothes and clothing accessories	33.952	-	6.481
a) clothes	33.952	-	6.481
b) clothing accessories	-	-	-
4. Footwear	44.280	-	-
a) sports footwear	10.332	-	-
b) other footwear	33.948	-	-
5. Personal accessories	-	-	-
a) sunglasses and prescription glasses	-	-	-
b) bags	-	-	-
c) watches	-	-	-
d) jewellery and other accessories	-	-	-
6. Mobile phones, parts and implements	2.750	-	-
a) mobile phones	-	-	-
b) parts and implements	2.750	-	-
7. Electric / electronic and computer equipment	1.620	-	-
a) audio/video devices including parts and implements	-	-	-
b) memory cards and sticks	-	-	-

c) toners and inks	-	-	-
d) computer equipment (hardware) including parts and implements	1.620	-	-
8. CDs, DVDs, cassettes and other data carriers	-	-	-
a) recorded (music, film, programs, games)	-	-	-
b) unrecorded	-	-	-
9. Toys, games and sports equipment	-	-	-
a) toys	-	-	-
b) games (including electronic game consoles)	-	-	-
c) sports equipment (including leisure time equipment)	-	-	-
10. Tobacco products	2.000	-	-
a) cigarettes	2.000	-	-
b) other tobacco products	-	-	-
11. Medical products	-	-	9.707*
12. Other	8.561	-	5.883
a) machines and tools	-	-	-
b) vehicles, including parts and implements	-	-	-
c) office supplies	-	-	-
d) lighters	-	-	-
e) labels, stickers	1.883	-	-
f) textile products	-	-	-
g) packaging material	-	-	-
h) other	6.678	-	5.883
TOTAL	93.163	-	22.071

* These 9.707 pieces of medicinal products will be destroyed in accordance with the customs regulations, due to the fact that the importation of medicinal products in HR is not to be carried out by natural persons.

Table 3.6.

Data on the number and types of seized products, the number and types of procedures in the second quarter of 2009

Type of seized products	Goods seized and destroyed	Action before the court	Suspension of the procedure
1. Foodstuffs, alcoholic and other beverages	-	-	-
a) foodstuffs	-	-	-
b) alcoholic beverages	-	-	-
c) other beverages	-	-	-
2. Body care products	-	-	-
a) perfumes and cosmetics	-	-	-
b) other products	-	-	-
3. Clothes and clothing accessories	13*	-	8*
a) clothes	13*	-	8*
b) clothing accessories	-	-	-
4. Footwear	6	-	-
a) sports footwear	3	-	-
b) other footwear	3	-	-
5. Personal accessories	-	-	-
a) sunglasses and prescription glasses	-	-	-
b) bags	-	-	-
c) watches	-	-	-
d) jewellery and other accessories	-	-	-
6. Mobile phones, parts and implements	1	-	-
a) mobile phones	-	-	-
b) parts and implements	1	-	-
7. Electric / electronic and computer equipment	2	-	-
a) audio/video devices including parts and implements	-	-	-
b) memory cards and sticks	-	-	-
c) toners and inks	-	-	-

d) computer equipment (hardware) including parts and implements	2	-	-
8. CDs, DVDs, cassettes and other data carriers	-	-	-
a) recorded (music, film, programs, games)	-	-	-
b) unrecorded	-	-	-
9. Toys, games and sports equipment	-	-	-
a) toys	-	-	-
b) games (including electronic game consoles)	-	-	-
c) sports equipment (including leisure time equipment)	-	-	-
10. Tobacco products	1	-	-
a) cigarettes	1	-	-
b) other tobacco products	-	-	-
11. Medical products	7	-	20**
12. Other	2	-	1
a) machines and tools	-	-	-
b) vehicles including parts and implements	-	-	-
c) office supplies	-	-	-
d) lighters	-	-	-
e) labels, stickers	1	-	-
f) textile products	-	-	-
g) packaging material	-	-	-
h) other	1	-	1
TOTAL	32	-	29

* The total number of procedures carried out in respect of class 3 and subclass 3a is 21, whereas the total number of such procedures referred to in table 3.4. is 20. Namely, one consignment has contained a part of counterfeited and a part of original goods.

** In these 20 cases the medicinal products will be destroyed in accordance with the customs regulations, due to the fact that the importation of medicinal products in HR is not to be carried out by natural persons.

Table 3.7.

Data on the value of seized goods expressed in euros, proportion of the seized types of goods in the second quarter of 2009

Type of seized products	Value in €	%
1. Foodstuffs, alcoholic and other beverages	-	-
a) foodstuffs	-	-
b) alcoholic beverages	-	-
c) other beverages	-	-
2. Body care products	-	-
a) perfumes and cosmetics	-	-
b) other products	-	-
3. Clothes and clothing accessories	1.805.624,18	47,72
a) clothes	1.805.624,18	47,72
b) clothing accessories	-	-
4. Footwear	1.748.225,16	46,20
a) sports footwear	1.070.963,16	28,30
b) other footwear	677.262,00	17,90
5. Personal accessories	-	-
a) sunglasses and prescription glasses	-	-
b) bags	-	-
c) watches	-	-
d) jewellery and other accessories	-	-
6. Mobile phones, parts and implements	110.000,00	2,91
a) mobile phones	-	-
b) parts and implements	110.000,00	2,91
7. Electric / electronic and computer equipment	46.982,00	1,24
a) audio/video devices including parts and implements	-	-
b) memory cards and sticks	-	-
c) toners and inks	-	-
d) computer programs (hardware) including parts and implements	46.982,00	1,24

8. CDs, DVDs, cassettes and other data carriers	-	-
a) recorded (music, film, programs, games)	-	-
b) unrecorded	-	-
9. Toys, games and sports equipment	-	-
a) toys	-	-
b) games (including electronic game consoles)	-	-
c) sports equipment (including leisure time equipment)	-	-
10. Tobacco products	303,00	0,01
a) cigarettes	303,00	0,01
b) other tobacco products	-	-
11. Medical products	26.823,63	0,71
12. Other	45.739,73	1,21
a) machines and tools	-	-
b) vehicles, including parts and implements	-	-
c) office supplies	-	-
d) lighters	-	-
e) labels, stickers	-*	-
f) textile products	-	-
g) packaging material	-	-
h) other	45.739,73	1,21
TOTAL	3.783.697,70	100

* The right holder has not supplied the data on the value of these goods.

