

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

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

Report for 4Q/2012

Zagreb, May 2013

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1. INTRODUCTION

In compliance with the obligation of the Republic of Croatia to continually monitor statistical data relating to the enforcement of intellectual property rights, the methodology of data collection and preparation of statistical reports was adopted in 2008.

With the purpose of further developing and enhancing this methodology, an expert Working Group for the Statistics Relating to the Infringements of Intellectual Property Rights was established in 2010. The Working Group has been active within the system of the bodies for coordination of the enforcement of intellectual property rights, established at the level of the Republic of Croatia in 2010, and organised by the Coordinating Board for the Enforcement of Intellectual Property Rights.

The State Intellectual Property Office pursues the coordination of statistical data collection, compilation and publication of statistical reports, whereas the data on the infringements of intellectual property rights are communicated by the State Attorney's Office of the Republic of Croatia, the Ministry of the Interior of the Republic of Croatia, the Ministry of Finance - Customs Administration of the Republic of Croatia, the Ministry of Justice of the Republic of Croatia and the State Inspectorate of the Republic of Croatia.

The reports are showing data relating to the criminal, misdemeanour and civil procedures conducted before the competent bodies in the Republic of Croatia concerning the infringements of intellectual property rights, as well as the customs proceedings conducted against the goods suspected of infringing intellectual property rights.

Such reports are prepared and published every three months (quarterly). Integral annual statistical reports, containing even more detailed analyses of the collected data, are published as well.

The reports have regularly been published on the official Internet page of the State Intellectual Property Office (<http://www.dziv.hr>).

2. PENAL LAW PROTECTION AND MISDEMEANOUR LAW PROTECTION

Table 2.1.
Data on the penal law protection of intellectual property rights

Criminal Offences	Number of Criminal Cases									
	Total in 2011		First Quarter of 2012		Second Quarter of 2012		Third Quarter of 2012		Fourth Quarter of 2012	
	Received	Closed	Received	Closed	Received	Closed	Received	Closed	Received	Closed
Infringements of the rights of authors or of the rights of performers, Article 229 CC	2	2	0	0	1	1	0	0	0	0
Unauthorized use of an author's work or of a performer's performance, Article 230 CC	76	78	16 20	16 20	16	13	16	22	22	11
Infringement of the rights of producers of phonograms or videograms or the rights related to radio broadcastings, Article 231 CC	21	18	1	1	3	2	0	2	3	3
Infringement of the rights conferred by an invention applied for or protected, Article 232 CC	1	1	1	1	0	0	0	1	0	0
Infringement of the industrial property rights and unauthorized use of another person's firm, Article 285 CC	30	33	4 6	0	3	5	4	3	13	14

Note: The table contains corrections made in accordance with the data provided by the Ministry of Justice

Table 2.2.
Data on the misdemeanour law protection of intellectual property rights

Misdemeanours	Number of the Misdemeanour Cases									
	Total in 2011		First Quarter of 2012		Second Quarter of 2012		Third Quarter of 2012		Fourth Quarter of 2012	
	Received	Closed	Received	Closed	Received	Closed	Received	Closed	Received	Closed
Infringement of the copyright provisions	6.624	4.385	1.590 1.788	938 1.123	1.252 1.305	1.144	1.250 1.255	926 968	1.637	1.658
Infringement of the trademark provisions	1.967	1.466	21 20	50 46	27	49	81	47	47	75
Infringement of the patent provisions	62	63	0	0	0	2	0	0	0	1
Infringement of the industrial design provisions	1	0	0	0	0	0	0	0	1	0
Infringements of the provisions on geographical indications and designations of origin of products and services	28	16	2	1	3	1	1	1	0	5

Note: The table contains corrections made in accordance with the data provided by the Ministry of Justice

3. CUSTOMS ADMINISTRATION – DATA ON THE NUMBER OF INITIATED PROCEDURES, NUMBER OF GOODS AND PRODUCTS

Table 3.1.

Data on the number of procedures and the number of suspected products with proportions to the total number according to the type of goods, in the fourth quarter of 2012 - Customs Administration

Product type	Number of procedures	%	Number of products	%
1. Foodstuffs, alcoholic and other beverages	1	0,17	172.800	54,61
a) foodstuffs	1	0,17	172.800	54,61
b) alcoholic beverages				
c) other beverages				
2. Body care products	29	4,87	32	0,01
a) perfumes and cosmetics	4	0,67	5	0,00
b) other products	25	4,19	27	0,01
3. Clothes and clothing accessories	81	13,59	1.192	0,38
a) clothes	75	12,58	1.115	0,35
b) clothing accessories	6	1,01	77	0,02
4. Footwear	338	56,71	88.484	27,96
a) sports footwear	264	44,30	8.424	2,66
b) other footwear	74	12,42	80.060	25,30
5. Personal accessories	61	10,23	5.490	1,74
a) sunglasses and prescription glasses	8	1,34	8	0,00
b) bags	35	5,87	1.123	0,35
c) watches	15	2,52	2.458	0,78
d) jewellery and other accessories	3	0,50	1.901	0,60
6. Mobile phones, parts and implements	10	1,68	24	0,01
a) mobile phones	7	1,17	7	0,00
b) parts and implements	3	0,50	17	0,01
7. Electrical / electronic and computer equipment	31	5,20	171	0,05

a) audio/video devices including spare parts and implements	4	0,67	4	0,00
b) memory cards and sticks				
c) toners and inks				
d) computer equipment (hardware) including parts and implements	26	4,36	27	0,01
e) other equipment including accessories and spare parts	1	0,17	140	0,04
8. CDs, DVDs, cassettes and other data carriers	0	0,00	0	0,00
a) recorded (music, film, programs, games)				
b) unrecorded				
9. Toys, games and sports equipment	13	2,18	25.284	7,99
a) toys	11	1,85	23.784	7,52
b) games (including electronic game consoles)	2	0,34	1.500	0,47
c) sports equipment (including leisure time equipment)				
10. Tobacco products	0	0,00	0	0,00
a) cigarettes				
b) other tobacco products				
11. Medical products	1	0,17	56	0,02
12. Other	31	5,20	22.885	7,23
a) machines and tools				
b) vehicles including parts and implements				
c) office supplies	4	0,67	5.202	1,64
d) lighters				
e) labels, stickers	12	2,01	7.005	2,21
f) textile products				
g) packaging material	4	0,67	4.240	1,34
h) other	11	1,85	6.438	2,03
TOTAL	596	100	316.418	100

Table 3.2.

