

STATE INTELLECTUAL PROPERTY OFFICE

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

Annual Report 2016

Zagreb, September 2017

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1. FOREWORD

Statistical data on offenders (perpetrators of criminal offences) and misdemeanants (perpetrators of misdemeanours) are based on the official data provided by the Ministry of Justice and the State Attorney's Office of the Republic of Croatia. The data on offenders comprising infringements of intellectual property rights relate to the persons as reported, accused and convicted. The methodology includes final decisions issued by the State Attorney's Offices on reports of criminal offences, as well as final court decisions. The data on the misdemeanants relate to natural persons accused and to those found guilty in the misdemeanour procedure, as well as to legal persons found responsible for a misdemeanour comprising infringements of intellectual property provisions. The methodology includes final decisions taken by the misdemeanours' courts.

Data provided by the Ministry of the Interior for the period up to 2010 relate to the number of criminal reports filed related to crimes infringing intellectual property rights. Since 1 January 2011, the data on the number of criminal offences as committed and the number of persons reported for such criminal offences have been monitored.

Data provided by the Ministry of Finance – Customs Administration concerning measures at the border relate to the number of procedures instituted *ex officio* and the number of procedures instituted upon the rights holder's request. In addition to this, the presentations have been made of data on the goods as destroyed, data on the stay of proceedings, and data on the cases pending before courts. The stay of proceedings relates to the cases in which the right holder, after detention of goods, failed to initiate further proceeding due to the fact that it was established that those goods were original (genuine) or the right holder had no interest in taking measures for the protection of his/her right notwithstanding that counterfeit goods were concerned. Data on the value of goods expressed in EUR, as well as the number and type of products are presented. Since 1 January 2009, the Customs Administration has not monitored the value of the goods as declared, but has monitored the value of the destroyed counterfeit goods represented as a retail price of such original goods on the Croatian market, expressed in EUR.*

* The statistical data on the infringements of intellectual property rights in the Republic of Croatia, as presented in this report, have been processed in accordance with the existing methodology developed following the requests having arisen from the negotiation process for the accession of the Republic of Croatia to the full membership in the European Union. The Republic of Croatia became a full member of the European Union on 1 July 2013, which abolished a formal

As of 1 January 2014, the tasks under the responsibility of the State Inspectorate referring to the enforcement of intellectual property rights, in compliance with the Act on Amendments to the Act on Organization and Scope of Work of Ministries and Other Central State Administration Bodies (NN/Official Gazette 148/13), were assumed by the Ministry of Finance – Customs Administration. In compliance herewith, the Customs Administration monitors the implementation of the provisions in the field of intellectual property in the internal market of the Republic of Croatia, by conducting inspection *ex officio* and on the basis of reports filed by natural and legal persons. The data in this report relate to the number of inspections carried out by inspectors of the Customs Administration, and the number of indictments for initiating a misdemeanour procedure and misdemeanour warrant with respect to any individual infringement of intellectual property rights as filed. Moreover, the data were presented on the type and number of provisional seizure of goods due to the infringements of trademark provisions (counterfeits).

Since 2014, the data on inspections carried out under the responsibility of the Ministry of Agriculture have been monitored. The inspections relate to the supervision of production and trade of agricultural products and foodstuffs, products in the sector of winemaking and the sector of spirits protected by designations of origin and geographical indications. The data presented include the number of inspections carried out in this field of protection and the number of misdemeanours stated.

The data provided by the Ministry of Justice refer to criminal and misdemeanour procedures, the procedures before four commercial courts having jurisdiction and the High Commercial Court of the Republic of Croatia, the procedures before four administrative courts having jurisdiction and the High Administrative Court of the Republic of Croatia, including the mode of their settlement and duration of the judicial procedures.

obligation to submit this statistical report to the European Commission. Upon the decision of the Steering Committee for the Enforcement of Intellectual Property Rights, statistical data on the infringements of intellectual property rights shall be kept on being monitored via this report in order to monitor the efficiency of intellectual property rights enforcement system on a national level.

Since the new Criminal Code of the Republic of Croatia came into effect on 1 January 2013 (NN/Official Gazette 125/11, 144/12, 56/15 and 61/15; hereinafter: CC), which has brought certain differences in the legal descriptions themselves of criminal acts and their terminology related to the regulations as previously in effect, the data provided by the Ministry of the Interior, the State Attorney's Office and the Ministry of Justice (for criminal courts) are presented individually in tables, by periods in which individual regulations were implemented.

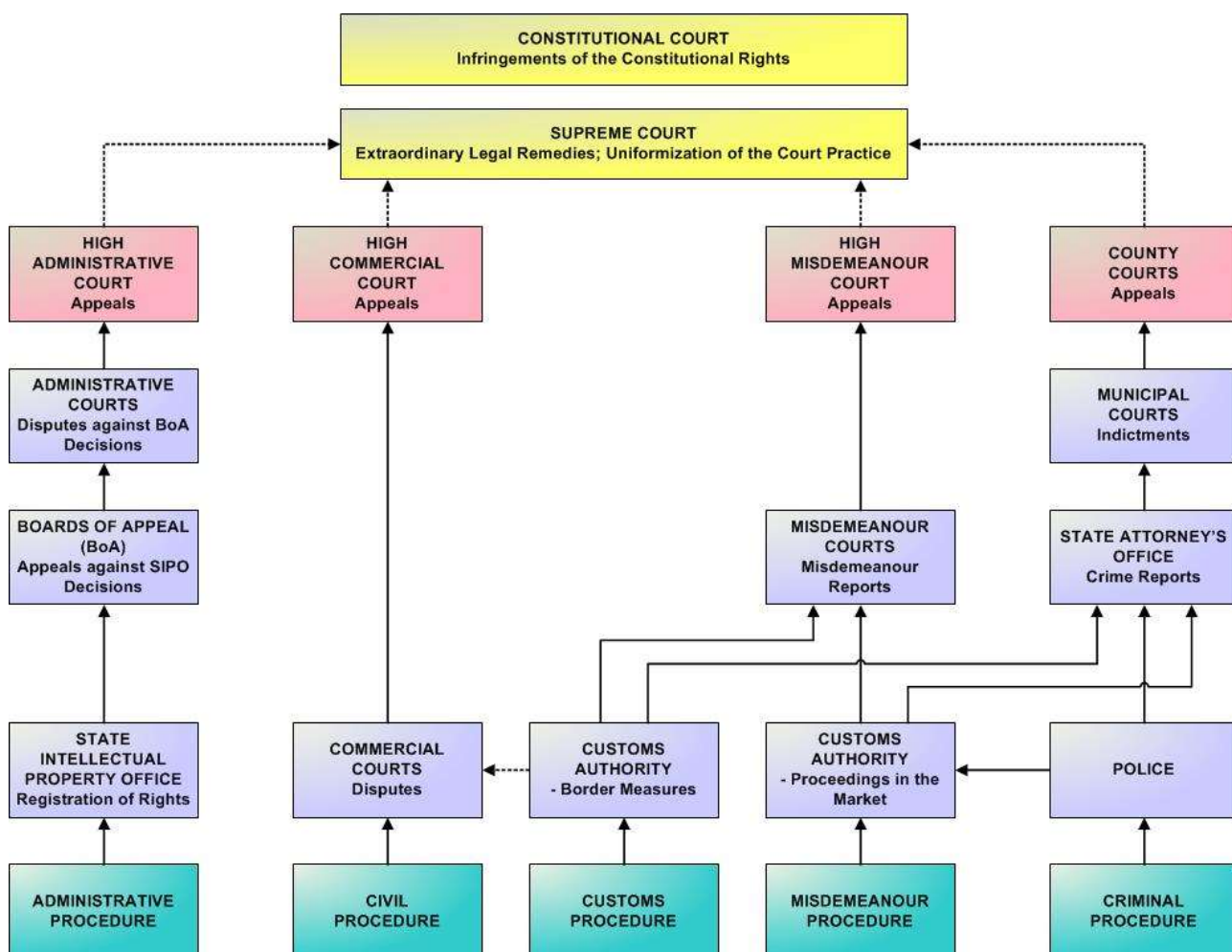
Criminal offences as mentioned are presented in a parallel table:

Criminal offences according to CC 1997	Criminal offences according to CC 2011
Infringement of the rights of authors or performers, Article 229 CC	Infringement of personal rights of authors or performers, Article 284 CC
Unauthorised use of a copyright work or of a performance of the performing artist, Article 230 CC	Unauthorised use of a copyright work or of a performance of the performing artist, Article 285 CC
Infringement of the rights of producers of phonograms or videograms or the rights related to radio broadcastings, Article 231 CC	Infringement of other copyright related rights, Article 286 CC
Infringement of the rights conferred by an invention applied for or protected, Article 232 CC	Infringement of the right to invention, Article 287 CC
Infringement of industrial property rights and unauthorised use of another person's firm, Article 285 CC	Infringement of trademark, Article 288 CC
	Infringement of a registered designation of origin, Article 289 CC

CC – Criminal Code

For easier comparison of these data and monitoring of criminal procedure progress from 2013 onwards, let us mention that in relation to some of these criminal offences one can speak of legal continuity existing between criminal offences from the earlier and criminal offences provided by the new CC. However, the new CC does not provide for criminal law protection of industrial design, whereas industrial design as one of industrial property rights within earlier provisions was protected as provided by Article 285 CC.

Institutional Scheme of the Enforcement of Intellectual Property Rights in the Republic of Croatia



EXECUTIVE SUMMARY

MINISTRY OF FINANCE – CUSTOMS ADMINISTRATION

Measures at the border

In 2016, the Customs Administration initiated a total of 1,229 procedures concerning the shipments of goods suspected of infringing intellectual property rights, 22 (1.8%) out of which were initiated *ex officio* and 1,207 (98.2%) upon the right holder's request. The goods were destroyed in 1,151 cases and released in 73 procedures, while the goods in 5 procedures have been waiting for a court decision.

According to the type of the goods suspected of infringing certain intellectual property rights in respect of which procedures were initiated, the majority of goods were from the following three groups:

- | | | |
|------------------------------------|-------------|----------|
| • Tobacco products (cigarettes) | 510,000 pcs | (75,44%) |
| • Clothes and clothing accessories | 95,162 pcs | (14,08%) |
| • Toys, games and sports equipment | 43,504 pcs | (6,44%) |

As regards cases decided in 2016, a total of 125,158 counterfeited products were destroyed of the aggregate retail value of EUR 2,067,169.48.

Statistical data comparison for 2015 and 2016

Comparing the years 2015 and 2016, the aggregate number of procedures initiated by the Customs Administration decreased in this field of protection from 1,674 in 2015 to 1,229 in 2016, namely by 27%, whereby the number of procedures initiated upon the right holder's request decreased from 1,644 to 1,207 (by 27%), and the number of procedures initiated *ex officio* decreased from 30 to 22 (also by 27%). The number of procedures under which the products were destroyed decreased from 1,502 in 2015 to 1,151 in 2016, namely by 23%. The total amount of the retail value of the seized and destroyed counterfeited goods decreased from EUR 10,749,108 in 2015 to EUR 2,067,169.48 in 2016, namely by 81%.

Inspection in the internal market

During 2016, inspectors of the Customs Administration carried out a total of 692 inspections in the internal market related to the protection of intellectual property rights, out of which 509 inspections (74%) resulted in serving indictments for initiating a misdemeanour procedure or issuing misdemeanour warrant.

In the number of inspections as carried out, there were 375 inspections (54%) referring to the protection of copyright and related rights, and 317 (46%) to the inspections relating to the protection of industrial property rights (trademark and industrial design).