4. STATE INSPECTORATE – DATA ON THE NUMBER OF INSPECTIONS AND GOODS AS SEIZED

Table 4.1.
Inspection relating to the protection of copyright in computer programs

Year	Number of inspections	Motions to indict as filed in accordance with CRRA		Number of computers as inspected	Number of computers in which a computer program has been installed without the author's authorization	Illegally installed computer programs as found	
		Number	%			Number of computer programs	Value in €
2001	24	13	56,52	152	101	231	111.111,11
2002	229	88	38,42	1.000	365	539	226.666,66
2003	143	63	44,05	500	227	298	166.666,66
2004	120	28	23,33	298	43	75	31.527,00
2005	154	44	28,57	337	74	162	67.500,00
2006	216	89	41,2	938	331	565	274.652,00
2007	716	155	21,64	2.120	416	653	317.430,00
2008	1.269	260	20,48	1.950	510	925	not available
First quarter of 2009	430	59	13,72	1.738	103	208	not available
Second quarter of 2009	466	88	18,88	897	134	374	not available

Table 4.2.

Inspections relating to the circulation of musical and cinematographic works recorded on audio and video carriers without the authorization of the author (pirated copies)

Year	Number of inspections in which misdemeanour has been established and motion to indict filed in accordance with CRRA	Audio and video carriers as temporarily seized	
		Number of pieces	Value in €
2001	7	514	2.388,75
2002	42	6.672	29.374,16
2003	43	6.689	37.797,92
2004	13	630	4.595,13
2005	23	2.469	10.954,44
2006	61	1.708	9.488,88
2007	228	3.565	15.020,83
2008	173	2.969	12.865,63
First quarter of 2009	38	383	2.773,64
Second quarter of 2009	41	296	858,90

Table 4.3.

Inspection relating to the circulation and reproduction of books without the authorization of the author and publisher

Year	Number of inspections	Motions to indict as filed in accordance with CRRA	Provisionally seized goods - books	
			Number of pieces	Value in €
2006	35	7	10	132
2007	77	3	1	10
2008	67	2	2	15
First quarter of 2009	19	1	1	13,51
Second quarter of 2009	15	1	2	28,1

Table 4.4.
Inspection relating to the circulation of products designated by a protected sign – a trademark, without the authorization of the trademark holder (counterfeits)

Year	Number of inspections	Motions to indict filed in accordance with TA		Provisionally seized goods	
		Number	%	Number of pieces	Value in €
2003	493	59	11,96	-	94.206,29
2004	1.877	158	8,41	-	159.826,11
2005	4.276	102	2,38	-	85.340,69
2006	2.486	329	13,23	47.643	248.348,61
2007	2.020	277	13,71	18.001	205.977,50
2008	2.878	325	11,29	42.704	158.323,80
First quarter of 2009	490	10	4,9	341	938,24
Second quarter of 2009	644	61	9,47	14.850	93.762,56

Table 4.5.
Inspections relating to the circulation of products in connection with the protection of industrial designs

Year	Number of inspections	Misdemeanours established in accordance with IDA	Provisionally seized goods	
			Number of pieces	Value in €
2002	8	0		0
2003	4	1	18	135,41
2004	9	4	1.685	12.659,08
2005	4	0	0	0
2006	540	18	364	2.527,77
2007	3	0	0	0
2008	7	4	282	1.905,40
First quarter of 2009	0	0	0	0,00
Second quarter of 2009	13	0	0	0,00

Table 4.6.
Inspection relating to the circulation of products made according to a protected invention

Year	Number of inspections	Motions to indict filed in accordance with PA	Provisionally seized goods	
			Number of pieces	Value in €
2006	0	0	0	0,00
2007	1	0	0	0,00
2008	1	0	0	0,00
First quarter of 2009	0	0	0	0,00
Second quarter of 2009	0	0	0	0,00

Table 4.7.
Inspection relating to the circulation of products in connection with the protection of geographical indications and designations of origin

Year	Number of inspections	Misdemeanours established in accordance with FA	Provisionally seized goods	
			Number of pieces	Value in €
2006	232	15	0	0
2007	0	0	0	0
2008	621	14	-	1.380,26
First quarter of 2009	0	0	0	0,00
Second quarter of 2009	0	0	0	0,00

Table 4.8.
Types of temporarily seized goods and the number of pieces

TYPE OF SEIZED GOODS	QUANTITY							
	2007.		2008.		First quarter of 2009		Second quarter of 2009	
	Pieces	%	Pieces	%	Pieces	%	Pieces	%
CLOTHES								
Sportswear	656	3,64	1.699	3,97	33	9,67	0	0
Other	1.192	6,62	3.157	7,39	0	0	19	0,13
Accessories (caps, scarves)	1.070	5,94	838	1,96	294	86,21	4.295	28,92
FOOTWEAR								
Sports footwear	446	2,48	655	1,53	3	0,88	0	0
Other	72	0,4	3		0	0	0	0
LEATHER FANCY GOODS	5.820	32,33	2.611	6,11	7	2,05	185	1,25
WATCHES	1.627	9,04	2.277	5,33	0	0	3.523	23,72
GLASSES	5.323	29,57	5.838	13,66	0	0	6.691	45,06
PERFUMES	1.424	7,91	156	0,36	2	0,58	0	0
SOUVENIRS	0	0	0	0	0	0	0	0
OTHER (earrings, necklaces, party games, car screens car flags, mascaras, ice-cream, flags, bracelets, toners)	371	2,06	25.484	59,65	2	0,58	137	0,92
TOTAL	18.001	100,00	42.718	100,00	341	100,00	14.850	100,00