Data on the number of procedures according to the types of goods and result of the procedure in the fourth quarter of 2012 – Customs Administration

Product type	Goods destroyed	Goods released	Judicial proceedings
1. Foodstuffs, alcoholic and other beverages	1	0	0
a) foodstuffs	1		
b) alcoholic beverages			
c) other beverages			
2. Body care products	17	0	0
a) perfumes and cosmetics	2		
b) other products	15		
3. Clothes and clothing accessories	60	3	0
a) clothes	56	3	
b) clothing accessories	4		
4. Footwear	184	4	2
a) sports footwear	162	2	
b) other footwear	22	2	2
5. Personal accessories	48	1	0
a) sunglasses and prescription glasses	5		
b) bags	31		
c) watches	10	1	
d) jewellery and other accessories	2		
6. Mobile phones, parts and implements	8	0	0
a) mobile phones	6		
b) parts and implements	2		
7. Electric / electronic and computer equipment	20	3	1
a) audio/video devices including parts and implements		2	
b) memory cards and sticks			
c) toners and inks			

d) computer equipment (hardware) including parts and implements	19	1	1
e) other equipment including accessories and spare parts	1		
8. CDs, DVDs, cassettes and other data carriers	0	0	0
a) recorded (music, film, programs, games)			
b) unrecorded			
9. Toys, games and sports equipment	13	0	0
a) toys	11		
b) games (including electronic game consoles)	2		
c) sports equipment (including leisure time equipment)			
10. Tobacco products	0	0	0
a) cigarettes			
b) other tobacco products			
11. Medical products	0	1	0
12. Other	31	0	0
a) machines and tools			
b) vehicles, including parts and implements			
c) office supplies	4		
d) lighters			
e) labels, stickers	12		
f) textile products			
g) packaging material	4		
h) other	11		
TOTAL	382	12	3

Note: On the day of the preparation of the report, still 199 procedures were pending

Table 3.3.

Data on the number of suspected goods according to the type and the number of goods and the result of proceedings in the fourth quarter of 2012 – Customs Administration

Product type	Goods destroyed	Goods released	Judicial proceedings
1. Foodstuffs, alcoholic and other beverages	172.800	0	0
a) foodstuffs	172.800		
b) alcoholic beverages			
c) other beverages			
2. Body care products	19	0	0
a) perfumes and cosmetics	3		
b) other products	16		
3. Clothes and clothing accessories	901	6	0
a) clothes	826	6	
b) clothing accessories	75		
4. Footwear	53.225	4	33.900
a) sports footwear	8.316	2	
b) other footwear	44.909	2	33.900
5. Personal accessories	5.167	22	0
a) sunglasses and prescription glasses	5		
b) bags	1.117		
c) watches	2.145	22	
d) jewellery and other accessories	1.900		
6. Mobile phones, parts and implements	15	0	0
a) mobile phones	6		
b) parts and implements	9		
7. Electric / electronic and computer equipment	159	3	1
a) audio/video devices including parts and implements		2	
b) memory cards and sticks			
c) toners and inks			

d) computer equipment (hardware) including parts and implements	19	1	1
e) other equipment including accessories and spare parts	140		
8. CDs, DVDs, cassettes and other data carriers	0	0	0
a) recorded (music, film, programs, games)			
b) unrecorded			
9. Toys, games and sports equipment	25.284	0	0
a) toys	23.784		
b) games (including electronic game consoles)	1.500		
c) sports equipment (including leisure time equipment)			
10. Tobacco products	0	0	0
a) cigarettes			
b) other tobacco products			
11. Medical products	0	56	0
12. Other	22.885	0	0
a) machines and tools			
b) vehicles including parts and implements			
c) office supplies	5.202		
d) lighters			
e) labels, stickers	7.005		
f) textile products			
g) packaging material	4.240		
h) other	6.438		
TOTAL	280.455	91	33.901

Note: On the day of the preparation of the report, procedures concerning 1.971 suspected products were not yet concluded

Table 3.4.

Data on the value of destroyed counterfeited goods expressed in euros, and a proportion to the aggregate value according to types of goods in the fourth quarter of 2012 – Customs Administration

Product type	Value in €	%
1. Foodstuffs, alcoholic and other beverages	34.560,00	1,19
a) foodstuffs	34.560,00	1,19
b) alcoholic beverages		
c) other beverages		
2. Body care products	400,00	0,01
a) perfumes and cosmetics	160,00	0,00
b) other products	240,00	0,01
3. Clothes and clothing accessories	34.518,70	1,19
a) clothes	31.022,86	1,07
b) clothing accessories	3.495,84	0,12
4. Footwear	2.462.089,69	84,73
a) sports footwear	717.573,30	24,70
b) other footwear	1.744.516,39	60,04
5. Personal accessories	106.898,20	3,68
a) sunglasses and prescription glasses	1.225,00	0,04
b) bags	56.292,20	1,94
c) watches	42.018,50	1,45
d) jewellery and other accessories	7.362,50	0,25
6. Mobile phones, parts and implements	3.150,00	0,11
a) mobile phones	3.014,00	0,10
b) parts and implements	136,00	0,01
7. Electric / electronic and computer equipment	1.130,00	0,04
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	570,00	0,02

e) other equipment including accessories and spare parts	560,00	0,02
8. CDs, DVDs, cassettes and other data carriers	0,00	0,00
a) recorded (music, film, programs, games)		
b) unrecorded		
9. Toys, games and sports equipment	197.824,58	6,81
a) toys	163.099,58	5,61
b) games (including electronic game consoles)	34.725,00	1,20
c) sports equipment (including leisure time equipment)		
10. Tobacco products	0,00	0,00
a) cigarettes		
b) other tobacco products		
11. Medical products	0,00	0,00
12. Other	65.089,70	2,24
a) machines and tools		
b) vehicles, including parts and implements		
c) office supplies	8.063,10	0,28
d) lighters		
e) labels, stickers	19.155,00	0,66
f) textile products		
g) packaging material	10.600,00	0,36
h) other	27.271,60	0,94
TOTAL	2.905.660,87	100

4. STATE INSPECTORATE – DATA ON THE NUMBER OF PERFORMED INSPECTIONS AND THE NUMBER OF MOTIONS TO INDICT FOR INSTITUTING MISDEMEANOUR TRIALS

Table 4.1.