Out of 509 submitted motions to indict and misdemeanour warrants issued, there were 224 (44%) referring to the infringements of copyright and related rights, and 285 (56%) to industrial property rights infringements.

The aggregate value of the products temporarily seized by the Customs Administration in the internal market of the Republic of Croatia in 2016, due to the infringements of the provisions covering the field of intellectual property rights, accounted for EUR 711,874.10. The value of the products seized due to the infringements of the provisions on copyright accounted for EUR 19,503 and EUR 629,371.10 due to the infringements of the provisions on industrial property (trademark and industrial design).

In 2016, the Customs Administration temporarily seized 45,493 different kinds of products due to the infringement of trademark provisions. These were mostly the products from these three main groups:

- Personal accessories 19,585 pcs (43%)
- Clothes and clothing accessories 13,236 pcs (29%)
- Toys, games and sports equipment 3,910 pcs (9%).

In addition to the aforementioned, inspectors of the Ministry of Agriculture carried out a total of 411 inspections during 2016 of the production and trade of products related to the protection of geographical indications and designations of origin of agricultural products and foodstuffs and products in the sector of winemaking and spirits. Upon inspections

conducted, there were 20 misdemeanours committed, 11 indictments served and 5 misdemeanour warrants issued.

Statistical data comparison for 2015 and 2016

Comparing the years 2015 and 2016, the aggregate number of inspections carried out increased from 612 to 692 namely by 13%, and the number of indictments for initiating a misdemeanour trial and misdemeanour warrant served decreased from 520 to 509 namely by 2%.

In the same period, there was a decrease in the share of inspections that resulted in initiating misdemeanour procedures, from 85% in 2015 to 74% in 2016.

The aggregate number of temporarily seized products due to the infringements of the trademark provisions was also on the decrease, from 670,217 in 2015 to 45,493 in 2016 (by 93%), as well as the aggregate value of temporarily seized products, from EUR 2,447,157 in 2015 to EUR 677, 341.10, namely by 72%.

During 2016, the Customs Administration filed 3 criminal charges due to the infringements of the trademark provisions, whereas 20 such charges were filed during 2015.

Furthermore, when carrying out the inspection of passenger transport, commercial quantities of products were found with 8 natural persons and there was reasonable doubt created that the contested products presented offence committed pursuant to the Trademarks Act, so that misdemeanour trial was initiated against the owner, i.e. 8 misdemeanour warrants were issued. 6,561 pieces of various products were found in total, in the total value of EUR 28,192.77 (perfumes and cosmetic articles, clothing, clothing accessories, sportswear and the like).

As to the data by the Ministry of Agriculture on the implementation of inspections of the protection of geographical indications and designations of origin, comparing the years 2015 and 2016, it is evident that there was a substantial increase in inspections conducted, from 216 inspections carried out in 2015 to 411 inspections in 2015, namely by 90%. The number of detected offences in this field of protection slightly increased from 19 in 2015 to 20 in 2016.

MINISTRY OF THE INTERIOR

In 2016, the Ministry of the Interior reported 7 adult persons for having committed a total of 8 criminal offences against intellectual property, out of which 2 persons were reported for having committed 3 criminal offences of copyright and related rights infringement and 5 persons for having committed 5 criminal offences of infringement of industrial property rights (in all of the five cases it was a matter of trademark infringements). There was no report for a criminal offence of infringing the invention right nor of infringing the registered appellation of origin in 2016.

In relation to the type and the number of objects temporarily seized in a criminal procedure in 2016, most objects seized (6,504 namely 97%) were from the category of CDs, DVDs, cassettes and other data carriers, followed by 148 products (2%) from the category of electric/electronic and computer equipment and 34 products (0.5%) from the category of mobile telephones, parts and technical accessories.

As a special problem in this area of protection, committing criminal offences against intellectual property via the internet is on the increase, with a special emphasis on counterfeit products and pirated contents being offered via social networks, for example via *Facebook*.

Statistical data comparison for 2015 and 2016

In 2016, the number of persons reported to have committed criminal offences against intellectual property decreased, from 17 in 2015 to 7 in 2016, namely by 59%, as well as the aggregate number of this kind of criminal offences being committed, from 41 to 8, namely by 80%.

There is a continuing trend in decreasing the number of procedures due to criminal offences in this area of criminal law protection, and it is conditioned by the Criminal Code having entered into force in 2011, presuming considerable pecuniary gain or considerable pecuniary damage incurred with offences to be characterised as criminal offences against intellectual property explicitly prescribing a minimum nominal amount[†] as provided by Title 27 (exclusive of Article 284 CC).

[†] Article 87 paragraph 29 of the Criminal Code provides for the following: "The value of objects, pecuniary rights and pecuniary gain is extensive if it exceeds HRK 60,000.00. The value of pecuniary gain and damage is considerable if it exceeds HRK 60,000.00"

STATE ATTORNEY'S OFFICE

In 2016, 53 infringers were reported to the State Attorney's Office for having committed criminal offences against intellectual property, out of which 36 infringers were reported for having committed criminal offences against copyright and related rights (68%), and 17 for infringement of industrial property rights (32%).

The State Attorney's Office passed decisions against 32 perpetrators reported for infringing intellectual property rights. Indictments were filed against 6 perpetrators reported for infringing intellectual property rights (19%), 25 criminal reports were rejected (78%). Taking of evidence was required in 1 case, and 21 cases remained unresolved.

Statistical data comparison for 2015 and 2016

Comparing the years 2015 and 2016, the number of reported infringers of intellectual property rights decreased from 70 to 53, namely by 24%.

The number of reported infringers of copyright and related rights decreased from 43 to 36, namely by 16%, and the number of reported infringers of industrial property rights decreased from 27 in 2015 to 17 in 2016, namely by 37%.

The number of indictments for the infringements of intellectual property rights decreased from 12 in 2015 to 6 in 2016, namely by 50%. The number of rejected criminal reports remained the same as in 2015, namely 25.

In 2016, taking of evidence was required in one case, whereas in 2015 taking of evidence was required in 7 cases.

JUDICIARY

Criminal Courts

According to the data by the Ministry of Justice, in 2016, 18 persons were accused of having committed criminal offences against intellectual property, out of which 5 persons (28%) were accused of infringing copyright or related rights, and 13 persons (72%) of infringing industrial property rights.

Out of 18 persons in total accused of criminal offences against intellectual property, 12 persons (67%) were found guilty (one person was found guilty of infringing copyright or related rights, and 11 persons of infringing industrial property rights). Criminal procedure was suspended in relation to 4 defendants (22%).

During 2016, there were no unconditional prison sentence imposed with this kind of criminal offences, 10 persons were imposed a conditional prison sentence, and 2 unconditional fines were imposed as well.

Statistical data comparison for 2015 and 2016

Comparing the years 2015 and 2016, the total number of persons accused of criminal offences against intellectual property decreased from 32 to 18, namely by 44%.

At the same time, the number of persons found guilty of having committed criminal offences as mentioned decreased from 16 in 2015 to 12 in 2016, namely by 25%.

Misdemeanour Courts

In 2016, misdemeanour procedures were initiated against 5,213 natural or legal persons due to infringements of copyright provisions. Consequently, 2,884 persons (55%) were found guilty of or responsible for having committed a misdemeanour offence. 1,233 natural and 659 legal persons were imposed a fine in a misdemeanour procedure.

Misdemeanour procedures were initiated against 83 natural or legal persons due to infringements of trademark provisions. 51 persons (61%) were found guilty of or responsible for having committed a misdemeanour offence, out of which 8 natural and 6 legal persons were imposed a fine.

In 2016, 5 defendants were recorded for infringing industrial design provisions and 3 defendants for infringing the provisions on designations of geographical origin, whereas there were no defendants accused of infringing the provisions on patents.

Statistical data comparison for 2015 and 2016

Comparing the years 2015 and 2016, the number of natural and legal persons accused of infringing intellectual property provisions increased from 4,476 in 2015 to 5,304 in 2016 (by 18%). The number of persons against whom misdemeanour procedures were initiated due to the infringements of copyright provisions increased from 4,354 in 2015 to 5,213 in 2016 (by 20%), and the number of persons against whom misdemeanour procedures were initiated due to the infringements of trademark provisions decreased from 120 in 2015 to 83 in 2016 (by 31%).

Out of the total number of defendants in misdemeanour procedures due to the infringements of provisions in the field of intellectual property rights in 2016, 55% were found guilty of or responsible for the misdemeanour offence committed, as compared to 68% in 2015.

THE NUMBER OF COURT CASES AND DURATION OF PROCEDURES

Administrative Courts

On 1 January 2016, the competent administrative courts had 9 pending cases in the field of industrial property rights. During 2016, 13 new cases were received, and 6 cases were decided (5 within 6 to 12 months and 1 within 2 to 3 years), so that 16 cases were pending at the end of the reported period.

High Administrative Court of the Republic of Croatia

During 2016, there were 2 new cases received in the field of industrial property rights at the High Administrative Court of the Republic of Croatia, where the claim was rejected. Cases were decided within 3 to 6 months.

Commercial Courts

On 1 January 2016, the competent commercial courts had 709 cases pending in the field of intellectual property rights. During 2016, 939 new cases were received, and 929 cases were decided (56% out of the cases pending in total). On 31 December 2016, 719 cases were pending in the field of intellectual property rights.

The largest number of cases received at commercial courts during 2016 referred to the field of collective management of copyright (91%), followed by cases in relation to individual management of copyright (6%), trademark right (2%) and an insignificant number of cases in other fields of intellectual property.

In 2016, the majority of cases in the field of intellectual property rights decided at the competent commercial courts (81%) was decided within less than a year, the largest number of which was decided within 3 to 6 months (322 cases, namely 35%).

High Commercial Court of the Republic of Croatia

On 1 January 2016, the High Commercial Court of the Republic of Croatia had 403 cases pending in the field of intellectual property rights. During 2016, 165 new cases were received, and 233 cases were decided (41% out of the cases pending in total). On 31 December 2016, there were 335 pending cases in the field of intellectual property rights.

In 2016, 34% of the cases was decided by this court within the period of 3 to 4 years, 33% of the cases within the period of 2 to 3 years and 33% of the cases within the period of 2 years.

Criminal Courts

In 2016, a total of 18 persons were accused at criminal courts of criminal offences against intellectual property.

As to the duration of a criminal procedure from filing of an indictment to a final court decision, it is evident from the data that 54% of cases were decided within 12 months.

Misdemeanour Courts

In 2016, a total of 5,304 natural and legal persons were accused at misdemeanour' courts of infringing intellectual property provisions, out of which 2,940 persons were found guilty of or responsible for the misdemeanour committed, and the procedure was suspended in relation to 121 defendants. Protection measures were imposed on 37 persons.

As to the duration of a misdemeanour procedure from misdemeanour reports to a final court decision, it is evident from the data that the largest number of cases during 2016 was decided within 2 to 4 months (1,049 cases, namely 23.3%).

2. CRIMINAL LAW AND MISDEMEANOUR LAW PROTECTION – COMPREHENSIVE COURSE OF ACTION UNDER CRIMINAL AND MISDEMEANOUR PROCEDURES

2.1. Comprehensive course of action of a criminal procedure from filing a criminal report until the criminal court decision in 2016

In 2016, the Ministry of the Interior filed reports against 7 persons for having committed a total of 8 criminal offences against intellectual property.

The State Attorney's Offices issued decisions against 32 perpetrators of criminal offences for the infringements of intellectual property rights, while criminal courts issued decisions against 18 accused persons.