5. MINISTRY OF THE INTERIOR – DATA ON NUMBER OF CRIMINAL OFFENCES

Table 5.1.
Statistical data on the infringements of intellectual property rights – Ministry of Interior

Criminal offences	Total	Number of criminal offences reported against known committers	
		First quarter of 2009	Second quarter of 2009
Infringements of the rights of authors or of the rights of performers, Article 229 CC	1	-	1
Unauthorized use of an author's work or of a performer's performance, Article 230 CC	52	26	26
Infringement of the rights of producers of phonograms or videograms or the rights related to radio broadcastings, Article 231 CC	1	1	-
Infringement of the rights conferred by an invention applied for or protected, Article 232 CC	-	-	-
Infringement of the industrial property rights and unauthorized use of somebody else's firm, Article 285 CC	37	13	24

**6. STATE ATTORNEY'S OFFICE – DATA ON DECISIONS ON
CRIMINAL OFFENCE REPORTS RELATING TO CRIMINAL
OFFENCES COMPRISING THE INFRINGEMENT OF
INTELLECTUAL PROPERTY**

Table 6.1.

**Reported adult persons by the type of decision on a criminal offence comprising the
Infringement of the Rights of Authors or of the Rights of Performers, Art. 229 CC**

	Reported total	Known committers				Unknown committers
		Total	Report rejected	Investigation suspended	Indictment or a motion to indict filed	
TOTAL	47	43	22	3	18	4
1998	5	5	3	-	2	-
1999	1	1	-	1	-	-
2000	5	4	1	-	3	1
2001	4	4	1	1	2	-
2002	3	3	1	1	1	-
2003	4	3	2	-	1	1
2004	6	4	4	-	-	2
2005	3	3	3	-	-	-
2006	6	6	3	-	3	-
2007	8	8	4	-	4	-
2008	2	2	-	-	2	-
First quarter of 2009	-	-	-	-	-	-
Second quarter of 2009	-	-	-	-	-	-

Table 6.2.
Reported adult persons by the type of decision on a criminal offence comprising
Unauthorized Use of an Author's Work or of a Performer's Performance, Art. 230 CC

	Reported total	Known committers				Unknown committers
		Total	Report rejected	Investigation suspended	Indictment or a motion to indict filed	
TOTAL	3.627	3.502	475	3	3.033	125
1998	205	205	16	2	187	-
1999	181	181	11	1	169	-
2000	309	309	23	-	286	-
2001	390	387	23	-	364	3
2002	410	381	84	-	297	29
2003	435	403	49	-	354	32
2004	404	394	52	-	342	10
2005	324	317	45	-	272	7
2006	354	327	55	-	272	27
2007	266	249	52	-	197	17
2008	264	264	54	-	225	-
First quarter of 2009	31	31	2	-	24	-
Second quarter of 2009	54	54	9	-	44	-

Table 6.3.
Reported adult persons by the type of decision on a criminal offence comprising
Infringement of the Rights of Producers of Phonograms or Videograms or the Rights
Related to Radio Broadcastings, Art. 231 CC

	Reported total	Known committers				Unknown committers
		Total	Report rejected	Investigation suspended	Indictment or a motion to indict filed	
TOTAL	96	90	12	-	78	20
1998	6	6	1	-	5	-
1999	4	4	1	-	3	-
2000	4	4	1	-	3	-
2001	5	5	-	-	5	-
2002	9	5	-	-	5	4
2003	5	5	1	-	4	-
2004	16	14	3	-	11	2
2005	3	3	-	-	3	-
2006	18	18	3	-	15	-
2007	12	12	1	-	11	-
2008	14	14	1	-	13	14
First quarter of 2009	-	-	-	-	-	-
Second quarter of 2009	-	-	-	-	-	-

Table 6.4.
Reported adult persons by the type of decision on a criminal offence comprising
Infringement of the Right Conferred by an Invention Applied for or Protected, Art. 232
CC

	Reported total	Known committers				Unknown committers
		Total	Report rejected	Investigation suspended	Indictment or a motion to indict filed	
TOTAL	28	28	23	-	5	-
1998	-	-	-	-	-	-
1999	-	-	-	-	-	-
2000	5	5	4	-	1	-
2001	1	1	1	-	-	-
2002	-	-	-	-	-	-
2003	1	1	1	-	-	-
2004	11	11	11	-	-	-
2005	1	1	1	-	-	-
2006	5	5	5	-	-	-
2007	4	4	-	-	4	-
2008	-	-	-	-	-	-
First quarter of 2009	-	-	-	-	-	-
Second quarter of 2009	-	-	-	-	-	-

Table 6.5.
Reported adult persons by the type of decision on a criminal offence comprising
Infringement of the Industrial Property Rights and Unauthorized Use of Somebody
Else's Firm, Art. 285 CC

	Reported total	Known committers				Unknown committers
		Total	Report rejected	Investigation suspended	Indictment or a motion to indict filed	
TOTAL	634	618	107	2	503	16
1998	28	27	7	-	20	1
1999	44	42	2	-	40	2
2000	16	16	4	-	12	-
2001	18	16	3	2	11	2
2002	9	9	3	-	6	-
2003	20	18	7	-	11	2
2004	35	35	13	-	22	-
2005	71	69	7	-	62	2
2006	133	131	16	-	115	2
2007	122	117	16	-	101	5
2008	135	135	28	-	102	-
First quarter of 2009	2	2	1	-	1	-
Second quarter of 2009	1	1	-	-	-	-

7. CRIMINAL COURTS

7.1. CRIMINAL DECISIONS AND SANCTIONS

Table 7.1.1.
Court decisions on criminal offences comprising the infringement of intellectual property rights (first quarter of 2009)

	Accused Total	Found guilty	Not found guilty			
			Suspension of the criminal procedure	Acquittal	Refusal	Mentally incompetent persons
Total	49	54	4	10	4	0
Infringements of the rights of authors or of the rights of performers, Article 229 CC	0	0	0	0	0	0
Unauthorized use of an author's work or of a performer's performance, Article 230 CC	26	31	2	7	2	0
Infringement of the rights of producers of phonograms or videograms or the rights related to radio broadcastings, Article 231 CC	5	12	0	0	0	0
Infringement of the rights conferred by an invention applied for or protected, Article 232 CC	1	0	0	0	1	0
Infringement of the industrial property rights and unauthorized use of somebody else's firm, Article 285 CC	17	11	2	3	1	0