Data on the infringements of intellectual property rights in the fourth quarter of 2012 – State Inspectorate

Infringements of provisions		Number of inspections conducted	Number of indictments and misdemeanour procedures	Value of temporary seized goods in EUR
TOTAL		2.007	147	4.635,09
Copyright	Musical and cinematographic works	1.669*	8	0,00
	Computer programs		111	0,00
	Circulation and reproduction of books		2	0,00
Total Copyright		1.669	121	0,00
Industrial Property	Infringements of the trademark provisions	331	24	4.635,09
	Infringements of the patent provisions	0	0	0,00
	Infringements of the industrial design provisions	6	2	0,00
	Infringements of the geographical indications provisions	1	0	0,00
Total Industrial Property		338	26	4.635,09

* Since 1 January 2010, the State Inspectorate of the Republic of Croatia has been monitoring the aggregate number of carried out inspections concerning copyright protection.

Table 4.2.
Inspections relating to the protection of copyright in computer programs - State Inspectorate

Year	Number of inspections	Filed indictments and misdemeanour reports under the CRRA		Number of computers as inspected	Number of computers in which a computer program has been installed without the author's consent	Illegally installed computer programs as found	
		Number	%			Number of computer programs	Value in EUR
2006	216	89	41,2	938	331	565	274.652,00
2007	716	155	21,6	2.120	416	653	317.430,00
2008	1.269	260	20,5	1.950	510	925	not available
2009	1.642	253	15,4	3.156	434	907	not available
2010	not available	454	-	3.790	511	970	not available
2011	not available	562	-	4.621	695	1.342	not available
First quarter of 2012	not available	175	-	1.656	229	473	not available
Second quarter of 2012	not available	130	-	1.089	330	219	not available
Third quarter of 2012	not available	75	-	953	86	233	not available
Fourth quarter of 2012	not available	81	-	849	180	555	not available

CRRA – Copyright and Related Rights Act

Table 4.3.

Inspections relating to the circulation of musical and cinematographic works recorded on audio and video carriers without the author's consent (pirated copies) - State Inspectorate

Year	Number of inspections and misdemeanour procedures instituted under the CRRA	Audio and video carriers as temporarily seized	
		Number of pieces	Value in €
2006	61	1.708	9.488,88
2007	228	3.565	15.020,83
2008	173	2.969	12.865,63
2009	163	1.960	7.573,90
2010	82	1.001	2.735,27
2011	136	631	744,67
First quarter of 2012	29	207	183,15
Second quarter of 2012	17	1.434	2.083,53
Third quarter of 2012	16	53	6,13
Fourth quarter of 2012	8	83	0

CRRA – Copyright and Related Rights Act

Table 4.4.

Inspections of the circulation and reproduction of books without the author's / publisher's consent - State Inspectorate

Year	Number of inspections	Number of indictments and misdemeanour reports under the CRRA	Temporarily seized goods - books	
			Number of pieces	Value in €
2007	77	3	1	10
2008	67	2	2	15
2009	94	6	59	403,43
2010	not available*	4	4	15,75
2011	not available*	2	0	0
First quarter of 2012	not available*	1	0	0
Second quarter of 2012	not available*	0	0	0
Third quarter of 2012	not available*	0	0	0
Fourth quarter of 2012	not available*	2	0	0

CRRA – Copyright and Related Rights Act

*Since 1 January 2010, the State Inspectorate of the Republic of Croatia has been monitoring the aggregate number of carried out inspections concerning copyright protection.

Table 4.5.
Inspections of the circulation of products designated by a protected mark – a trademark, without a trademark holder’s consent (counterfeits) – State Inspectorate

Year	Number of inspections	Number of indictments and misdemeanour reports under the TA		Temporarily seized goods	
		Number	%	Number of pieces	Value in €
2007	2.020	277	13,71	18.001	205.977,50
2008	2.878	325	11,29	42.704	158.323,80
2009	2.271	224	9,86	30.032	251.327,24
2010	2.547	415	16,29	11.735	107.559,59
2011	2.252	339	15,05	41.280	200.334,56
First quarter of 2012	549	9	1,64	369	9.310,53
Second quarter of 2012	404	23	5,69	352	22.413,07
Third quarter of 2012	476	137	28,78	9.893	331.266,39
Fourth quarter of 2012	331	24	6,6	795	4.635,09

TA –Trademark Act

Table 4.6.**Inspections concerning the circulation of products made, according to the protection of industrial designs - State Inspectorate**

Year	Number of inspections	Number of indictments and misdemeanour reports under the IDA	Temporarily seized goods	
			Number of pieces	Value in €
2007	3	0	0	0,00
2008	7	4	282	1.905,40
2009	32	3	16	71,87
2010	41	2	2	120,54
2011	55	7	0	31.537,92
First quarter of 2012	10	0	0	0,00
Second quarter of 2012	12	0	0	0,00
Third quarter of 2012	27	14	0	0,00
Fourth quarter of 2012	6	2	0	0,00

IDA – Industrial Design Act

Table 4.7.

Inspections relating to the circulation of products made, according to a protected invention – State Inspectorate

Year	Number of inspections	Indictments filed under the PA	Temporarily seized goods	
			Number of pieces	Value in €
2007	1	0	0	0,00
2008	1	0	0	0,00
2009	1	0	0	0,00
2010	1	0	0	0,00
2011	2	1	0	1.689,05
First quarter of 2012	0	0	0	0,00
Second quarter of 2012	0	0	0	0,00
Third quarter of 2012	0	0	0	0,00
Fourth quarter of 2012	0	0	0	0,00

PA – Patent Act

Table 4.8.

Inspections relating to the circulation of products concerning the protection of geographical indications and designations of origin – State Inspectorate

Year	Number of inspections	Misdemeanours identified in accordance with FA/ADOGIDTRAFP (since 2009)	Goods withdrawn from circulation	
			Number of pieces	Value in €
2007	0	0	0	0,00
2008	621	14	0	1.380,26
2009	42	0	0	0,00
2010	90	0	0	0,00
2011	10	1	0	0,00
First quarter of 2012	1	0	0	0,00
Second quarter of 2012	4	0	0	0,00
Third quarter of 2012	0	0	0	0,00
Fourth quarter of 2012	1	0	0	0,00

FA – Act of Food

ADOGIDTRAFP – Act on Designations of Origin, Geographical Indications and Designations of Traditional Reputation of Agricultural and Food Products

Table 4.9.