2.2. Comprehensive course of action of a misdemeanour procedure in 2016

In 2016, 3,321 natural persons were accused of infringing the provisions of copyright and 64 persons of infringing the provisions of industrial property (infringements of trademark and other indications), out of which 1,902 natural persons were found guilty of misdemeanour offences committed and were imposed sanctions (mostly fines).

In the same period, 1,892 legal and responsible persons were accused of infringing the provisions of copyright and 19 persons of infringing the provisions of industrial property (infringements of trademark and other indications), out of which 1,033 legal and responsible persons were found responsible and sentenced (also, mostly to fines).

Table 2.1.**Comprehensive course of action of the criminal procedure from a criminal report to the court decision in 2016**

Note: The data provided by the Ministry of the Interior and the State Attorney's Office for 2016 are presented according to the provisions of the new CC, and the data on the operation of criminal courts delivered by the Ministry of Justice are given partly according to the names of criminal offences from the earlier version of valid Criminal Code and partly according to the provisions of the new CC. Since the data for 2016 cannot be presented in a single table, table 2.1 was left out in this report.

Table 2.2.**Misdemeanour law protection – comprehensive course of action of the misdemeanour procedure in 2016**

Misdemeanour offences	Natural persons							Legal and responsible persons					
	Misdemeanour reports	Decisions		Sanctions				Misdemeanour reports	Decisions		Sanctions		
	Total	Accused	Found guilty	Total	Imprisonment	Fine	Reprimand/Admonition	Total	Accused	Found responsible	Total	Fine	Reprimand/Admonition
Infringement of the copyright provisions	3321	3321	1862	1862*	0	1233	0	1892	1892	1022	1022**	659	0
Infringement of the provisions on trademarks and other indications	64	64	40	40***	0	8	0	19	19	11	11****	6	0
Infringement of the patent and technical improvements provisions	0	0	0	0	0	0	0	0	0	0	0	0	0

*1233 fines were imposed on natural persons for infringing the copyright provisions, and 629 persons were imposed the obligation to pay procedural costs

**659 fines were imposed on legal persons for infringing the copyright provisions, and 363 persons were imposed the obligation to pay procedural costs

***8 fines were imposed on natural persons for infringing the provisions on trademark and other indications, and 32 persons were imposed the obligation to pay procedural costs

****6 fines were imposed on legal persons for infringing the provisions on trademark and other indications, and 5 persons were imposed the obligation to pay procedural costs

3. CUSTOMS ADMINISTRATION – STATISTICAL DATA ON THE NUMBER OF INSTITUTED PROCEDURES, VALUE OF GOODS AND NUMBER OF PRODUCTS

For the purpose of presenting statistical data within the competence of the Ministry of Finance – Customs Administration, the statistical tables have been compiled on:

- the number of procedures and the number of provisionally detained goods, according to the product specifications (foodstuffs and beverages; body care products; clothes and clothing accessories; footwear; personal accessories; mobile phones, spare parts and accessories; electric/electronic and computer equipment; CDs, DVDs, cassettes and other data carriers; toys, games and sports equipment; tobacco products; medical products and other);
- the number of procedures according to the products specifications of provisionally detained goods and according to the outcome of procedures (destruction of goods as provisionally seized, taking of legal action before a competent court or stay of proceedings);
- the number of provisionally detained goods according to the products specifications and according to the outcome of procedures;
- the value of destroyed counterfeit goods according to the products specifications, expressed in EUR.

Table 3.1.
The number of procedures instituted in the cases of infringements of intellectual property rights according to the type of procedure
- Customs Administration

Year	TOTAL	Number of procedures	
		Ex officio	Upon request of the right holder
2008	225	24	201
2009	300	144	156
2010	471	169	302
2011	645	127	518
2012	2.071	44	2.027
2013	1.009	36	973
2014	894	14	880
2015	1.674	30	1.644
2016	1.229	22	1.207

Chart 3.1.
Trends of procedures instituted in the cases of infringements of intellectual property rights – Customs Administration

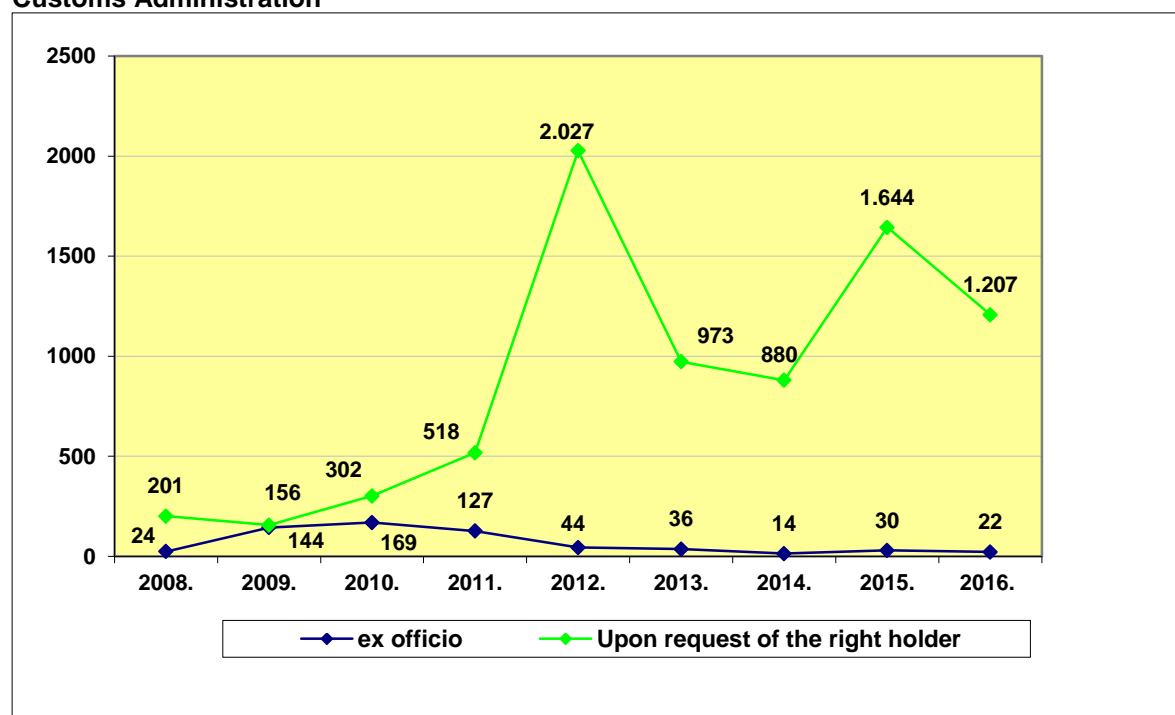


Table 3.2.

**The number of procedures instituted in the cases of infringements of intellectual property rights according to the outcome of the procedure
- Customs Administration**

Year	TOTAL	PROCEDURES		
		Goods destroyed	Goods released	Judicial proceedings
2008	225	141	76	8
2009	300	146	149	2
2010	471	254	204	13
2011	645	455	170	20
2012	2.071	1.652	161	59
2013	1.009	899	101	9
2014	894	829	62	3
2015	1.674	1.502	162	6
2016	1.229	1.151	73	5

Chart 3.2.

**Outcomes of the procedures instituted in the cases of infringements of intellectual property rights
- Customs Administration**

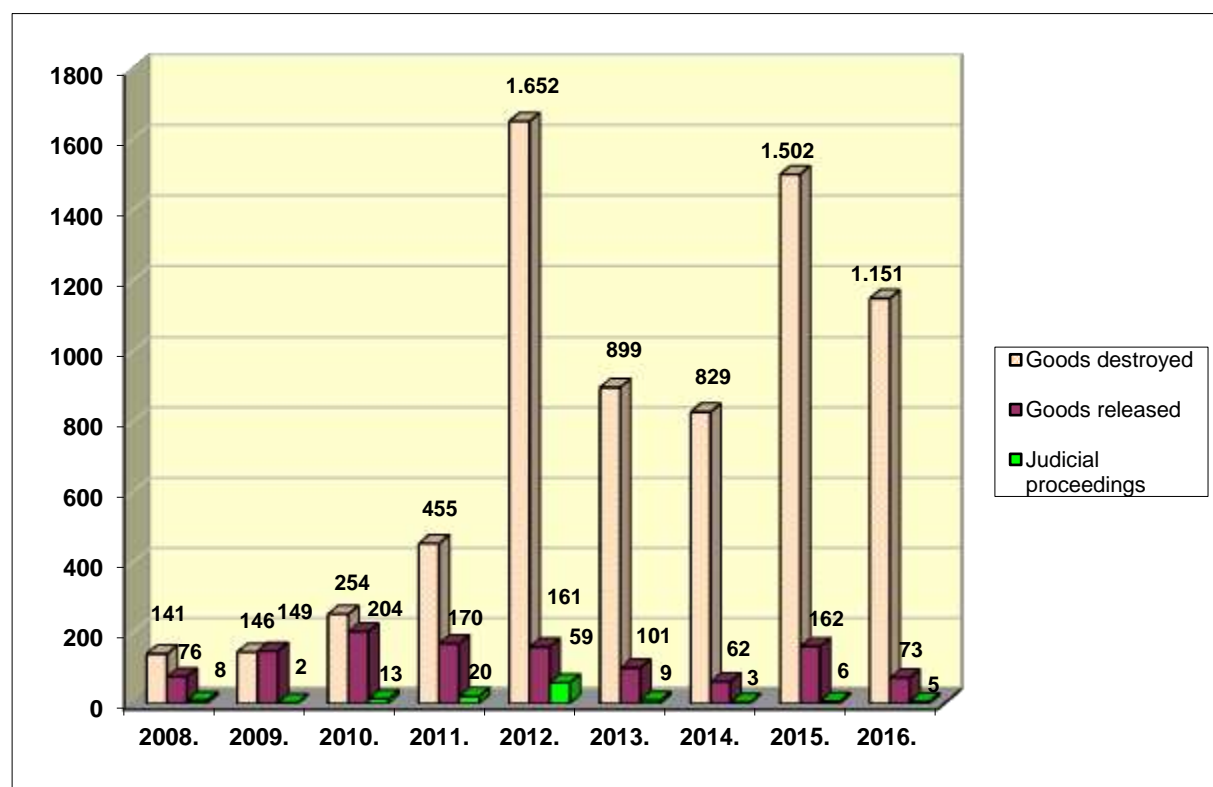


Table 3.3.
The value of destroyed counterfeit goods in EUR in relation to the previous year
- Customs Administration

Year	The value of destroyed goods in EUR	Index compared to the previous year
2009*	13.922.629,03	-
2010	23.729.627,73	170
2011	50.448.061,20	213
2012	37.922.213,62	75
2013	26.275.284,58	69
2014	7.577.121,20	29
2015	10.749.108,00	142
2016	2.067.169,48	19

* Since 1 January 2009, the Customs Administration has not monitored the value of declared goods, but the value of the destroyed counterfeit goods in proportion to the retail price of such original goods in domestic market expressed in EUR.

Table 3.4.