Table 7.1.2.
Court decisions on criminal offences comprising the infringement of intellectual property rights (second quarter of 2009)

	Accused Total	Found guilty	Not found guilty			
			Suspension of the criminal procedure	Acquittal	Refusal	Mentally incompetent persons
Total	64	76	8	4	2	0
Infringements of the rights of authors or of the rights of performers, Article 229 CC	0	0	0	0	0	0
Unauthorized use of an author's work or of a performer's performance, Article 230 CC	45	50	6	3	1	0
Infringement of the rights of producers of phonograms or videograms or the rights related to radio broadcastings, Article 231 CC	10	10	0	1	1	0
Infringement of the rights conferred by an invention applied for or protected, Article 232 CC	0	0	0	0	0	0
Infringement of the industrial property rights and unauthorized use of somebody else's firm, Article 285 CC	9	16	2	0	0	0

Table 7.1.3.

Convicted persons by sanctions imposed in accordance with Art. 230 CC (copyright – pirated goods)
Imprisonments as imposed

	Unconditional imprisonment						Conditional imprisonment						
	Total	6-12 months	3-6 months	2-3 months	1-2 months	30 days	Total	1-2 years	6-12 months	3-6 months	2-3 months	1-2 months	30 days
First quarter of 2009	0	0	0	0	0	0	24	3	6	11	4	0	0
Second quarter of 2009	4	1	2	1	0	0	23	3	9	9	0	2	0
TOTAL	4	1	2	1	0	0	47	6	15	20	4	2	0

Table 7.1.4.

Convicted persons by sanctions imposed in accordance with Art. 230 CC (copyright – pirated goods)
Fines and other sanctions as imposed (continuation)

	Unconditional fine (expressed in daily incomes)					Conditional fine (expressed in daily incomes)					Other sanctions		
	Total	10 to 25	51 to 50	76 to 100	101 to 150	Total	10 to 25	26 to 50	51 to 75	76 to 100	Judicial admonition	Educational measures	Suspension of juvenile prison
First quarter of 2009	4	2	1	1	0	0	0	0	0	0	1	0	0
Second quarter of 2009	6	4	2	0	0	0	0	0	0	0	0	0	0
TOTAL	10	6	3	1	0	0	0	0	0	0	1	0	0

Table 7.1.5.

**Convicted persons by sanctions imposed in accordance with Art. 285 CC (industrial property right)
Imprisonments as imposed**

	Unconditional imprisonment				Conditional imprisonment					
	Total	6-12 months	2-3 months	30 days	Total	1-2 years	3-6 months	2-3 months	1-2 months	30 days
First quarter of 2009	0	0	0	0	6	3	2	0	1	0
Second quarter of 2009	0	0	0	0	3	0	0	0	3	0
TOTAL	0	0	0	0	9	3	2	0	4	0

Table 7.1.6.

**Convicted persons by sanctions imposed in accordance with Art. 285 CC (industrial property right)
Fines and other sanctions as imposed (continuation)**

	Unconditional fine (expressed in daily incomes)							Other sanctions		
	Total	10 to 25	26 to 75	101 to 150	10 to 25	26 to 50	51 to 75	Judicial admonition	Educational measures	Suspension of juvenile prison
First quarter of 2009	1	0	1	0	0	0	0	0	0	0
Second quarter of 2009	1	1	0	0	0	0	0	0	0	0
TOTAL	2	1	1	0	0	0	0	0	0	0

Table 7.1.7.

Convicted persons by sanctions imposed for other infringements – right conferred by an invention applied for or protected and other infringements (Article 229, Article 231, Article 232 of the Criminal Code)
Sanctions as imposed

	Conditional imprisonment						Unconditional fine (expressed in daily incomes)					
	Total	6-12 months	3-6 months	2-3 months	1-2 months	30 days	Total	10 to 25	26 to 50	51 to 75	76 to 100	101 to 150
First quarter of 2009	0	0	0	0	0	0	0	0	0	0	0	0
Second quarter of 2009	0	0	0	0	0	0	1	1	0	0	0	0
TOTAL	0	0	0	0	0	0	1	1	0	0	0	0

Table 7.1.8.

The number of judicial procedures in which a security measure comprising the seizure of objects and a special measure comprising the seizure of economic benefits were imposed – persons convicted for the infringements of copyright (pirated copies) - Art. 230 CC

	A security measure comprising the seizure of objects imposed	Economic benefits seized
Total	13	1
First quarter of 2009	5	0
Second quarter of 2009	8	1

Table 7.1.9.

The number of judicial procedures in which a security measure and a special measure comprising the seizure of economic benefits were imposed – persons convicted for the infringements of industrial property rights - Art. 285 CC

	Security measures			Economic gain seized
	Total	Seizure of objects	Expulsion of aliens	
Total	10	6	4	0
First quarter of 2009	2	2	0	0
Second quarter of 2009	8	4	4	0

Table 7.1.10.

Account of fines imposed on committers of criminal offences comprising the infringement of copyright – pirated copies (Article 230 CC)

		EUROS TOTAL	10 to 25 DI	26 to 50 DI	51 to 75 DI	76 to 100 DI	101 to 150 DI
			HRK 2.905	HRK 6.308	HRK 10.458	HRK 14.608	HRK 20.750
First quarter of 2009	HRK	26.726,00	3.651,56	12.616,00	10.458,00	0,00	0,00
	EUR	3646,05	498,17	1721,14	1426,74	0,00	0,00
Second quarter of 2009	HRK	11.559,50	6.257,50	5.302,00	0,00	0,00	0,00
	EUR	1577,01	853,68	723,33	0,00	0,00	0,00

1 EUR = 7,33 HRK

D.I. - a fine expressed in daily incomes (average daily income in the Republic of Croatia)

Table 7.1.11.