The types and number of pieces of temporarily seized goods under the Trademarks Act – State Inspectorate

TYPE OF GOODS	First quarter of 2012			Second quarter of 2012			Third quarter of 2012			Fourth quarter of 2012		
	Pieces	%	Value in €	Pieces	%	Value in €	Pieces	%	Value in €	Pieces	%	Value in €
1. Foodstuffs, alcoholic and other beverages	0	0	0	36	10,23	104,97	228	2,30	239.829,33	2	0,76	8,59
a) foodstuffs				36	10,23	107,97	228	2,30	239.829,33	2	0,76	8,59
b) alcoholic beverages												
c) other beverages												
2. Body care products	0	0	0	0	0	0	0	0	0	0	0	0
a) perfumes and cosmetics												
b) other products												
3. Clothes and clothing accessories	51	13,82	355,12	32	9,09	373,49	2.515	25,42	30.367,73	602	37,40	2.712,71
a) clothes	26	7,05	309,46				859	8,68	14.864,40	602	37,40	2.712,71
b) clothing accessories	25	6,78	45,66	32	9,09	373,49	1.656	16,74	15.503,33			
4. Footwear	0	0	0	1	0,28	33,33	74	0,75	813,33	0	0	0
a) sports footwear				1	0,28	33,33	8	0,08	213,33			
b) other footwear							66	0,67	600,00			
5. Personal accessories	0	0	0	85	24,14	1.427,04	4.355	44,01	48.817,99	41	15,65	501,98
a) sunglasses and prescription glasses				40	11,36	275,77	3.131	31,64	31.870,25			
b) bags				45	12,78	1.151,27	962	9,72	13.690,67	41	15,65	501,98
c) watches							247	2,50	3.194,67			
d) jewellery and other accessories							15	0,15	62,40			
6. Mobile phones, parts and implements	0	0	0	0	0	0	0	0	0	0	0	0
a) mobile phones												

b) parts and implements												
7. Electric / electronic and computer equipment	0	0	0	0	0	0	0	0	0	0	0	0
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												
e) other equipment including accessories and spare parts												
8. CDs, DVDs, cassettes and other data carriers	0	0	0	0	0	0	0	0	0	0	0	0
a) recorded (music, film, programs, games)												
b) unrecorded												
9. Toys, games and sports equipment	249	67,49	352,99	15	4,26	114,46	1.866	18,86	693,73	0	0	0
a) toys	45	12,20	79,86	3	0,85	18,07	1.841	18,61	653,73			
b) games (including electronic game consoles)	6	1,63	9,58									
c) sports equipment (including leisure time equipment)	198	53,66	263,55	12	3,41	96,39	25	0,25	40,00			
10. Tobacco products	0	0	0	0	0	0	0	0	0	0	0	0
a) cigarettes												
b) other tobacco products												
11. Medical products	0	0	0	0	0	0	0	0	0	0	0	0
12. Other	69	19	8.602,42	183	52	20.359,77	855	8,64	10.744,27	121	46,18	1.411,83
a) machines and tools				183	52	20.359,77						
b) vehicles, including parts and implements												

c) office supplies												
d) lighters												
e) labels, stickers										12	4,58	0,79
f) textile products												
g) packaging material							8	0,08	10,67			
h) other	69	18,70	8.602,42				847	8,56	10.733,60	109	41,60	1.411,04
TOTAL	369	100	9.310,53	352	100	22.413,06	9.893	100	331.266,38	766	100	4.635,11

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

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

		The number of criminal offences and the number of persons reported for infringing intellectual property rights											
Criminal offences		2011		First quarter of 2012		Second quarter of 2012		Third quarter of 2012		Fourth quarter of 2012		TOTAL 2012	
		Criminal offences	Reported persons	Criminal offences	Reported persons	Criminal offences	Reported persons	Criminal offences	Reported persons	Criminal offences	Reported persons	Criminal offences	Reported persons
Infringements copyrights	Infringements of the rights of authors or of the rights of performers, Article 229 CC	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, Article 230 CC	192	106	66	27	59	24	41	20	87	19	253	90
	Infringement of the rights of producers of phonograms or videograms or the rights related to radio broadcastings, Article 231 CC	81	2	11	0	15	0	6	0	33	0	65	0
Total copyrights		273	108	77	27	74	24	47	20	120	19	318	90
Infringements of industrial property rights	Infringement of the rights conferred by an invention applied for or protected, Article 232 CC	2	3	0	0	0	0	0	0	1	1	1	1
	Infringement of the industrial property rights and unauthorized use of another person's firm, Article 285 CC	138	70	21	5	23	11	43	32	101	25	188	73
Total industrial property rights		140	73	21	5	23	11	43	32	102	26	189	74
Total		413	181	98	32	97	35	90	52	222	45	507	164

*Since 1 January 2011, the data on the number of criminal offences and the number of persons reported have been monitored. The perpetrators of multiple offenses are recorded only once, and that for the most serious criminal offense.

Table 5.2.

**The number of temporarily seized products and their proportion in the aggregate number, according to the type of goods
– Ministry of the Interior**

Product Type	First quarter of 2012		Second quarter of 2012		Third quarter of 2012		Fourth quarter of 2012	
	Number of products	%	Number of products	%	Number of products	%	Number of products	%
1. Foodstuffs, alcoholic and other beverages	0	0,0	0	0,0	0	0,0	0	0,0
a) foodstuffs								
b) alcoholic beverages								
c) other beverages								
2. Body care products	0	0,0	0	0,0	0	0,0	0	0,00
a) perfumes and cosmetics								
b) other products								
3. Clothes and clothing accessories	20	2,05	0	0,0	1.512	15,2	1.649	13,5
a) clothes	20	2,05			597	6,0	1.555	12,7
b) clothing accessories					915	9,2	94	0,8
4. Footwear	26	2,66	36	7,2	158	1,6	190	1,6
a) sports footwear								
b) other footwear	26	2,66	36	7,2	158	1,6	190	1,6
5. Personal accessories	0	0,0	208	41,4	6.831	68,6	7.350	60,1
a) sunglasses and prescription glasses			208	41,4	2.599	26,1	2.818	23,0
b) bags					698	7,0	712	5,8