The number of instituted proceedings and the number of suspected products in portion with the aggregate number, according to the type of products in 2016 – Customs Administration

Product type	Number of procedures	%	Number of products	%
1. Foodstuffs, alcoholic and other beverages	0	0,00	0	0,00
a) foodstuffs	0	0,00	0	0
b) alcoholic beverages	0	0,00	0	0,00
c) other beverages	0	0,00	0	0,00
2. Body care products	0	0,00	0	0,00
a) perfumes and cosmetics	0	0,00	0	0,00
b) other products	0	0,00	0	0,00
3. Clothes and clothing accessories	119	9,16	95.162	14,08
a) clothes	99	7,62	3.325	0,49
b) clothing accessories	20	1,54	91.837	13,59
4. Footwear	743	57,19	3.165	0,47
a) sports footwear	674	51,88	3.088	0,46
b) other footwear	69	5,31	77	0,01
5. Personal accessories	296	22,79	9.632	1,42
a) sunglasses and prescription glasses	5	0,38	1.414	0,20
b) bags	228	17,56	7.241	1,07
c) watches	51	3,93	961	0,14
d) jewellery and other accessories	12	0,92	16	0,01
6. Mobile phones, parts and implements	55	4,23	510	0,08
a) mobile phones	48	3,70	50	0,01
b) parts and implements	7	0,53	460	0,07
7. Electrical / electronic and computer equipment	4	0,31	6.462	0,96
a) audio/video devices including spare parts and implements	3	0,23	6.461	0,95
b) memory cards and sticks	0	0,00	0	0,00
c) toners and inks	0	0,00	0	0,00

d) computer equipment (hardware) including parts and implements	1	0,08	1	0,01
e) other equipment including accessories and spare parts	0	0,00	0	0,00
8. CDs, DVDs, cassettes and other data carriers	0	0,00	0	0,00
a) recorded (music, film, programs, games)	0	0,00	0	0,00
b) unrecorded	0	0,00	0	0,00
9. Toys, games and sports equipment	48	3,70	43.504	6,43
a) toys	31	2,39	41.814	6,18
b) games (including electronic game consoles)	13	1,00	274	0,04
c) sports equipment (including leisure time equipment)	4	0,31	1.416	0,21
10. Tobacco products	1	0,08	510.000	75,44
a) cigarettes	1	0,08	510.000	75,44
b) other tobacco products	0	0,00	0	0,00
11. Medical products	0	0,00	0	0,00
12. Other	33	2,54	7.561	1,12
a) machines and tools	1	0,08	6.000	0,89
b) vehicles including parts and implements	18	1,39	471	0,07
c) office supplies	0	0,00	0	0,00
d) lighters	0	0,00	0	0,00
e) labels, stickers	0	0,00	0	0,00
f) textile products	0	0,00	0	0,00
g) packaging material	12	0,92	52	0,01
h) other	2	0,15	1.038	0,15
TOTAL	1.299	100	675.996	100

Note:

Data on the aggregate number of procedures in table 3.4 differ from the data on the aggregate number of procedures in tables 3.1 and 3.2, due to several procedures covering several various types of goods.

Chart 3.3.
Portions of the types of products in the aggregate number of suspected products in 2016
– Customs Administration

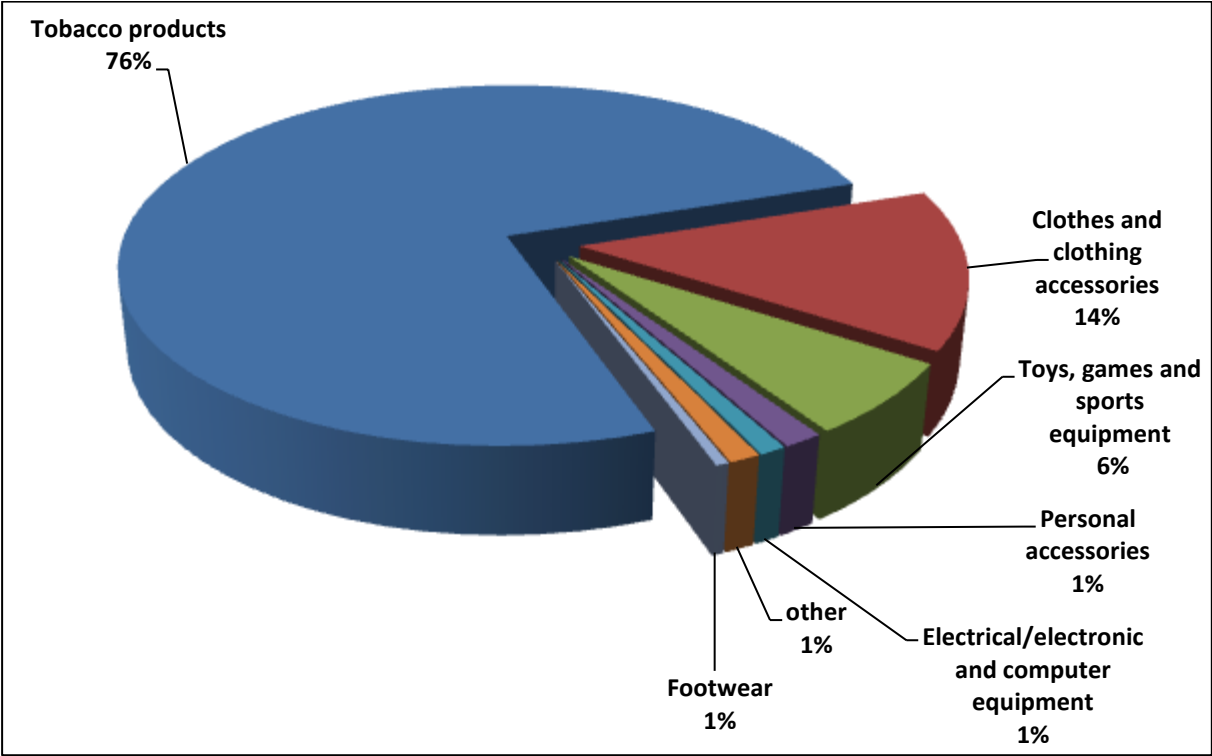


Table 3.5.
The number of initiated procedures according to the types of products and the procedure outcomes in 2016
– Customs Administration

Product type	Goods destroyed	Goods released	Judicial proceedings
1. Foodstuffs, alcoholic and other beverages	0	0	0
a) foodstuffs	0	0	0
b) alcoholic beverages	0	0	0
c) other beverages	0	0	0
2. Body care products	0	0	0
a) perfumes and cosmetics	0	0	0
b) other products	0	0	0
3. Clothes and clothing accessories	110	8	1
a) clothes	93	6	0
b) clothing accessories	17	2	1
4. Footwear	709	33	1
a) sports footwear	641	32	1
b) other footwear	68	1	0
5. Personal accessories	290	6	0
a) sunglasses and prescription glasses	5	0	0
b) bags	225	3	0
c) watches	49	2	0
d) jewellery and other accessories	11	1	0
6. Mobile phones, parts and implements	37	18	0
a) mobile phones	31	17	0
b) parts and implements	6	1	0
7. Electrical / electronic and computer equipment	3	1	0
a) audio/video devices including spare parts and implements	3	0	0

b) memory cards and sticks	0	0	0
c) toners and inks	0	0	0
d) computer equipment (hardware) including parts and implements	0	1	0
e) other equipment including accessories and spare parts	0	0	0
8. CDs, DVDs, cassettes and other data carriers	0	0	0
a) recorded (music, film, programs, games)	0	0	0
b) unrecorded	0	0	0
9. Toys, games and sports equipment	28	17	3
a) toys	18	13	0
b) games (including electronic game consoles)	8	2	3
c) sports equipment (including leisure time equipment)	2	2	0
10. Tobacco products	0	1	0
a) cigarettes	0	1	0
b) other tobacco products	0	0	0
11. Medical products	0	0	0
12. Other	29	4	0
a) machines and tools	0	1	0
b) vehicles including parts and implements	18	0	0
c) office supplies	0	0	0
d) lighters	0	0	0
e) labels, stickers	0	0	0
f) textile products	0	0	0
g) packaging material	10	2	0
h) other	1	1	
TOTAL	1.206	88	5

Table 3.6.

**The number of suspected products according to the type of goods and the outcome of procedure in 2016
– Customs Administration**

Product type	Goods destroyed	Goods released	Judicial proceedings
1. Foodstuffs, alcoholic and other beverages	0	0	0
a) foodstuffs	0	0	0
b) alcoholic beverages	0	0	0
c) other beverages	0	0	0
2. Body care products	0	0	0
a) perfumes and cosmetics	0	0	0
b) other products	0	0	0
3. Clothes and clothing accessories	69.532	4.930	20.700
a) clothes	2.796	529	0
b) clothing accessories	66.736	4.401	20.700
4. Footwear	822	39	2.304
a) sports footwear	747	37	2.304
b) other footwear	75	2	0
5. Personal accessories	7.879	1.753	0
a) sunglasses and prescription glasses	1.414	0	0
b) bags	6.390	851	0
c) watches	60	901	0
d) jewellery and other accessories	15	1	0
6. Mobile phones, parts and implements	482	28	0
a) mobile phones	32	18	0
b) parts and implements	450	10	0
7. Electrical / electronic and computer equipment	6.461	1	0
a) audio/video devices including spare parts and implements	6.461	0	0

b) memory cards and sticks	0	0	0
c) toners and inks	0	0	0
d) computer equipment (hardware) including parts and implements	0	1	0
e) other equipment including accessories and spare parts	0	0	0
8. CDs, DVDs, cassettes and other data carriers	0	0	0
a) recorded (music, film, programs, games)	0	0	0
b) unrecorded	0	0	0
9. Toys, games and sports equipment	39.141	4.343	20
a) toys	37.776	4.038	0
b) games (including electronic game consoles)	249	5	20
c) sports equipment (including leisure time equipment)	1.116	300	0
10. Tobacco products	0	510.000	0
a) cigarettes	0	510.000	0
b) other tobacco products	0	0	0
11. Medical products	0	0	0
12. Other	841	6.720	0
a) machines and tools	0	6.000	0
b) vehicles including parts and implements	471	0	0
c) office supplies	0	0	0
d) lighters	0	0	0
e) labels, stickers	0	0	0
f) textile products	0	0	0
g) packaging material	32	20	0
h) other	338	700	0
TOTAL	125.158	527.814	23.024

Table 3.7.

**The value of destroyed counterfeit goods expressed in EUR with the proportions to the aggregate value in 2016
– Customs Administration**

Product type	Value in €	%
1. Foodstuffs, alcoholic and other beverages	0,00	0,00
a) foodstuffs	0,00	0,00
b) alcoholic beverages	0,00	0,00
c) other beverages	0,00	0,00
2. Body care products	0,00	0,00
a) perfumes and cosmetics	0,00	0,00
b) other products	0,00	0,00
3. Clothes and clothing accessories	1.054.150,00	50,99
a) clothes	64.800,00	3,13
b) clothing accessories	989.350,00	47,86
4. Footwear	107.580,00	5,20
a) sports footwear	92.580,00	4,48
b) other footwear	15.000,00	0,72
5. Personal accessories	362.498,60	17,54
a) sunglasses and prescription glasses	1.948,60	0,09
b) bags	224.350,00	10,86
c) watches	135.400,00	6,55
d) jewellery and other accessories	800,00	0,04
6. Mobile phones, parts and implements	23.617,37	1,14
a) mobile phones	22.400,00	1,08
b) parts and implements	1.217,37	0,06
7. Electrical / electronic and computer equipment	26.839,51	1,30
a) audio/video devices including spare parts and implements	26.839,51	1,30
b) memory cards and sticks	0,00	0,00
c) toners and inks	0,00	0,00
d) computer equipment (hardware) including parts and implements	0,00	0,00

e) other equipment including accessories and spare parts	0,00	0,00
8. CDs, DVDs, cassettes and other data carriers	0,00	0,00
a) recorded (music, film, programs, games)	0,00	0,00
b) unrecorded	0,00	0,00
9. Toys, games and sports equipment	455.636,00	22,04
a) toys	388.838,00	18,81
b) games (including electronic game consoles)	2.670,00	0,13
c) sports equipment (including leisure time equipment)	64.128,00	3,10
10. Tobacco products	0,00	0,00
a) cigarettes	0,00	0,00
b) other tobacco products	0,00	0,00
11. Medical products	0,00	0,00
12. Other	36.848,00	1,78
a) machines and tools	0,00	0,00
b) vehicles including parts and implements	15.928,00	0,77
c) office supplies	0,00	0,00
d) lighters	0,00	0,00
e) labels, stickers	0,00	0,00
f) textile products	0,00	0,00
g) packaging material	640,00	0,03
h) other	20.280,00	0,98
TOTAL	2.067.169,48	100

4. CUSTOMS ADMINISTRATION AND THE MINISTRY OF AGRICULTURE – STATISTICAL DATA ON THE NUMBER OF INSPECTIONS CARRIED OUT AND THE NUMBER OF INDICTMENTS FOR INITIATING A MISDEMEANOUR PROCEDURE

Since 1 January 2014, the activities of the State Inspectorate relating to the enforcement of intellectual property rights, pursuant to the Act on Amendments to the Act on the Structure and Scope of Ministries and State Administration Organisations (OG 148/13), were assumed by the Ministry of Finance – Customs Administration.