Account of fines imposed on committers of criminal offences comprising the infringements of industrial property rights - Article 285 CC

		EUROS TOTAL	10 to 25 DI	26 to 50 DI	51 to 75 DI	76 to 100 DI	101 to 150 DI
			HRK 2.905	HRK 6.308	HRK 10.458	HRK 14.608	HRK 20.750
First quarter of 2009	HRK	7.001,00	0,00	0,00	7.001,00	0,00	0,00
	EUR	955,12	0,00	0,00	955,12	0,00	0,00
Second quarter of 2009	HRK	0,00	0,00	0,00	0,00	0,00	0,00
	EUR	0,00	0,00	0,00	0,00	0,00	0,00

1 EUR = 7,33 HRK

D.I. - a fine expressed in daily incomes (average daily income in the Republic of Croatia)

Table 7.1.12.

Account of fines imposed on committers of criminal offences comprising the infringements of the rights conferred by a protected invention and other infringements - Article 232 CC

		EUROS TOTAL	10 to 25 DI	26 to 50 DI	51 to 75 DI	76 to 100 DI	101 to 150 DI
			HRK 2.905	HRK 6.308	HRK 10.458	HRK 14.608	HRK 20.750
First quarter of 2009	HRK	0,00	0,00	0,00	0,00	0,00	0,00
	EUR	0,00	0,00	0,00	0,00	0,00	0,00
Second quarter of 2009	HRK	0,00	0,00	0,00	0,00	0,00	0,00
	EUR	0,00	0,00	0,00	0,00	0,00	0,00

1 EUR = 7,33 HRK

D.I. - a fine expressed in daily incomes (average daily income in the Republic of Croatia)

Table 7.1.13.

Fines IN HRK imposed on natural persons – infringement of the copyright provisions

	TOTAL	Up to 500	501 to 1 000	1 001 to 5 000	5 001 to 10 000	10 001 to 20 000
TOTAL	14.370	1.045	4.736	8.573	16	0
First quarter of 2009	13.505	1.021	3.996	8.479	9	0
Second quarter of 2009	865	24	740	94	7	0

Table 7.1.14.

Fines IN HRK imposed to legal and responsible persons – infringement of the copyright provisions

	TOTAL	300 to 500	501 to 1 000	1 001 to 5 000	5 001 to 10 000	10 001 to 20 000	More than 20 000
TOTAL	13.110	12	2.403	10.676	15	4	0
First quarter of 2009	7.111	4	1.016	6.076	15	0	0
Second quarter of 2009	5.999	8	1.387	4.600	0	4	0

Table 7.1.15.

Fines IN HRK imposed on natural persons – infringement of the trademark provisions

	TOTAL	Up to 500	501 to 1 000	1 001 to 5 000	5 001 to 10 000	10 001 to 20 000
TOTAL	818	0	803	13	2	0
First quarter of 2009	12	0	2	8	2	0
Second quarter of 2009	806	0	801	5	0	0

Table 7.1.16.

Fines IN HRK imposed to legal and responsible persons – infringement of the trademark provisions

	TOTAL	300 to 500	501 to 1 000	1 001 to 5 000	5 001 to 10 000	10 001 to 20 000	More than 20 000
TOTAL	21	0	1	14	5	0	1
First quarter of 2009	13	0	0	11	1	0	1
Second quarter of 2009	8	0	1	3	4	0	0

Table 7.1.17.**Fines IN HRK imposed on natural persons – infringement of the patent and technical improvements provisions**

	TOTAL	Up to 500	501 to 1 000	1 001 to 5 000	5 001 to 10 000	10 001 to 20 000
TOTAL	0	0	0	0	0	0
First quarter of 2009	0	0	0	0	0	0
Second quarter of 2009	0	0	0	0	0	0

Table 7.1.18.**Fines IN HRK imposed to legal and responsible persons – infringement of the patent and technical improvements provisions**

	TOTAL	300 to 500	501 to 1 000	1 001 to 5 000	5 001 to 10 000	10 001 to 20 000	More than 20 000
TOTAL	0	0	0	0	0	0	0
First quarter of 2009	0	0	0	0	0	0	0
Second quarter of 2009	0	0	0	0	0	0	0

7.2. MISDEMEANOR DECISIONS AND SANCTIONS

Table 7.2.1.

Data on the types of court decisions issued against the committers of misdemeanours in the field of intellectual property in the first quarter of 2009

Infringement of provisions	Accused	Found guilty	Suspension of the misdemeanour procedure		Protective measures
			Total	Protective measures	
Total	625	255	184	3	9
Infringement of the copyright provisions	602	243	184	3	1
Infringement of the trademark provisions	22	11	0	0	8
Infringement of the patent provisions	0	0	0	0	0
Infringement of the industrial design provisions	1	1	0	0	0
Infringement of the provisions on geographical indications	0	0	0	0	0

Table 7.2.2.

Data on the types of court decisions issued against the committers of misdemeanours in the field of intellectual property in the second quarter of 2009

Infringement of provisions	Accused	Found guilty	Suspension of the misdemeanour procedure		Protective measures
			Total	Protective measures	
Total	580	284	226	2	5
Infringement of the copyright provisions	575	274	225	2	4
Infringement of the trademark provisions	5	10	1	0	1
Infringement of the patent provisions	0	0	0	0	0
Infringement of the industrial design provisions	0	0	0	0	0
Infringement of the provisions on geographical indications	0	0	0	0	0

Table 7.2.3.
Misdemeanour procedures against natural persons for the infringement of the copyright provisions

	Accused	Found guilty	Sanctions imposed		
			Imprisonment	Fine	Reprimand/ Admonition
First quarter of 2009	370	94	0	2.086	3
Second quarter of 2009	161	60	0	24.052	3

Table 7.2.4.
Misdemeanour procedures against legal and responsible persons for the infringement of the copyright provisions

	Accused	Found responsible	Sanctions imposed	
			Fine	Reprimand/Admonition
First quarter of 2009	335	33	31	2
Second quarter of 2009	120	49	46	3