c) watches					3.185	32,0	3.246	26,6
d) jewellery and other accessories					349	3,5	574	4,7
6. Mobile phones, parts and implements	5	0,51	0	0,0	0	0,0	33	0,3
a) mobile phones	5	0,51					4	0,0
b) parts and implements							29	0,3
7. Electric / electronic and computer equipment	42	4,31	8	1,6	43	0,4	36	0,3
a) audio/video devices including parts and implements	1	0,10	1	0,2	29	0,3		
b) memory cards and sticks	34	3,49	2	0,4	3	0,0	9	0,1
c) toners and inks								
d) computer programs (hardware) including parts and implements	7	0,72	5	1,0	11	0,1	27	0,2
e) other equipment including accessories and spare parts								
8. CDs, DVDs, cassettes and other data carriers	882	90,46	250	49,8	1.316	13,2	2.701	22,1
a) recorded (music, film, programs, games)	818	83,90	250	49,8	1.070	10,7	2.455	20,1
b) unrecorded	64	6,56			246	2,5	246	2,0
9. Toys, games and sports equipment	0	0,0	0	0,0	74	0,8	76	0,6
a) toys					37	0,4	76	0,6

b) games (including electronic game consoles)								
c) sports equipment (including leisure time equipment)					37	0,4		
10. Tobacco products	0	0,0	0	0,0	0	0,0	0	0,0
a) cigarettes								
b) other tobacco products								
11. Medical products	0	0,0	0	0,0	0	0,0	0	0,0
12. Other	0	0,0	0	0,0	24	0,2	190	1,6
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					24	0,2	190	1,6
TOTAL	975	100	502	100,0	9.958	100,0	12.225	100,00

6. STATE ATTORNEY'S OFFICE – STATISTICAL DATA ON THE INFRINGEMENTS OF INTELLECTUAL PROPERTY RIGHTS

Table 6.1.

Adult persons reported, according to legal forms of decisions on criminal offences - Infringement of the rights of authors or of the rights of performers, Art. 229 CC – State Attorney's Office

	Reported total	Of these reported by MOI*	Known offenders					Unknown offenders
			Total cases closed	Report rejected	Investigation	Indictment filed	Total pending cases*	
2007	8		8	4	0	4		0
2008	2		2	0	0	2		0
2009	2		1	0	0	0		1
2010	9		9	0	0	0		0
2011	10	1	5	4	0	1	5	0
First quarter of 2012	1	1	1	1	0	0	0	0
Second quarter of 2012	0	0	0	0	0	0	0	0
Third quarter of 2012	1	0	1	1	0	0	0	0
Fourth quarter of 2012	2	0	1	1	0	0	1	0

* Since 1 January 2011, the data on the number of offenders for the criminal offenses comprising the infringement of intellectual property rights reported by Ministry of Interior have been monitored separately, as well as the number of pending applications for known offenders.

Table 6.2.**Adult persons reported, according to legal forms of decisions on criminal offences - Unauthorized use of an author's work or of a performer's performance, Art. 230 CC – State Attorney's Office**

	Reported total	Of these reported by MOI*	Known offenders					Unknown offenders
			Total cases closed	Report rejected	Investigation	Indictment filed	Total pending cases*	
2007	266		249	52	0	197		17
2008	264		264	54	0	225		0
2009	132		132	17	0	95		0
2010	124		123	9	0	41		1
2011	186	131	131	30	5	95	55	0
First quarter of 2012	45	45	21	7	5	9	23	1
Second quarter of 2012	24	24	12	4	2	6	12	0
Third quarter of 2012	29	26	18	5	3	10	11	0
Fourth quarter of 2012	50	44	41	15	8	19	10	0

* Since 1 January 2011, the data on the number of offenders for the criminal offenses comprising the infringement of intellectual property rights reported by Ministry of Interior have been monitored separately, as well as the number of pending applications for known offenders.

Table 6.3.

Reported adult persons, according to legal form of decisions taken on a criminal offence - Infringement of the rights of producers of phonograms or videograms or the rights related to radio broadcastings, Art. 231 CC - State Attorney's Office

	Reported total	Of these reported by MOI*	Known offenders				Unknown offenders	
			Total cases closed	Report rejected	Investigation	Indictment filed		Total pending cases*
2007	12		12	1	0	11		0
2008	14		14	1	0	13		0
2009	1		1	0	0	1		0
2010	8		8	1	0	4		0
2011	40	25	18	4	0	14	22	0
First quarter of 2012	5	5	2	1	0	1	3	1
Second quarter of 2012	4	4	0	0	0	0	4	2
Third quarter of 2012	4	4	0	0	2	0	2	0
Fourth quarter of 2012	5	4	1	1	0	0	4	0

* Since 1 January 2011, the data on the number of offenders for the criminal offenses comprising the infringement of intellectual property rights reported by Ministry of Interior have been monitored separately, as well as the number of pending applications for known offenders.

Table 6.4.

Reported adult persons, according to legal form of decisions taken on a criminal offence - Infringement of the rights conferred by an invention applied for or protected, Art. 232 CC - State Attorney's Office

	Reported total	Of these reported by MOI*	Known offenders					Unknown offenders
			Total cases closed	Report rejected	Investigation	Indictment filed	Total pending cases*	
2007	4		4	0	0	4		0
2008	0		0	0	0	0		0
2009	0		0	0	0	0		0
2010	0		0	0	0	0		0
2011	4	0	0	0	0	0	4	0
First quarter of 2012	0	0	0	0	0	0	0	0
Second quarter of 2012	0	0	0	0	0	0	0	0
Third quarter of 2012	0	0	0	0	0	0	0	0
Fourth quarter of 2012	1	0	0	0	0	0	1	0

* Since 1 January 2011, the data on the number of offenders for the criminal offenses comprising the infringement of intellectual property rights reported by Ministry of Interior have been monitored separately, as well as the number of pending applications for known offenders.

Table 6.5.**Adult persons reported, according to legal form of decisions on a criminal offence - Infringement of the industrial property rights and an unauthorized use of another person's firm, Art. 285 CC - State Attorney's Office**

	Reported total	Of these reported by MOI*	Known offenders					Unknown offenders
			Total cases closed	Report rejected	Investigation	Indictment filed	Total pending cases*	
2007	122		117	16	0	101		5
2008	130		130	28	0	102		0
2009	31		26	4	0	22		5
2010	13		13	0	0	6		0
2011	97	68	53	16	3	34	44	1
First quarter of 2012	9	2	2	0	0	3	6	0
Second quarter of 2012	3	3	1	0	1	0	2	0
Third quarter of 2012	13	13	4	2	0	2	9	0
Fourth quarter of 2012	26	23	17	5	0	11	9	2

* Since 1 January 2011, the data on the number of offenders for the criminal offenses comprising the infringement of intellectual property rights reported by Ministry of Interior have been monitored separately, as well as the number of pending applications for known offenders.