Data for the period up to 2013 refer to the work of the State Inspectorate, and data on the inspection work of the Customs Administration in the internal market are given in separate tables (for 2014, 2015 and 2016).

Data relating to the protection of copyright and related rights include the following:

- inspections relating to the protection of copyright in computer programs (the number of computers inspected, the number of illegally installed computer programs and the number of indictments served and misdemeanour warrants),
- inspections relating to the circulation of musical and cinematographic works recorded on audio and video carriers without the author's consent – pirated copies (the number of temporarily seized goods and their value, and the number of indictments served and misdemeanour warrants),
- inspections relating to the circulation and reproduction of books made without the author's and publisher's consent (the number of temporarily seized goods and their value, and the number of indictments served and misdemeanour warrants).

Data on the inspections carried out over the protection of industrial property include the following:

- inspections related to the circulation of products designated by a protected trademark without an authorisation of the trademark owner – counterfeits (the number of inspections, the number of temporarily seized goods and their value, and the number of indictments served and misdemeanour warrants),

- types and quantities of goods as temporarily seized for infringements of the trademark regulations,
- inspections related to the circulation of goods carried out according to a protected invention (the number of inspections, the number of temporarily seized goods and their value, and the number of indictments served and misdemeanour warrants),
- inspections related to the circulation of goods concerning the protection of industrial designs (the number of inspections, the number of temporarily seized goods and their value, and the number of indictments served and misdemeanour warrants),
- inspections related to the circulation of goods concerning the protection of geographical indication and designation of origin (the number of inspections, the number of temporarily seized goods and their value, and the number of misdemeanours).

Furthermore, upon abolishment of the State Inspectorate, competences regarding implementation of inspections over agricultural products and foodstuffs in the sector of winemaking and spirits protected by designation of origin and geographical indication in retail sale were assumed by inspections of the Ministry of Agriculture (Agricultural Inspection Department). Hence, this part of the report has a table 4.9.b with data on inspections over production and trade of agricultural products and foodstuffs protected by designation of origin and geographical indication, inspections over designations of origin and geographical indications in the winemaking sector and geographical indications in the spirits sector.

Data on the number of inspections carried out, the number of misdemeanours established and data on the number of indictments served and misdemeanour warrants issued are presented in the table.

As of 18 March 2015, the new Act on Agriculture (OG 30/2015) is in force. The protection of wine origin is provided by the Act on Common Organisation of the Agricultural Products Market and on Specific Measures and Provisions Relating to the Agricultural Products Market (OG 82/2013, 14/2014 and 30/2015).

Table 4.1.
Inspection – data on the infringements of intellectual property rights in 2016
- Customs Administration

Infringements of provisions		Number of inspections conducted	Number of indictments and misdemeanour warrant	Value of temporary seized goods in EUR
TOTAL		692	509	711.874,10
Copyright	Musical and cinematographic works	69	4	4.552,70
	Computer programs	306	97	14.950,30
	Circulation and reproduction of books	0	1	0,00
TOTAL COPYRIGHT		375	224	19.503,00
Industrial Property	Infringements of the trademark provisions	293	261	677.341,10
	Infringements of the patent provisions	0	0	0,00
	Infringements of the industrial design provisions	24	24	15.030,00
	Infringements of the designations of origin and geographical indications provisions	0	0	0,00
TOTAL INDUSTRIAL PROPERTY		317	285	692.371,10

Chart 4.1.
Inspection – data on the infringements of intellectual property rights in 2016
- Customs Administration

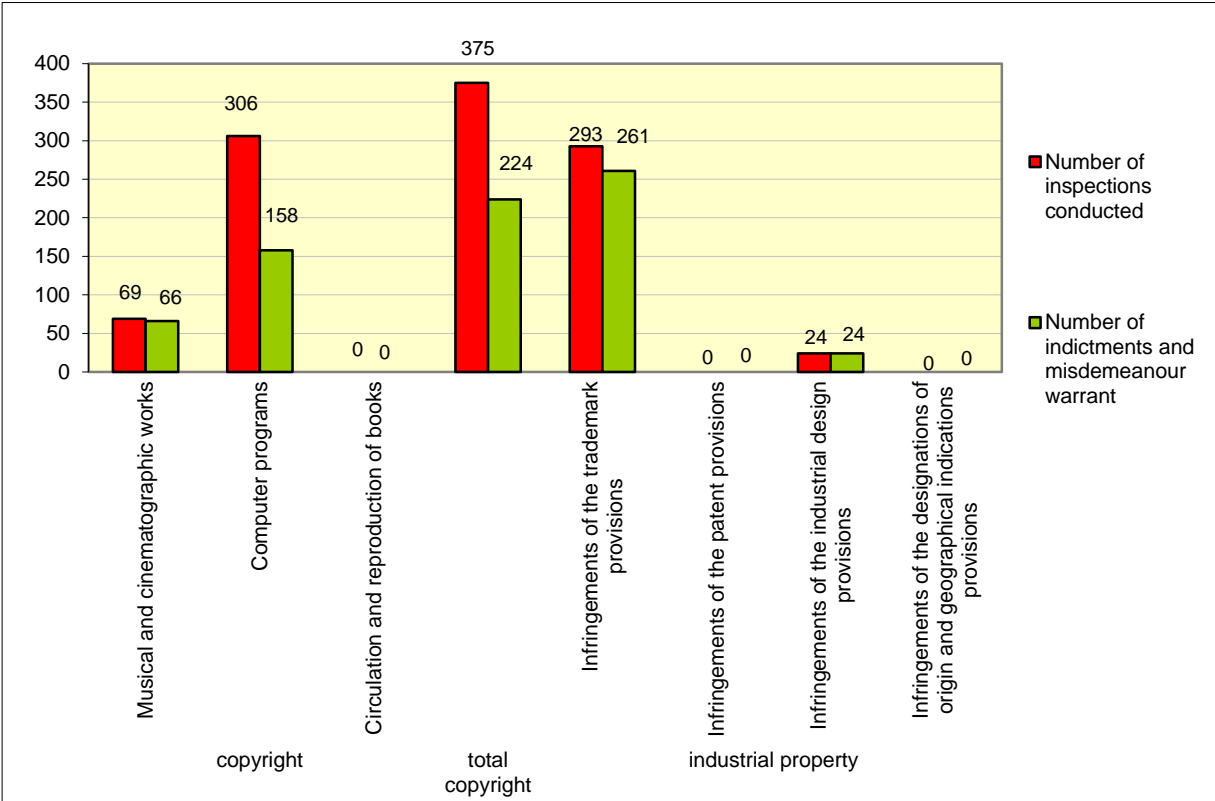


Table 4.2.
Inspection relating to the protection of copyright in computer programs
- State Inspectorate

Year	Number of inspections	Indictments and misdemeanour warrants under the CCRA		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 €
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
2012	not available	461	-	4.547	825	1.480	not available
2013	not available	321	-	3.796	460	948	not available

CRRA – Copyright and Related Rights Act

*Since 1 January 2010, the State Inspectorate has been monitoring the aggregate number of inspections conducted in relation to the copyright protection.

Table 4.2.a
Inspection relating to the protection of copyright in computer programs
- Customs Administration

Year	Number of inspections under the 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 of misdemeanour warrants	Number of indictments	%			Number of computer programs	Value in EUR
2014	5	2	0	40	18	2	4	1.680,00
2015	161	97	0	60,25	798	407	508	-*
2016	306	158	0	52	692	232	354	14.950,30

CRRA – Copyright and Related Rights Act

*no account of the value

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 in which a misdemeanour was found and the number of indictments and misdemeanour warrants under the CRRA	Audio and video carriers as temporarily seized	
		Number of pieces	Value in €
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
2012	70	1.777	2.272,81
2013	28	897	1.128,44

CRRA – Copyright and Related Rights Act

Table 4.3.a

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

- Customs Administration

Year	Number of inspections under the CRRA	Number of misdemeanour warrants	Number of indictments		Audio and video carriers as temporarily seized	
					%	Number of pieces
2014	1	0	1	100	340	906,67
2015	4	3	1	100	769	3.356,58
2016	69	66	0	96	261	4.552,70

CRRA – Copyright and Related Rights Act

Chart 4.2.

The value of temporarily seized audio and video carriers, expressed in EUR (data from the tables 4.3. and 4.3.a)

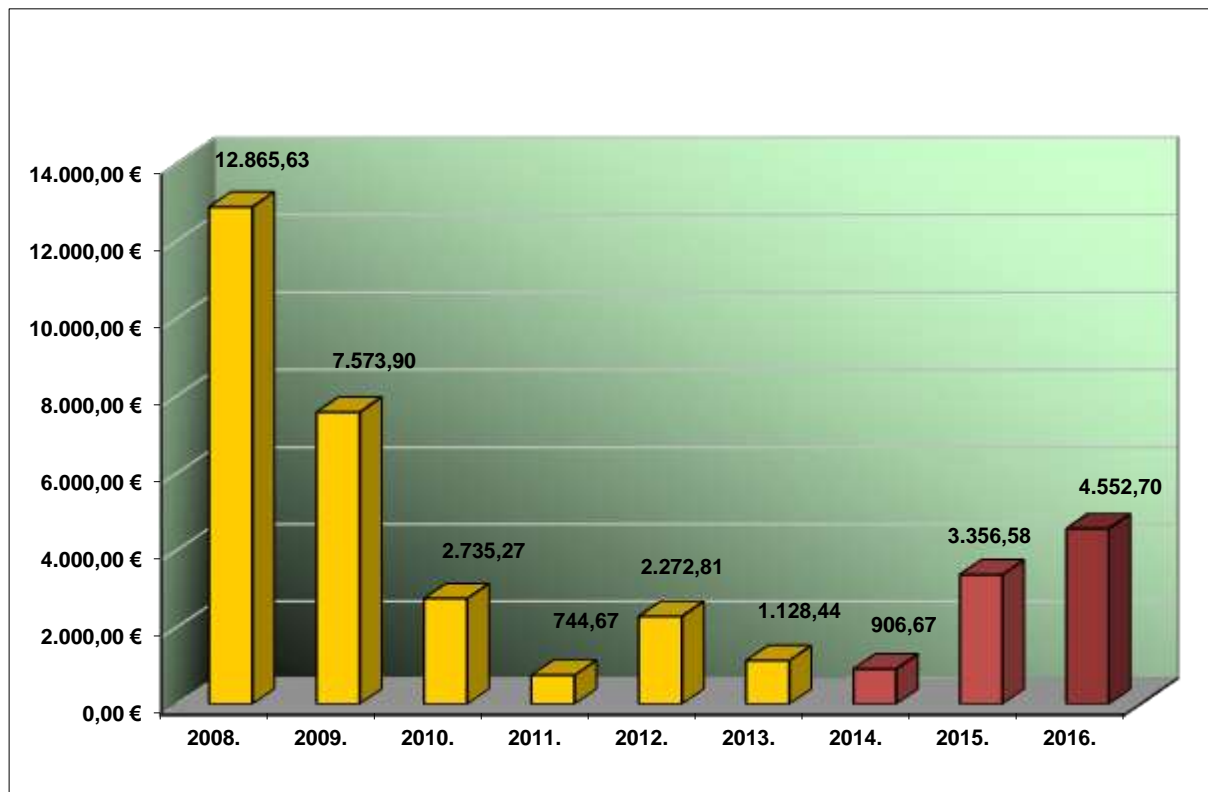


Table 4.4.