Table 7.2.5.
Misdemeanour procedures relating to the infringement of the trademark and other indications provisions (adult persons)

	Accused	Found guilty	Sanctions imposed		
			Imprisonment	Fine	Reprimand/ Admonition
First quarter of 2009	9	13	0	12	1
Second quarter of 2009	9	11	0	11	0

Table 7.2.6.
Misdemeanour procedures relating to the infringement of the trademark and other indications provisions (legal and responsible persons)

	Accused	Found responsible	Sanctions imposed	
			Fine	Reprimand/Admonition
First quarter of 2009	19	8	8	2
Second quarter of 2009	6	12	12	0

Table 7.2.7.
Misdemeanour procedures relating to the infringement of the patent and technical improvements provisions (adult persons)

	Accused	Found guilty	Sanctions imposed		
			Imprisonment	Fine	Reprimand/ Admonition
First quarter of 2009	0	0	0	0	0
Second quarter of 2009	0	0	0	0	0

Table 7.2.8.
Misdemeanour procedures relating to the infringement of the patent and technical improvements provisions (legal and responsible persons)

	Accused	Found responsible	Sanctions imposed	
			Fine	Reprimand/Admonition
First quarter of 2009	4	2	2	0
Second quarter of 2009	5	2	2	0

Table 7.2.9.
Juvenile committers – infringement of the copyright provisions

	CRIMINAL PROCEDURE	MISDEMEANOUR PRODECURE
TOTAL IN 2009	0	0
First quarter of 2009	0	0
Second quarter of 2009	0	0

8. ADMINISTRATIVE COURT AND COMERCIAL COURTS – DATA ON NUMBER OF THE CASES AND MANNER OF PROCESSING

Table 8.1.1.
Cases before the Administrative Court (first quarter of 2009)

TYPE OF DISPUTE	PENDING at the beginning of the period	RECEIVED	TYPES OF DECISIONS					PENDING at the end of the period
			ACCEPTED	REFUSED	SUSPENSION	REJECTION	TOTAL	
TRADEMARKS	164	0	0	1	1	0	2	162
PATENTS	11	0	0	0	0	0	0	11
INDUSTRIAL DESIGNS	3	0	0	0	0	0	0	3

Table 8.1.2.
Cases before the Administrative Court (second quarter of 2009)

TYPE OF DISPUTE	PENDING at the beginning of the period	RECEIVED	TYPES OF DECISIONS					PENDING at the end of the period
			ACCEPTED	REFUSED	SUSPENSION	REJECTION	TOTAL	
TRADEMARKS	162	0	0	0	0	1	1	161
PATENTS	11	0	0	1	0	0	1	10
INDUSTRIAL DESIGNS	3	0	0	0	0	0	0	3

Table 8.2.1.
Cases before commercial courts (first quarter of 2009)

COMMERCIAL COURT	NUMBER OF CASES PENDING AT THE BEGINNING OF THE REPORTING PERIOD	NUMBER OF CASES RECEIVED	NUMBER OF CASES CLOSED											NUMBER OF CASES PENDING AT THE END OF THE REPORTING PERIOD
			TOTAL	JUDGMENT BASED ON HEARING	JUDGMENT BY CONFESSION	JUDGMENT BY DEFAULT	JUDGMENT BY ABSENCE	JUDGMENT WITHOUT HEARING	JUDGMENT BASED ON WAIVER	SETTLEMENT	REJECTION	REFERRAL TO ANOTHER COURT	OTHERWISE	
Zagreb	476	164	146	52	2	54	1	0	0	4	0	1	32	494
%			100	35,6	1,4	37,0	0,7	0,0	0,0	2,7	0,0	0,7	21,9	
Rijeka	251	74	73	12	2	0	45	0	0	2	0	0	12	252
%			100	16,4	2,7	0,0	61,6	0,0	0,0	2,7	0,0	0,0	16,4	
Split	201	8	59	19	0	35	1	0	0	1	0	0	3	150
%			100	32,2	0,0	59,3	1,7	0,0	0,0	1,7	0,0	0,0	5,1	
Osijek	17	24	29	17	2	0	2	0	0	0	0	0	8	12
%			100	58,6	6,9	0,0	6,9	0,0	0,0	0,0	0,0	0,0	27,6	

Table 8.2.2.
Cases before commercial courts (second quarter of 2009)

COMMERCIAL COURT	NUMBER OF CASES PENDING AT THE BEGINNING OF THE REPORTING PERIOD	NUMBER OF CASES RECEIVED	NUMBER OF CASES CLOSED											NUMBER OF CASES PENDING AT THE END OF THE REPORTING PERIOD
			TOTAL	JUDGMENT BASED ON HEARING	JUDGMENT BY CONFESSION	JUDGMENT BY DEFAULT	JUDGMENT BY ABSENCE	JUDGMENT WITHOUT HEARING	JUDGMENT BASED ON WAIVER	SETTLEMENT	REJECTION	REFERRAL TO ANOTHER COURT	OTHERWISE	
Zagreb	494	135	116	35	3	52	0	0	0	0	1	0	25	513
%			100	30,2	2,6	44,8	0,0	0,0	0,0	0,0	0,9	0,0	21,6	
Rijeka	252	41	60	6	0	43	0	0	0	1	0	0	10	233
%			100	10,0	0,0	71,7	0,0	0,0	0,0	1,7	0,0	0,0	16,7	
Split	150	16	42	8	0	0	20	0	0	5	0	0	9	124
%			100	19,0	0,0	0,0	47,6	0,0	0,0	11,9	0,0	0,0	21,4	
Osijek	12	35	10	9	0	0	0	0	0	0	0	0	1	37
%			100	90,0	0,0	0,0	0,0	0,0	0,0	0,0	0,0	0,0	10,0	

Table 8.3.1.
Cases before commercial courts – collective (first quarter of 2009)