7. CRIMINAL COURTS

7.1. PENAL LAW SANCTIONS

Table 7.1.1.

Data on the types of judicial decisions concerning perpetrators of criminal offences, infringements of intellectual property rights, for the fourth quarter of 2012

	Persons accused – total	Persons found guilty	Not found guilty			
			Suspension of the procedure	Acquittal	Refusal	Mentally incompetent persons
Total	28	22	4	2	0	0
Infringements of the authors' or of the performers' rights, 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	11	7	3	1	0	0
Infringement of the rights of producers of phonograms or videograms or the rights related to radio broadcastings, Article 231 CC	3	3	0	0	0	0
Infringement of the rights conferred by an invention applied for or protected, Article 232 CC	1	0	1	0	0	0
Infringement of the industrial property rights and unauthorized use of another person's firm, Article 285 CC	13	12	0	1	0	0

Table 7.1.2.

**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
2011	3	0	3	0	0	0	41	17	13	5	3	2	1
First quarter of 2012	1	1	0	0	0	0	11 14	3	5 8	2	1	0	0
Second quarter of 2012	0	0	0	0	0	0	4	2	0	2	0	0	0
Third quarter of 2012	2	2	0	0	0	0	8	1	3	2	1	1	0
Fourth quarter of 2012	1	1	0	0	0	0	6	5	1	0	0	0	0

Note: The table contains corrections made in accordance with the data provided by the Ministry of Justice

Table 7.1.3.

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

	Unconditional fine (expressed in daily incomes)					Conditional fine (expressed in daily incomes)					Other sanctions		
	Total	10 to 25	51 to 75	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
2011	14	10	4	0	0	0	0	0	0	0	0	0	0
First quarter of 2012	0 1	0 1	0	0	0	0	0	0	0	0	0	0	0
Second quarter of 2012	2	1	0	1	0	0	0	0	0	0	1	0	0
Third quarter of 2012	4	2	1	0	1	0	0	0	0	0	0	0	0
Fourth quarter of 2012	1	1	0	0	0	0	0	0	0	0	0	0	0

Note: The table contains corrections made in accordance with the data provided by the Ministry of Justice

Table 7.1.4.

**Convicted persons by sanctions imposed in accordance with Art. 285 CC (industrial property rights)
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
2011	0	0	0	0	16	6	4	4	1	1
First quarter of 2012	0	0	0	0	0-1	0	0-1	0	0	0
Second quarter of 2012	1	1	0	0	2	1	1	0	0	0
Third quarter of 2012	0	0	0	0	1	1	0	0	0	0
Fourth quarter of 2012	0	0	0	0	5	0	2	2	1	0

Note: The table contains corrections made in accordance with the data provided by the Ministry of Justice

Table 7.1.5.

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

	Unconditional fine (expressed in daily incomes)							Other sanctions		
	Total	10 to 25	51 to 75	101 to 150	10 to 25	26 to 50	51 to 75	Judicial admonition	Educational measures	Suspension of juvenile prison
2011	15	4	1	4	1	4	1	0	0	0
First quarter of 2012	0	0	0	0	0	0	0	0	0	0
Second quarter of 2012	2	2	0	0	0	0	0	0	0	0
Third quarter of 2012	1	0	0	0	0	1	0	0	0	0
Fourth quarter of 2012	7	2	0	0	0	5	0	0	0	0

Table 7.1.6.

**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
2011	9	5	2	1	1	0	2	0	2	0	0	0
First quarter of 2012	1	0	1	0	0	0	0	0	0	0	0	0
Second quarter of 2012	2	1	1	0	0	0	0	0	0	0	0	0
Third quarter of 2012	0	0	0	0	0	0	0	0	0	0	0	0
Fourth quarter of 2012	0	0	0	0	0	0	0	0	0	0	0	0

Table 7.1.7.

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

	A security measure comprising the seizure of goods imposed	Material gain seized
Total 2011	29	4
First quarter of 2012	8	0
Second quarter of 2012	3	0
Third quarter of 2012	5	0
Fourth quarter of 2012	2	0

Table 7.1.8.

The number of judicial proceedings imposing a security measure of seizing goods and a special measure of seizing material gain – persons convicted for the infringements of industrial property rights - Art. 285 CC

	Security measures			Material gain seized
	Total	Seizure of goods	Expulsion of aliens	
2011	10	10	0	0
First quarter of 2012	0	0	0	0
Second quarter of 2012	3	3	0	0
Third quarter of 2012	1	1	0	0
Fourth quarter of 2012	11	11	0	0

Table 7.1.9.

Account of fines imposed on perpetrators of a criminal offence concerning copyright infringement – pirated copies (Article 230 CC)

		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 2012	HRK	1.757,00	1.757,00	0,00	0,00	0,00	0,00
	EUR	232,40	232,40	0,00	0,00	0,00	0,00
Second quarter of 2012	HRK	20.080,30	5.296,30	0,00	0,00	0,00	14.784,00
	EUR	2.656	700	0,00	0,00	0,00	1.956
Third quarter of 2012	HRK	47.370,65	7.370,65	0,00	20.000,00	0,00	20.000,00
	EUR	6.265	975	0,00	2.645	0,00	2.645
Fourth quarter of 2012	HRK	3.333,20	3.333,20	0,00	0,00	0,00	0,00
	EUR	440	440	0,00	0,00	0,00	0,00

1 EUR = 7,56 HRK

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

Table 7.1.10.

Account of fines imposed on a perpetrators of a criminal offence concerning infringements of industrial property rights (Article 285 CC)

		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 2012	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 2012	HRK	3.696,00	3.696,00	0,00	0,00	0,00	0,00
	EUR	489	489	0,00	0,00	0,00	0,00
Third quarter of 2012	HRK	8.925,00	0,00	8.925,00	0,00	0,00	0,00
	EUR	1.181	0,00	1.181	0,00	0,00	0,00
Fourth quarter of 2012	HRK	34.653,00	5.453,00	29.200,00	0,00	0,00	0,00
	EUR	4.583	721	3.862	0,00	0,00	0,00

1 EUR = 7,56 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 a perpetrators of a criminal offence concerning infringements of the rights conferred by a protected invention and other infringements (Article 232 CC)

		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 2012	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 2012	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
Third quarter of 2012	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
Fourth quarter of 2012	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 = 7,56 HRK