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

Year	Number of inspections	Number of indictments and misdemeanour warrants under the CRRA	Temporarily seized goods - books	
			Number of pieces	Value in €
2008	67	2	2	15
2009	94	6	59	403,43
2010	not available*	4	4	15,75
2011	not available	2	0	0
2012	not available	3	0	0
2013	not available	0	0	0

CRRA – Copyright and Related Rights Act

*Since 1 January 2010, the State Inspectorate has been monitoring the aggregate number of inspections conducted in relation to the copyright protection.

Table 4.4.a

Inspections of the circulation and reproduction of books without the author's and publisher's consent
- Customs Administration

Year	Number of inspections under the CRRA	Number of misdemeanour warrants	Number of indictments	%	Temporarily seized goods - books	
					Number of pieces	Value in €
2014	0	0	0	0	0	0
2015	1	1	0	100	0	0
2016	0	0	0	0	0	0

CRRA – Copyright and Related Rights Act

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 warrants under the TA		Temporarily seized goods	
		Number	%	Number of pieces	Value in €
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	200.334,58
2012	1.760	193	10,96	11.409	367.625,08
2013	1.713	325	18,97	31.717	159.221,09

TA – Trademark Act

Table 4.5.a

Inspections of the circulation of products designated by a protected mark – a trademark, without a trademark holder’s consent (counterfeits)
- Customs Administration

Year	Number of inspections				Temporarily seized goods	
		Number of indictments	Number of misdemeanour warrants	%	Number of pieces	Value in €
2014	429	18	193	49,18	68.428	684.303,86
2015	444	6	411	93,92	670.217	2.447.157,19
2016	293	256	5	89,08	45.493	677.341,10

NOTE: Three criminal charges were filed due to the infringements of trademark provisions (Article 288 of the Criminal Code)

Chart 4.3.

The value of temporarily seized goods for infringing the trademark provisions (data from the tables 4.5. and 4.5.a)

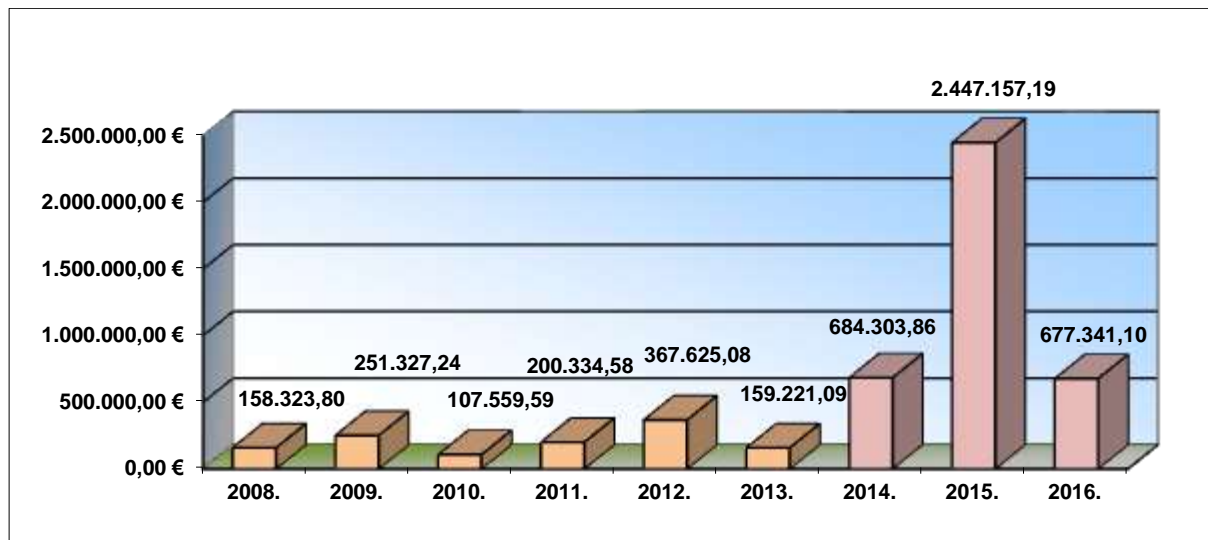


Table 4.6.

The types and number of pieces of temporarily seized goods for infringing the trademark provisions, 2011 - 2013
- State Inspectorate

TYPE OF GOODS	State Inspectorate								
	2011			2012			2013		
	Pcs	%	Value in €	Pcs	%	Value in €	Pcs	%	Value in €
1. Foodstuffs, alcoholic and other beverages	7	0,02	64,52	230	2,02	237.620,21	26	0,08	256,87
a) foodstuffs				230	2,02	237.620,21	10	0,03	91,73
b) alcoholic beverages	7	0,02	64,52				16	0,05	165,14
c) other beverages									
2. Body care products	26	0,06	77,74	0	0,00	0,00	7	0,02	13,11
a) perfumes and cosmetics	17	0,04	48,26				7	0,02	13,11
b) other products	9	0,02	29,48						
3. Clothes and clothing accessories	22.375	54,21	125.769,71	3.265	28,61	36.921,53	16.575	52,26	46.376,68
a) clothes	6.149	14,90	100.646,78	1.541	13,50	21.118,63	14.380	45,34	31.086,89
b) clothing accessories	16.226	39,31	25.122,93	1.724	15,11	15.802,91	2.195	6,92	15.289,79
4. Footwear	12.189	29,53	29.295,53	75	0,66	838,70	245	0,77	3.358,58
a) sports footwear	110	0,27	5.822,67	9	0,08	244,25	171	0,54	3.011,27
b) other footwear	12.079	29,26	23.472,86	66	0,58	594,45	74	0,23	347,31
5. Personal accessories	1.145	2,77	33.862,12	4.481	39,26	50.276,72	11.192	35,29	95.184,18
a) sunglasses and prescription glasses	361	0,87	2.871,88	3.171	27,79	31.847,67	6.977	22,00	46.109,78

b) bags	687	1,66	30.206,91	1.048	9,18	15.202,11	631	1,99	11.739,19
c) watches	93	0,23	735,92	247	2,16	3.165,12	3.564	11,24	37.054,74
d) jewellery and other accessories	4	0,01	47,41	15	0,13	61,82	20	0,06	280,47
6. Mobile phones, parts and implements	0	0,00	0,00	0	0,00	0,00	16	0,05	134,99
a) mobile phones									
b) parts and implements							16	0,05	134,99
7. Electrical / electronic and computer equipment	6	0,01	465,34	0	0,00	0,00	1.035	3,26	4.694,27
a) audio/video devices including spare parts and implements							1	0,00	56,36
b) memory cards and sticks									
c) toners and inks	6	0,01	465,34				48	0,15	1.187,53
d) computer equipment (hardware) including parts and implements									
e) other equipment including accessories and spare parts							986	3,11	3.450,39
8. CDs, DVDs, cassettes and other data carriers	0	0,00	0,00	0	0,00	0,00	0	0,00	0,00
a) recorded (music, film, programs, games)									
b) unrecorded									
9. Toys, games and sports equipment	4.921	11,92	3.739,86	2.130	18,66	1.150,59	1.377	4,34	2.358,32
a) toys	4.896	11,86	3.617,37	1.889	16,55	744,78	1.210	3,81	1.001,18

b) games (including electronic game consoles)	15	0,04	36,00	6	0,05	9,51			
c) sports equipment (including leisure time equipment)	10	0,02	86,49	235	2,06	396,30	167	0,53	1.357,14
10. Tobacco products	0	0,00	0,00	0	0,00	0,00	114	0,36	373,38
a) cigarettes							114	0,36	373,38
b) other tobacco products									
11. Medical products	0	0,00	0,00	0	0,00	0,00	0	0,00	0,00
12. Other	611	1,48	7.044,66	1.228	10,76	40.817,30	1.130,00	3,56	6.470,71
a) machines and tools				183	1,60	20.222,91			
b) vehicles including parts and implements									
c) office supplies	1								
d) lighters									
e) labels, stickers				12	0,11	0,79	279	0,88	25,82
f) textile products	49	0,12	454,70				16	0,05	379,89
g) packaging material				8	0,07	10,57	147	0,46	144,82
h) other	561	1,36	6.589,96	1.025	8,98	20.583,03	688	2,17	5.920,18
TOTAL	41.280	100,00	200.319,48	11.409	100,00	367.625,05	31.717	100,00	159.221,09

This method of presenting data was introduced on 1 January 2011

Table 4.6.A

The types and number of pieces of temporarily seized goods for infringing the trademark provisions, 2014 - 2016