	TYPE OF INFRINGEMENT	NUMBER OF CASES PENDING AT THE BEGINNING OF THE REPORTING PERIOD	NUMBER OF CASES RECEIVED	PROVISIONAL MEASURES AND PRELIMINARY MEASURES	CLAIM			MANNER OF CLOSING A CASE										CASES CLOSED TOTAL	NUMBER OF CASES PENDING AT THE END OF THE REPORTING PERIOD	
					ACCEPTED	REFUSED	PARTIALLY ACCEPTED	BY A JUDGMENT	JUDGMENT BY CONFESSION	JUDGMENT WITHOUT A HEARING	JUDGMENT BY WAIVER	JUDGMENT BY DEFAULT	JUDGMENT BY ABSENCE	SETTLEMENT	REJECTION	OTHERWISE	REFERRAL TO ANOTHER COURT			
					4	5	6	7	8	9	10	11	12	13	14	15	16			17
COMMERCIAL COURTS TOTAL	TRADEMARK	41	4	2	2	0	0	3	0	0	0	0	0	2	0	4	0	9	36	
	PATENT	12	0	0	1	1	0	2	0	0	0	0	0	0	0	0	0	2	10	
	INDUSTRIAL DESIGN	11	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	1	10	
	GEOGRAPHICAL INDICATION	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9	
	COPYRIGHT	COLLECTIVE	759	249	0	220	1	0	78	5	0	0	87	49	4	0	48	0	271	737
		INDIVIDUAL	113	17	2	14	4	1	16	1	0	0	2	0	1	0	3	1	24	106
	OTHER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL		945	270	4	237	6	2	100	6	0	0	89	49	7	0	55	1	307	908	

Table 8.3.2.
Cases before commercial courts – collective (second quarter of 2009)

	TYPE OF INFRINGEMENT	NUMBER OF CASES PENDING AT THE BEGINNING OF THE REPORTING PERIOD	NUMBER OF CASES RECEIVED	PROVISIONAL MEASURES AND PRELIMINARY MEASURES	CLAIM			MANNER OF CLOSING A CASE										CASES CLOSED TOTAL	NUMBER OF CASES PENDING AT THE END OF THE REPORTING PERIOD	
					ACCEPTED	REFUSED	PARTIALLY ACCEPTED	BY A JUDGEMENT	JUDGEMENT BY CONFESSION	JUDGMENT WITHOUT A HEARING	JUDGMENT BY WAIVER	JUDGMENT BY DEFAULT	JUDGMENT BY ABSENCE	SETTLEMENT	REJECTION	OTHERWISE	REFERRAL TO ANOTHER COURT			
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	
COMMERCIAL COURTS TOTAL	TRADEMARK	36	6	1	1	1	0	1	0	0	0	1	0	0	0	0	0	2	40	
	PATENT	10	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	12	
	INDUSTRIAL DESIGN	10	2	0	1	2	0	3	0	0	0	0	0	0	0	0	0	3	9	
	GEOGRAPHICAL INDICATION	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	9	
	COPYRIGHT	COLLECTIVE	737	191	0	165	0	7	50	3	0	0	112	0	5	0	38	0	208	720
		INDIVIDUAL	106	26	0	6	0	1	4	0	0	0	2	0	1	1	7	0	15	117
	OTHER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	TOTAL	908	227	1	173	3	8	58	3	0	0	115	0	6	1	45	0	228	907	

Table 8.4.1.
Cases before the High Commercial Court (first quarter of 2009)

THE HIGH COMMERCIAL COURT	NUMBER OF CASES PENDING AT THE BEGINNING OF THE REPORTING PERIOD	NUMBER OF CASES RECEIVED	NUMBER OF CASES CLOSED								NUMBER OF CASES PENDING AT THE END OF THE REPORTING PERIOD
			TOTAL	CONFIRMED	MODIFIED	JUDGEMENT ABOLISHED		REJECTION	DISCONTINUATION	OTHERWISE	
						VIOLATION OF PROCEDURAL RULES	FACTUAL SITUATION ESTABLISHED INCORRECTLY AND INSUFFICIENTLY				
	411	60	71	51	3	12	0	0	0	4	400
		%	100	71,8	4,2	16,9	0,0	0,0	0,0	5,6	

Table 8.4.2.
Cases before the High Commercial Court (second quarter of 2009)

THE HIGH COMMERCIAL COURT	NUMBER OF CASES PENDING AT THE BEGINNING OF THE REPORTING PERIOD	NUMBER OF CASES RECEIVED	NUMBER OF CASES CLOSED								NUMBER OF CASES PENDING AT THE END OF THE REPORTING PERIOD
			TOTAL	CONFIRMED	MODIFIED	JUDGEMENT ABOLISHED		REJECTION	DISCONTINUATION	OTHERWISE	
						VIOLATION OF PROCEDURAL RULES	FACTUAL SITUATION ESTABLISHED INCORRECTLY AND INSUFFICIENTLY				
	400	72	88	72	6	7	0	2	1	0	384
		%	100	81,8	6,8	8,0	0,0	2,3	1,1	0,0	

9. DURATION OF THE PROCEDURE BEFORE COURTS

9.1. Duration of the procedure from filing of a criminal offence report

Table 9.1.1.

Duration of the procedure from filing of a criminal offence report to the final court decision in first quarter of 2009

CRIMINAL OFFENCES	TOTAL	Up to 1 month	1 to 2 months	2 to 4 months	4 to 6 months	6 to 12 months	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 to 6 years	6 to 7 years	7 to 8 years	More than 8 years
Infringements of the rights of authors or of the rights of performers, Art.229 CC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
%	100%	0	0	0	0	0	0	0	0	0	0	0	0	0
Unauthorized use of an author's work or of a performer's performance, Art.230 CC	40	3	2	2	9	4	13	4	1	1	1	0	0	0
%	100	7,5	5,0	5,0	22,5	10,0	32,5	10,0	2,5	2,5	2,5	0,0	0,0	0,0
Infringement of the rights of producers of phonograms or videograms or the rights related to radio broadcastings, Art.231 CC	8	2	2	0	0	4	0	0	0	0	0	0	0	0
%	100	25	25	0	0	50	0	0	0	0	0	0	0	0
Infringement of the right conferred by an invention applied for or protected, Art.232 CC	1	0	0	0	0	0	1	0	0	0	0	0	0	0
%	100	0	0	0	0	0	100	0	0	0	0	0	0	0
Infringement of the industrial property rights and un authorized use of somebody else's firm, Art.285 CC	16	0	0	4	2	3	3	2	1	0	0	0	1	0
%	100	0,0	0,0	25,0	12,5	18,8	18,8	12,5	6,3	0,0	0,0	0,0	6,3	0,0