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

7.2. MISDEMEANOUR SANCTIONS

Table 7.2.1.
Data on the types of court decisions issued against perpetrators of misdemeanours in the field of intellectual property, in the fourth quarter of 2012

Infringement of provisions	Accused	Found guilty	Suspension of the misdemeanour procedure		Protective measures
			Total	Limitation	
Total	1.991	1.512	406	30	43
Infringement of the copyright provisions	1.841	1.420	393	21	7
Infringement of the trademark provisions	143	87	13	7	36
Infringement of the patent provisions	2	0	0	2	0
Infringement of the industrial design provisions	0	0	0	0	0
Infringement of the provisions on geographical indications	5	5	0	0	0

Table 7.2.2.
Misdemeanour procedures relating to the infringements of the copyright law provisions
(natural persons)

	Accused	Found guilty	Sanctions imposed		
			Imprisonment	Fine	Reprimand/ Admonition
2011	4.791	2.686	5	2.642	39
First quarter of 2012	1.053 876	608 705	0	604 701	0 4
Second quarter of 2012	1.035	673	0	667	6
Third quarter of 2012	766 795	459 488	0	458 487	1
Fourth quarter of 2012	1.537	930	2	916	12

Note: The table contains corrections made in accordance with the data provided by the Ministry of Justice

Table 7.2.3.
Misdemeanour procedures relating to the infringements of the copyright law provisions
(legal and responsible persons)

	Accused	Found responsible	Sanctions imposed	
			Fine	Reprimand/Admonition
2011	2.404	1.427	1.376	51
First quarter of 2012	695 510	396 423	385 412	11
Second quarter of 2012	504	332	323	9
Third quarter of 2012	414 419	240 245	233 238	7
Fourth quarter of 2012	939	534	508	26

Note: The table contains corrections made in accordance with the data provided by the Ministry of Justice

Table 7.2.4.

Misdemeanour procedures relating to the infringements of the trademark provisions and of other symbols (natural persons)

	Accused	Found guilty	Sanctions imposed		
			Imprisonment	Fine	Reprimand/Admonition
2011	236	158	0	156	2
First quarter of 2012	39 25	20 29	0	20 29	0
Second quarter of 2012	34 33	34	0	34	0
Third quarter of 2012	58	33	0	33	0
Fourth quarter of 2012	68	53	0	52	1

Note: The table contains corrections made in accordance with the data provided by the Ministry of Justice

Table 7.2.5.

Misdemeanour procedures relating to the infringements of the trademark provisions and of other symbols (legal and responsible persons)

	Accused	Found responsible	Sanctions imposed	
			Fine	Reprimand/Admonition
2011	71	57	55	2
First quarter of 2012	40 15	9 15	9 15	0
Second quarter of 2012	17	11	11	0
Third quarter of 2012	18	14	14	0
Fourth quarter of 2012	28	21	21	0

Note: The table contains corrections made in accordance with the data provided by the Ministry of Justice

Table 7.2.6.

Misdemeanour procedures relating to the infringements of the patent and technical improvements provisions (natural persons)

	Accused	Found guilty	Sanctions imposed		
			Imprisonment	Fine	Reprimand/Admonition
2011	1	1	0	1	0
First quarter of 2012	0 1	0 1	0	0 1	0
Second quarter of 2012	2	1	0	1	0
Third quarter of 2012	0	0	0	0	0
Fourth quarter of 2012	0	0	0	0	0

Note: The table contains corrections made in accordance with the data provided by the Ministry of Justice

Table 7.2.7.

Misdemeanour procedures relating to the infringements of the patent and technical improvements provisions (legal and responsible persons)

	Accused	Found responsible	Sanctions imposed	
			Fine	Reprimand/Admonition
2011	3	3	3	0
First quarter of 2012	0 1	0 1	0 1	0
Second quarter of 2012	2	1	1	0
Third quarter of 2012	0	0	0	0
Fourth quarter of 2012	0	0	0	0

Note: The table contains corrections made in accordance with the data provided by the Ministry of Justice

Table 7.2.8.
Fines in HRK relating to the infringements of the copyright provisions (natural persons)

	TOTAL	Up to 500	501 to 1 000	1 001 to 5 000	5 001 to 10 000	10 001 to 20 000
2011	2.642	151	787	1.571	124	9
First quarter of 2012	604 701	38 46	170 187	374 446	22	0
Second quarter of 2012	687 667	38	227	374	27	1
Third quarter of 2012	458 487	38	166 168	249 273	5 8	0
Fourth quarter of 2012	916	35	278	576	27	0

Note: The table contains corrections made in accordance with the data provided by the Ministry of Justice

Table 7.2.9.
Fines in HRK relating to the infringements of the copyright provisions (legal and responsible persons)

	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
2011	1.376	54	237	952	122	9	2
First quarter of 2012	385 412	49 21	73 74	261 285	29	3	0
Second quarter of 2012	323	11	19	264	26	3	0
Third quarter of 2012	233 238	4	27	183 188	16	3	0
Fourth quarter of 2012	508	15	49	392	47	5	0

Note: The table contains corrections made in accordance with the data provided by the Ministry of Justice

Table 7.2.10.

Fines in HRK relating to the infringements of the trademark provisions and of other symbols (natural persons)

	TOTAL	Up to 500	501 to 1 000	1 001 to 5 000	5 001 to 10 000	10 001 to 20 000
2011	156	33	22	98	1	2
First quarter of 2012	20 29	0 5	9	9 13	2	0
Second quarter of 2012	34	6	5	21	2	0
Third quarter of 2012	33	4	4	18	5	2
Fourth quarter of 2012	52	5	9	30	7	1

Note: The table contains corrections made in accordance with the data provided by the Ministry of Justice

Table 7.2.11.

Fines in HRK relating to the infringements of the trademark provisions and of other symbols (legal and responsible persons)

	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
2011	55	1	2	33	11	3	5
First quarter of 2012	9 15	0	2	4 7	4 2	2 4	0
Second quarter of 2012	11	0	0	8	3	0	0
Third quarter of 2012	14	0	2	5	7	0	0
Fourth quarter of 2012	21	2	1	10	4	2	2

Note: The table contains corrections made in accordance with the data provided by the Ministry of Justice

Table 7.2.12.