- Customs Administration

TYPE OF GOODS	Customs Administration								
	2014.			2015.			2016.		
	Pcs	%	Value in €	Pcs	%	Value in €	Pcs	%	Value in €
1. Foodstuffs, alcoholic and other beverages	0	0,00	0,00	0	0,00	0,00	0	0,00	0,00
a) foodstuffs							0	0,00	0,00
b) alcoholic beverages							0	0,00	0,00
c) other beverages							0	0,00	0,00
2. Body care products	0	0,00	0,00	900	0,13	6.073,69	431	0,95	14.114,50
a) perfumes and cosmetics				780	0,12	4.810,52	431	0,95	14.114,50
b) other products				120	0,01	1.263,17	0	0,00	0,00
3. Clothes and clothing accessories	41.351	60,43	451.920,44	67.488	10,07	922.619,29	13.236	29,09	418.687,65
a) clothes	40.263	58,84	438.927,10	35.939	5,36	389.536,57	8.955	19,68	399.366,10
b) clothing accessories	1.088	1,59	12.993,34	31.549	4,71	533.082,72	4.281	9,41	19.321,55
4. Footwear	2.245	3,28	18.010,83	12.211	1,82	39.706,58	2.624	5,77	36.019,35
a) sports footwear	16	0,02	260,00	10.874	1,62	29.969,74	2.291	5,04	33.587,35
b) other footwear	2.229	3,26	17.750,83	1.337	0,2	9.736,84	333	0,73	2.432,00
5. Personal accessories	19.339	28,26	171.935,08	78.860	11,77	948.744,07	19.585	43,05	135.433,90
a) sunglasses and prescription glasses	12.248	17,90	106.880,71	29.828	4,45	309.803,02	10.759	23,65	77.212,20

b) bags	3.019	4,41	33.390,36	29.160	4,35	448.909,85	7.705	16,94	50.489,60
c) watches	2.855	4,17	24.343,59	15.534	2,32	166.171,97	1.101	2,42	7.678,70
d) jewellery and other accessories	1.217	1,78	7.320,42	4.338	0,65	23.859,23	20	0,04	53,40
6. Mobile phones, parts and implements	91	0,13	746,27	7.307	1,09	30.896,76	2.190	4,82	21.684,15
a) mobile phones				0	0	0	9	0,02	120,00
b) parts and implements	91	0,13	746,27	7.307	1,09	30.896,76	2.181	4,80	21.564,15
7. Electrical / electronic and computer equipment	3.005	4,39	24.622,86	462	0,07	3.105,26	1.065	2,34	9.020,00
a) audio/video devices including spare parts and implements	2.988	4,37	24.503,86	418	0,06	2.718,42	1.065	2,34	9.020,00
b) memory cards and sticks							0	0,00	0,00
c) toners and inks							0	0,00	0,00
d) computer equipment (hardware) including parts and implements	17	0,02	119,00				0	0,00	0,00
e) other equipment including accessories and spare parts				44	0,01	386,84	0	0,00	0,00
8. CDs, DVDs, cassettes and other data carriers	0	0,00	0	0	0,00	0	0	0,00	0,00
a) recorded (music, film, programs, games)							0	0,00	0,00
b) unrecorded							0	0,00	0,00
9. Toys, games and sports equipment	216	0,32	1.505,78	46.781	6,98	174.220,75	3.910	8,59	31.853,80
a) toys				9.772	1,46	19.710,24	2.764	6,08	14.863,90
b) games (including electronic game consoles)				29.446	4,39	81.275,00	4	0,01	35,70

c) sports equipment (including leisure time equipment)	216	0,32	1.505,78	7.563	1,13	73.235,51	1.142	2,50	16.954,20
10. Tobacco products	0	0,00	0	0	0	0	0	0,00	0,00
a) cigarettes							0	0,00	0,00
b) other tobacco products							0	0,00	0,00
11. Medical products	0	0,00	0	0	0	0	0	0,00	0,00
12. Other	2.181	3,19	15.562,60	456.208	68,07*	321.790,79	2.452	5,40	10.527,75
a) machines and tools	11	0,02	2.500,00	13	0,01	193,42	2	0,01	605,70
b) vehicles including parts and implements	128	0,19	6.336,98				0	0,00	0,00
c) office supplies							1.851	4,07	6.170,00
d) lighters	12	0,02	98,41				0	0,00	0,00
e) labels, stickers	933	1,36	313,00				14	0,03	28,00
f) textile products	63	0,09	340,62	3.337	0,49	12.357,24	128	0,28	1.154,75
g) packaging material				800	0,12	539,47	4	0,01	5,00
h) other	1.034	1,51	5.973,59	452.058	67,45	308.700,66	453	1,00	2.564,30
TOTAL	68.428	100,00	684.303,86	670.217	100	2.447.157,19	45.493	100	677.341,10

Chart 4.4.
Proportion of the particular types of temporarily seized goods for infringing trademark provisions in 2016
- Customs Administration

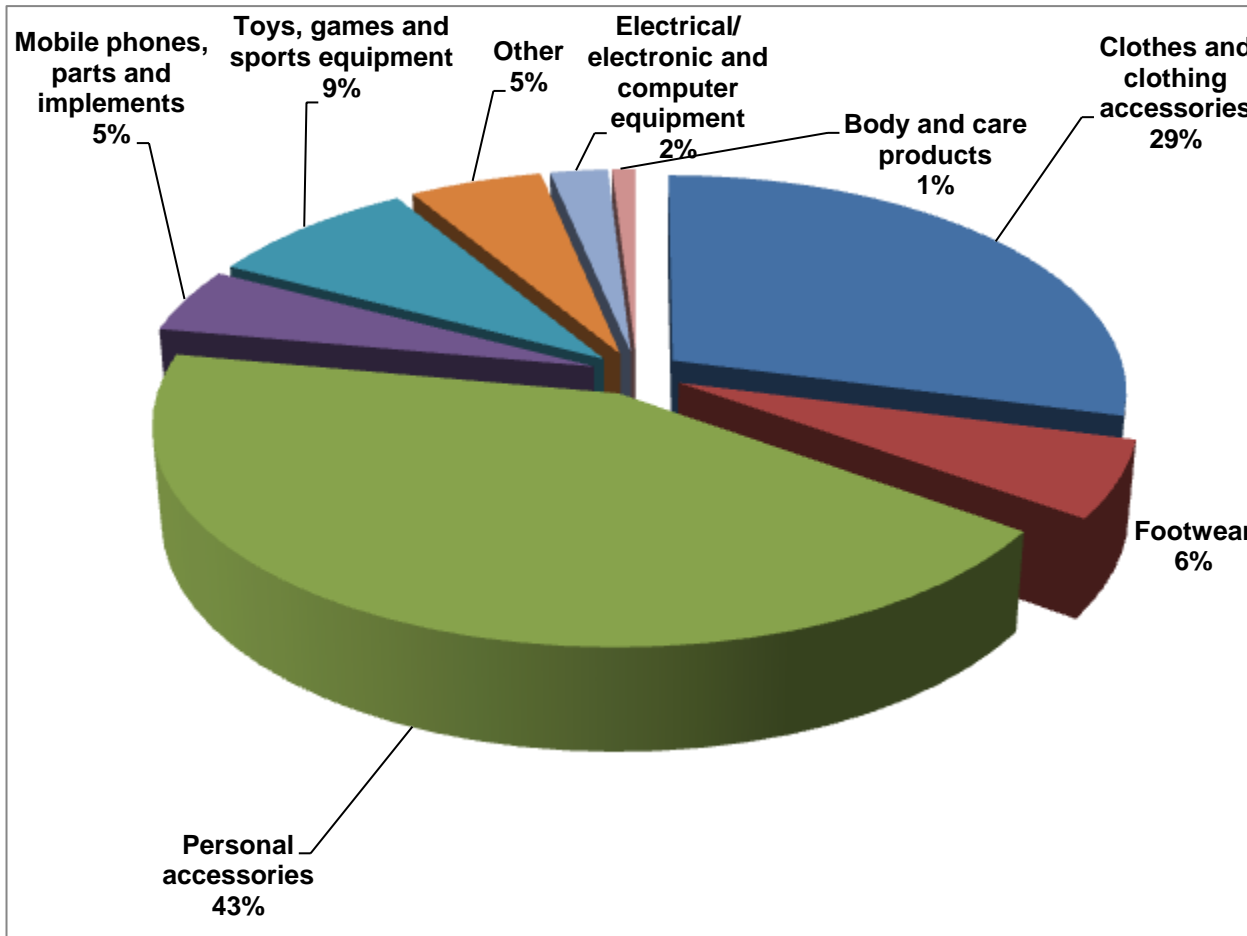


Table 4.7.
Inspections relating to the circulation of products made according to a protected invention
- State Inspectorate

Year	Number of inspections	Indictments served under the PA	Temporarily seized goods	
			Number of pieces	Value in €
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
2012	0	0	0	0,00
2013	3	0	0	0,00

PA – Patent Act

Table 4.7.a
Inspections relating to the circulation of products made according to a protected invention
- Customs Administration

Year	Number of inspections				Temporarily seized goods	
		Number of indictments	Number of misdemeanour warrants	%	Number of pieces	Value in €
2014	0	0	0	0	0	0,00
2015	0	0	0	0	0	0,00
2016	0	0	0	0	0	0,00

Table 4.8.

Inspections relating to the circulation of products concerning the protection of industrial designs
- State Inspectorate

Year	Number of inspections	Number of indictments and misdemeanour warrants under the IDA	Temporarily seized goods	
			Number of pieces	Value in €
2008	7	4	282	1.905,40
2009	32	3	16	71,87
2010	41	2	2	120,54
2011	55	7	-	31.537,92
2012	55	16	-	-
2013	64	6	-	-

IDA – Industrial Design Act

Table 4.8.a

Inspections relating to the circulation of products concerning the protection of industrial designs
- Customs Administration

Year	Number of inspections				Temporarily seized goods	
		Number of indictments	Number of misdemeanour warrants	%	Number of pieces	Value in €
2014	3	0	1	33,33	150	60,00
2015	2	0	1	50,00	2	73,68
2016	24	0	24	100	13.098	15.030,00

Table 4.9.**Inspections relating to the circulation of products concerning the protection of geographical indications and designations of origin****- State Inspectorate**

Year	Number of inspections	Number of misdemeanours	Goods withdrawn from circulation	
			Number of pieces	Value in €
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
2012	6	0	0	0,00
2013	47	2	0	0,00

– Food Act

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

– Act on Geographical Indications and Designations of Origin of Products and Services

Table 4.9.a**Inspections relating to the circulation of products concerning the protection of geographical indications and designations of origin****- Customs Administration**

Year	Number of inspections				Temporarily seized goods	
		Number of indictments	Number of misdemeanour warrants	%	Number of pieces	Value in €
2014	0	0	0	0	0	0,00
2015	0	0	0	0	0	0,00
2016	0	0	0	0	0	0,00

– Act on Geographical Indications and Designations of Origin of Products and Services

Table 4.9.b

Inspections relating to the production and circulation of agricultural products and foodstuffs and products in the sector of winemaking and the sector of spirits protected by geographical indications and designations of origin in 2016

- Ministry of Agriculture

Year	Number of inspections	Number of misdemeanours	Goods withdrawn from circulation	
			Number of pieces	Value in €
PDO and PGI of agricultural products and foodstuffs				
2016	Users of PDO and PGI and entities under supervision of control authorities (production)			
	28	3	-	-
	Retail sale* (shops and restaurants)			
	125	14	-	-
2016	Producers who are not users of a designation and use a protected name without authorisation			
	3	3	-	-
PDO and PGI in the wine sector				
2016	179	-	-	-
GI in the spirits sector				
2016	76	-	-	-
TOTAL	411	20	-	-

PDO – protected designation of origin

PGI – protected geographical indication

**As defined under Article 3 paragraph 1 item 7 of the Regulation (EC) No. 178/2002 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, retail includes distribution terminals, catering operations, factory canteens, institutional catering, restaurants and other similar food service operations, shops, supermarket distribution centres and wholesale outlets.*

11 indictments have been served or 5 misdemeanour warrants issued to competent misdemeanours courts for irregularities as established.

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

Data have been presented concerning the number of criminal offences relating to the infringements of intellectual property rights, and the number of reported perpetrators of this type of criminal offences (up to 2010, data on the number of criminal reports as filed were monitored).

Since 1 January 2011, the statistical data on the number of criminal offences and the number of persons reported have been collected and monitored at the Ministry of the Interior, as well as the data on the number of temporarily seized goods in these criminal procedures.

With regard to the fact that the manner of collecting and recording of data by the Ministry of the Interior and the State Attorney's Office of the Republic of Croatia differs to a certain extent, the data provided by these two institutions are not completely comparable.

Where one person committed two or more criminal offences, he/she shall be entered in statistical tables of the Ministry of the Interior only once, and that for the most serious criminal offence.

When processing a criminal report as filed, the State Attorney's Office may in the continuation of processing make a legal prequalification of a criminal offence, which may also affect statistical recording and reporting.