Table 9.1.2.**Duration of the procedure from filing of a criminal offence report to the final court decision in second quarter of 2009**

CRIMINAL OFFENCES	TOTAL	Up to 1 month	1 to 2 months	2 to 4 months	4 to 6 months	6 to 12 months	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 to 6 years	6 to 7 years	7 to 8 years	More than 8 years
Infringements of the rights of authors or of the rights of performers, Art.229 CC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
%	100	0	0	0	0	0	0	0	0	0	0	0	0	0
Unauthorized use of an author's work or of a performer's performance, Art.230 CC	62	7	3	9	7	4	17	8	2	4	1	0	0	0
%	100	11,3	4,8	14,5	11,3	6,5	27,4	12,9	3,2	6,5	1,6	0,0	0,0	0,0
Infringement of the rights of producers of phonograms or videograms or the rights related to radio broadcastings, Art.231 CC	4	0	0	0	0	1	2	0	0	1	0	0	0	0
%	100	0	0	0	0	25	50	0	0	25	0	0	0	0
Infringement of the right conferred by an invention applied for or protected, Art.232 CC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
%	100	0	0	0	0	0	0	0	0	0	0	0	0	0
Infringement of the industrial property rights and un authorized use of somebody else's firm, Art.285 CC	12	4	0	0	1	1	5	0	0	1	0	0	0	0
%	100	33,3	0,0	0,0	8,3	8,3	41,7	0,0	0,0	8,3	0,0	0,0	0,0	0,0

9.2. Duration of the procedure from filing of a misdemeanour report to the final court decision

Table 9.2.1.

Duration of the procedure from filing of a misdemeanour report to the final court decision in first quarter of 2009

CRIMINAL OFFENCES	TOTAL	Up to 1 month	1 to 2 months	2 to 4 months	4 to 6 months	6 to 12 months	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 to 6 years	6 to 7 years	7 to 8 years	More than 8 years
Infringement of the copyright provisions	483	3	29	66	52	130	67	52	61	23	0	0	0	0
%	100	0,6	6,0	13,7	10,8	26,9	13,9	10,8	12,6	4,8	0,0	0,0	0,0	0,0
Infringement of the trademarks and other indications provisions	13	0	0	1	0	7	3	0	2	0	0	0	0	0
%	100	0,0	0,0	7,7	0,0	53,8	23,1	0,0	15,4	0,0	0,0	0,0	0,0	0,0
Infringement of the patent and technical improvements provisions	0	0	0	0	0	0	0	0	0	0	0	0	0	0
%	100	0,0	0,0	0,0	0,0	0,0	0,0	0,0	0,0	0,0	0,0	0,0	0,0	0,0

Table 9.2.2.**Duration of the procedure from filing of a misdemeanour report to the final court decision in second quarter of 2009**

CRIMINAL OFFENCES	TOTAL	Up to 1 month	1 to 2 months	2 to 4 months	4 to 6 months	6 to 12 months	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	5 to 6 years	6 to 7 years	7 to 8 years	More than 8 years
Infringement of the copyright provisions	363	9	13	73	43	52	81	42	35	11	3	0	1	0
%	100	2,5	3,6	20,1	11,8	14,3	22,3	11,6	9,6	3,0	0,8	0,0	0,3	0,0
Infringement of the trademarks and other indications provisions	14	0	0	3	2	3	1	3	2	0	0	0	0	0
%	100	0,0	0,0	21,4	14,3	21,4	7,1	21,4	14,3	0,0	0,0	0,0	0,0	0,0
Infringement of the patent and technical improvements provisions	0	0	0	0	0	0	0	0	0	0	0	0	0	0
%	100	0	0	0	0	0	0	0	0	0	0	0	0	0

9.3. Duration of the procedure before commercial courts

Table 9.3.1.
Duration of the procedure before commercial courts in first quarter of 2009

	TOTAL	Up to 3 months	3 to 6 months	6 to 12 months	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	More than 5 years
COMMERCIAL COURTS	297	0	83	146	68	0	0	0	0
%	100	0	27,9	49,2	22,9	0	0	0	0
HIGH COMMERCIAL COURT	71	6	65	0	0	0	0	0	0
%	100	8,5	91,5	0	0,0	0	0	0	0

Table 9.3.2.
Duration of the procedure before commercial courts in second quarter of 2009

	TOTAL	Up to 3 months	3 to 6 months	6 to 12 months	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	More than 5 years
COMMERCIAL COURTS	228	9	84	75	43	10	6	0	1
%	100	3,9	36,8	32,9	18,9	4,4	2,6	0,0	0,4
HIGH COMMERCIAL COURT	88	4	2	1	25	53	3	0	0
%	100	4,5	2,3	1,1	28,4	60,2	3,4	0,0	0,0

9.4. Duration of the procedure before Administrative Court

Table 9.4.1.
Duration of the procedure before the Administrative Court in first quarter of 2009

	TOTAL	Up to 3 months	3 to 6 months	6 to 12 months	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	More than 5 years
ADMINISTRATIVE COURT	2	0	0	1	0	1	0	0	0
%	100	0	0	50,0	0	50,0	0	0	0

Table 9.4.2.
Duration of the procedure before the Administrative Court in second quarter of 2009

	TOTAL	Up to 3 months	3 to 6 months	6 to 12 months	1 to 2 years	2 to 3 years	3 to 4 years	4 to 5 years	More than 5 years
ADMINISTRATIVE COURT	2	0	0	2	0	0	0	0	0
%	100	0	0	100,0	0	0	0	0	0