Fines in HRK relating to the infringements of the patent and technical improvements provisions (natural persons)

	TOTAL	Up to 500	501 to 1 000	1 001 to 5 000	5 001 to 10 000	10 001 to 20 000
2011	1	0	0	1	0	0
First quarter of 2012	0 -1	0 -1	0	0	0	0
Second quarter of 2012	1	1	0	0	0	0
Third quarter of 2012	0	0	0	0	0	0
Fourth quarter of 2012	0	0	0	0	0	0

Note: The table contains corrections made in accordance with the data provided by the Ministry of Justice

Table 7.2.13.

Fines in HRK relating to the infringements of the patent and technical improvements provisions (legal and responsible persons)

	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
2011	3	1	0	1	0	0	1
First quarter of 2012	0 -1	0	0 -1	0	0	0	0
Second quarter of 2012	1	0	0	1	0	0	0
Third quarter of 2012	0	0	0	0	0	0	0
Fourth quarter of 2012	0	0	0	0	0	0	0

Note: The table contains corrections made in accordance with the data provided by the Ministry of Justice

Table 7.2.14.
Juvenile delinquents – infringement of the copyright provisions

	CRIMINAL PROCEDURE	MISDEMEANOUR PRODECURE
2011	0	0
First quarter of 2012	0	0
Second quarter of 2012	0	0
Third quarter of 2012	0	0
Fourth quarter of 2012	0	0

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

Table 8.1.

Cases before the High Administrative Court of the Republic of Croatia (the fourth quarter of 2012)

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	12							12
PATENTS	3		3				3	0
INDUSTRIAL DESIGNS	1							1
TOTAL	16		3				3	13

Note: The administrative courts of first instance in Zagreb, Rijeka, Split and Osijek, which started to be operational on 1 January 2012, did not receive any cases relating to the infringements of intellectual property rights in 2012, whereas the High Administrative Court of the Republic of Croatia dealt with the pending cases taken over from the Administrative Court of the Republic of Croatia.

Table 8.2.
Cases before commercial courts (the fourth quarter of 2012)

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	DEFAULT JUDGMENT	JUDGMENT IN ABSENCE	JUDGMENT WITHOUT HEARING	JUDGMENT BASED ON WAIVER	SETTLEMENT	REJECTION	REFERRAL TO ANOTHER COURT	OTHERWISE	
Zagreb	858	127	213	36	1	120	0	0	0	1	0	0	55	772
%			100	16,9	05	56,3	0,0	0,0	0,0	0,5	0,0	0,0	25,82	
Rijeka	76	36	41	7	0	25	0	0	0	1	0	1	7	71
%			100	17,1	0,0	61,0	0,0	0,0	0,0	2,4	0,0	2,4	17,1	
Split	249	53	8	4	0	0	0	0	0	1	3	0	0	294
%			100	50,0	0,0	0,0	0,0	0,0	0,0	12,5	37,5	0,0	0,0	
Osijek	12	12	6	6	0	0	0	0	0	0	0	0	0	18
%			100	100,0	0,0	0,0	0,0	0,0	0,0	0,0	0,0	0,0	0,0	

Table 8.3.
Cases before commercial courts – consolidated (the fourth quarter of 2012)

	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	87	14	0	5	0	0	4	0	0	0	3	0	1	0	2	0	10	91	
	PATENT	9	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0	1	8	
	INDUSTRIAL DESIGN	19	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0	1	18	
	GEOGRAPHICAL INDICATION	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3	
	COPYRIGHT	COLLECTIVE	796	199	0	25	6	0	39	1	0	0	141	0	0	0	46	0	227	768
		INDIVIDUAL	267	11	0	0	0	0	10	0	0	0	0	0	1	1	13	0	25	253
	OTHER	14	3	0	0	2	0	0	0	0	0	0	0	0	0	2	1	3	14	
	TOTAL	1.195	227	0	31	9	0	53	1	0	0	145	0	2	1	64	1	267	1.155	

Table 8.4.
Cases before the High Commercial Court of the Republic of Croatia (the fourth quarter of 2012)

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				
	277	51	100	81	7	8	0	0	0	4	228
	%		100	81,0	7,0	8,0	0,0	0,0	0,0	4,0	

9. DURATION OF THE PROCEDURE BEFORE COURTS

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

Table 9.1.

Duration of the procedure from filing of a criminal offence report to the final court decision in the fourth quarter of 2012

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 authors' or of the performers' rights, 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	0,0	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	9	3	0	3	0	0	1	1	1	0	0	0	0	0
%	100	33,3	0,0	33,3	0,0	0,0	11,1	11,1	11,1	0,0	0,0	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	3	0	1	0	0	0	1	0	0	1	0	0	0	0
%	100	0,0	33,3	0,0	0,0	0,0	33,3	0,0	0,0	33,3	0,0	0,0	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	0,0	0,0	0,0	0,0	0,0	0,0	0,0
Infringement of the industrial property rights and unauthorized use of another person's firm, Art.285 CC	13	6	4	2	0	0	1	0	0	0	0	0	0	0
%	100	46,1	30,8	15,4	0,0	0,0	7,7	0,0	0,0	0,0	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.

Duration of the procedure from filing of a misdemeanour report to the final court decision in the fourth quarter of 2012

MISDEMEANOURS	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
Copyright law infringements	1.431*	94	140	291	246	348	166	70	38	23	12	3	0	0
%	100	6,6	9,8	20,3	17,2	24,3	11,6	4,9	2,6	1,6	0,8	0,2	0,0	0,0
Trademark law infringements and of other symbols	73*	2	7	12	15	6	24	6	0	1	0	0	0	0
%	100	2,7	9,6	16,4	20,5	8,2	32,9	8,2	0,0	1,4	0,0	0,0	0,0	0,0
Patent law Infringements and of technical improvements	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

Note: The number of closed cases have increased. The duration of the procedure has been indicated for final court decisions only.

9.3. Duration of the procedure before commercial courts

Table 9.3.
Duration of the procedure before commercial courts in the fourth quarter of 2012

	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	267	40	58	32	137	0	0	0	0
%	100	15,0	21,7	12,0	51,3	0,0	0,0	0,0	0,0
HIGH COMMERCIAL COURT	100	26	24	30	20	0	0	0	0
%	100	26,0	24,0	30,0	20,0	0,0	0,0	0,0	0,0

9.4. Duration of the procedure before the High Administrative Court of the Republic of Croatia

Table 9.4.

Duration of the procedure before the High Administrative Court of the Republic of Croatia in the fourth quarter of 2012

	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
HIGH ADMINISTRATIVE COURT	3	0	0	0	3	0	0	0	0
%	100	0,0	0,0	0,0	100,0	0,0	0,0	0,0	0,0