Table 5.1.**Data on the infringements of intellectual property rights, 2009 - 2012****- Ministry of the Interior**

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

		Number of criminal reports against known perpetrators		Number of criminal offences and the number of reported persons*			
		2009	2010	2011		2012	
				Criminal offences	Reported persons	Criminal offences	Reported persons
Infringements of copyrights	Infringement of the rights of authors or of the rights of performers, Article 229 CC	2	1	0	0	0	0
	Unauthorized use of an author's work or of a performer's performance, Article 230 CC	112	129	192	106	253	90
	Infringement of the rights of producers of phonograms or videograms or the rights related to radio broadcastings, Article 231 CC	12	18	81	2	65	0
	Total copyrights	126	148	273	108	318	90
Infringements of industrial property rights	Infringement of the rights conferred by an invention applied for or protected, Article 232 CC	0	5	2	3	1	1
	Infringement of the industrial property rights and unauthorized use of another person's firm, Article 285 CC	100	86	138	70	188	73
	Total industrial property rights	100	91	140	73	189	74
Total		226	239	413	181	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 criminal offences are recorded only once, and that for the most serious criminal offence.

Table 5.1.A
Data on the infringements of intellectual property rights 2013 - 2016
– Ministry of the Interior
(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)

	Criminal offences	2013		2014		2015		2016	
		Criminal offences	Reported persons	Criminal offences	Reported persons	Criminal offences	Reported persons	Criminal offences	Reported persons
Infringements of copyright	Infringement of personal rights of an author or a performer, Art. 284 CC	2	2	3	4	0	0	0	0
	Unauthorized use of an author's work or of a performer's performance, Art. 285 CC	42	29	14	7	6	5	3	2
	Infringement of other copyright-related rights, Art. 286 CC	10	2	6	1	13	3	0	0
	Total copyrights and related rights	54	33	23	12	19	8	3	2
Infringements of industrial property rights	Infringement of the right to an invention, Art. 287 CC	0	0	0	0	0	0	0	0
	Infringement of a trademark, Art. 288 CC	53	17	21	13	21	9	5	5
	Infringement of a registered designation of origin, Art. 289 CC	0	0	1	0	1	-	0	0
	Total industrial property rights	53	17	22	13	22	9	5	5
	Total	107	50	45	25	41	17	8	7

NOTE: Criminal offences from Article 284 paragraph 1 to 3 CC are persecuted upon motion of an injured person or another interested person. Persons who committed several criminal offences are recorded only once, for the most serious criminal offence.

Chart 5.1.
Data on the infringements of intellectual property rights in 2016
- Ministry of the Interior

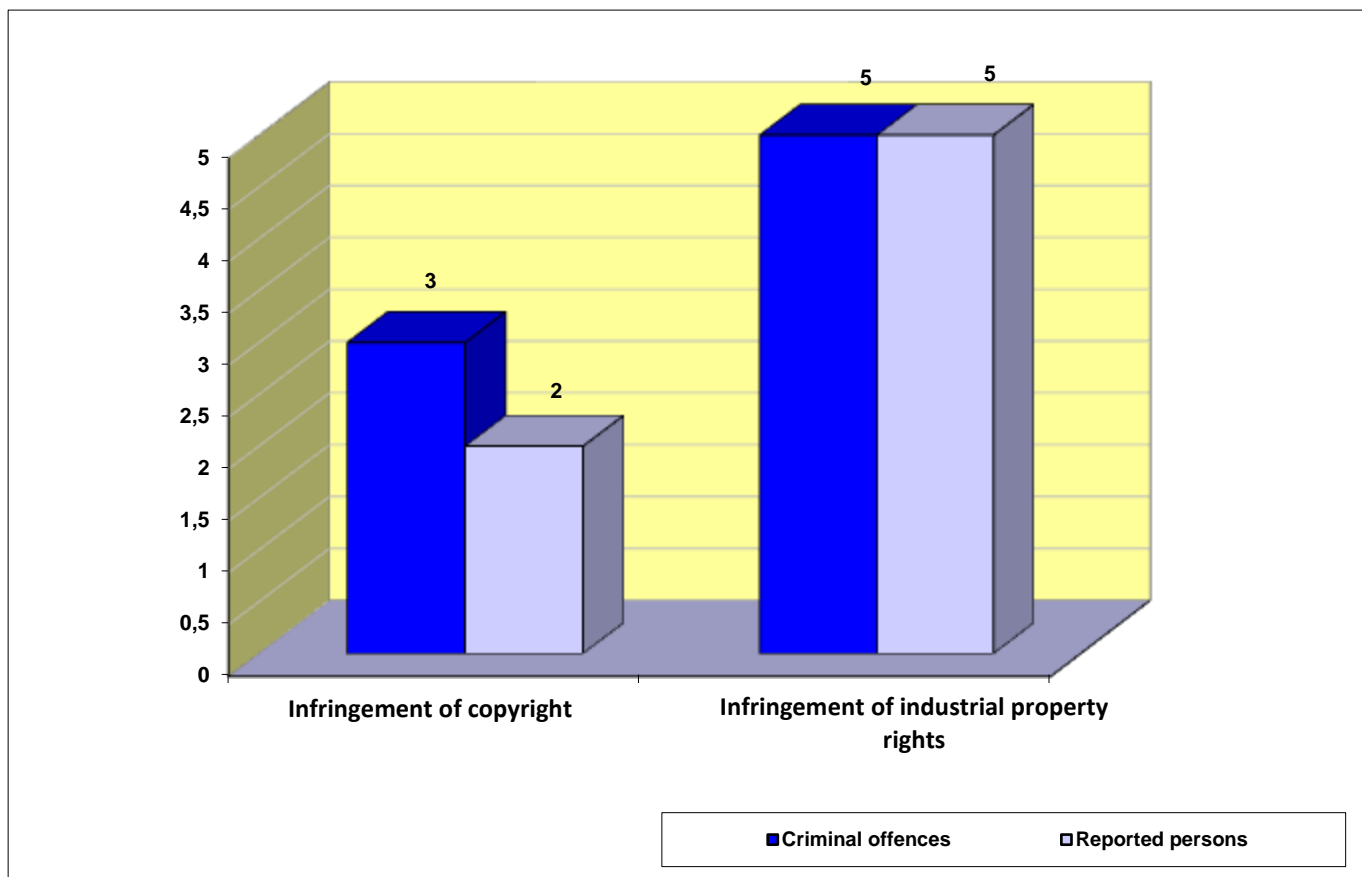


Table 5.2.

Number of temporarily seized goods with proportions in the aggregate number according to the product type, 2011 - 2016
- Ministry of the Interior

PRODUCT TYPE	2011		2012		2013		2014		2015		2016	
	Number of products	%	Number of products	%	Number of products	%	Number of products	%	Number of products	%	Number of products	%
1. Foodstuffs, alcoholic and other beverages	0	0,0	0	0,00	0	0,00	0	0,00	0	0,00	0	0,00
a) foodstuffs												
b) alcoholic beverages												
c) other beverages												
2. Body care products	1	0,0	0	0,00	1.063	9,53	0	0,00	158	5,01	0	0,00
a) perfumes and cosmetics	1	0,0			1.063	9,53			158			
b) other products												
3. Clothes and clothing accessories	2.835	26,6	3.181	13,29	431	3,86	577	24,99	485	15,38	0	0,00
a) clothes	2.764	25,8	3.007	12,56	411	3,68			483			
b) clothing accessories	89	0,8	174	0,73	20	0,18	577	24,99	2			
4. Footwear	2.596	24,3	436	1,82	17	0,15	499	21,61	242	7,67	0	0,00
a) sports footwear	2.424	22,7			17	0,15	499	21,61	242			
b) other footwear	172	1,6	436	1,82								
5. Personal accessories	1.062	9,95	14.689	61,33	134	1,20	89	3,85	536	16,99	0	0,00
a) sunglasses and prescription glasses	450	4,22	5.625	23,49	48	0,43	4	0,17	291			

b) bags	153	1,43	1.410	5,89			55	2,38	232			
c) watches	47	0,44	6.731	28,10	86	0,77	26	1,13	13			
d) jewellery and other accessories	412	3,86	923	3,85			4	0,17				
6. Mobile phones, parts and implements	1	0,01	38	0,16	73	0,65	115	4,98	43	1,36	34	0,51
a) mobile phones	1	0,01	9	0,04	3	0,02	40	1,73	17		33	0,5
b) parts and implements			29	0,12	70	0,63	75	3,25	26		1	0,01
7. Electrical / electronic and computer equipment	37	0,32	129	0,54	19	0,17	59	2,55	196	6,21	148	2,21
a) audio/video devices including spare parts and implements	3	0,02	31	0,13	1	0,01					3	0,04
b) memory cards and sticks	3	0,02	48	0,20	1	0,01	41	1,77	111		30	0,45
c) toners and inks												
d) computer equipment (hardware) including parts and implements	26	0,24	50	0,21	17	0,15	17	0,74	45		115	1,72
e) other equipment including accessories and spare parts	5	0,04					1	0,04	40		0	
8. CDs, DVDs, cassettes and other data carriers	4.123	38,64	5.149	21,50	1.493	13,38	0	0,00	1.135	35,99	6.504	97,28
a) recorded (music, film, programs, games)	2.246	21,05	4.593	19,18	1.493	13,38			1.131		0	
b) unrecorded	1.877	17,59	556	2,32					4		6.504	97,28

9. Toys, games and sports equipment	13	0,12	113	0,47	0	0,00	0	0,00	0	0,00	0	0,0
a) toys			113	0,47								
b) games (including electronic game consoles)	13	0,12										
c) sports equipment (including leisure time equipment)												
10. Tobacco products	0	0,00	0	0,00	0	0,00	0	0,00	0	0,00	0	0,0
a) cigarettes												
b) other tobacco products												
11. Medical products	0	0,00	0	0,00	7.926	71,04	0	0,00	90	2,85	0	0,0
12. Other	1	0,01	214	0,89	1	0,01	970	42,01	269	8,53	0	0,0
a) machines and tools												
b) vehicles including parts and implements												
c) office supplies												
d) lighters												
e) labels, stickers							970	42,01				
f) textile products												
g) packaging material												
h) other	1	0,01	214	0,89	1	0,01			269			
TOTAL	10.669	100,00	23.949	100,00	11.157	100,00	2.309	100,00	3.154	100,00	6.686	100,0

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

For the purpose of presenting statistical data within the competence of the State Attorney's Office of the Republic of Croatia, the data have been presented in detail concerning the aggregate number of persons reported for criminal offences infringing the intellectual property rights, then data on the number of known offenders and the types of decisions made in these criminal cases by the state attorney's office, as well as the number of unknown perpetrators of the mentioned criminal offences.

Reports with the state attorney's offices have been directly filed by natural or legal persons, and by the Ministry of the Interior (MUP).

With regard to the fact that the manner of collecting and recording of data by the Ministry of the Interior and the State Attorney's Office of the RoC differs to a certain extent, the data provided by these two institutions are not completely comparable.

When processing a criminal report as filed, the State Attorney's office may in the continuation of processing make a legal prequalification of a criminal offence, which may also affect the statistical recording and reporting.

Table 6.1.
Criminal offences infringing intellectual property rights – decisions issued by state attorney’s offices in 2016
– State Attorney’s Office

Year	Reported offenders total	Of these reported by MOI	Known offenders				Total pending cases	Unknown offenders
			Total cases closed	Report rejected	Taking of evidence	Indictment filed		
2016	53	12	32	25	1	6	21	0

Chart 6.1.
The types of decisions issued in 2016
– State Attorney’s Office

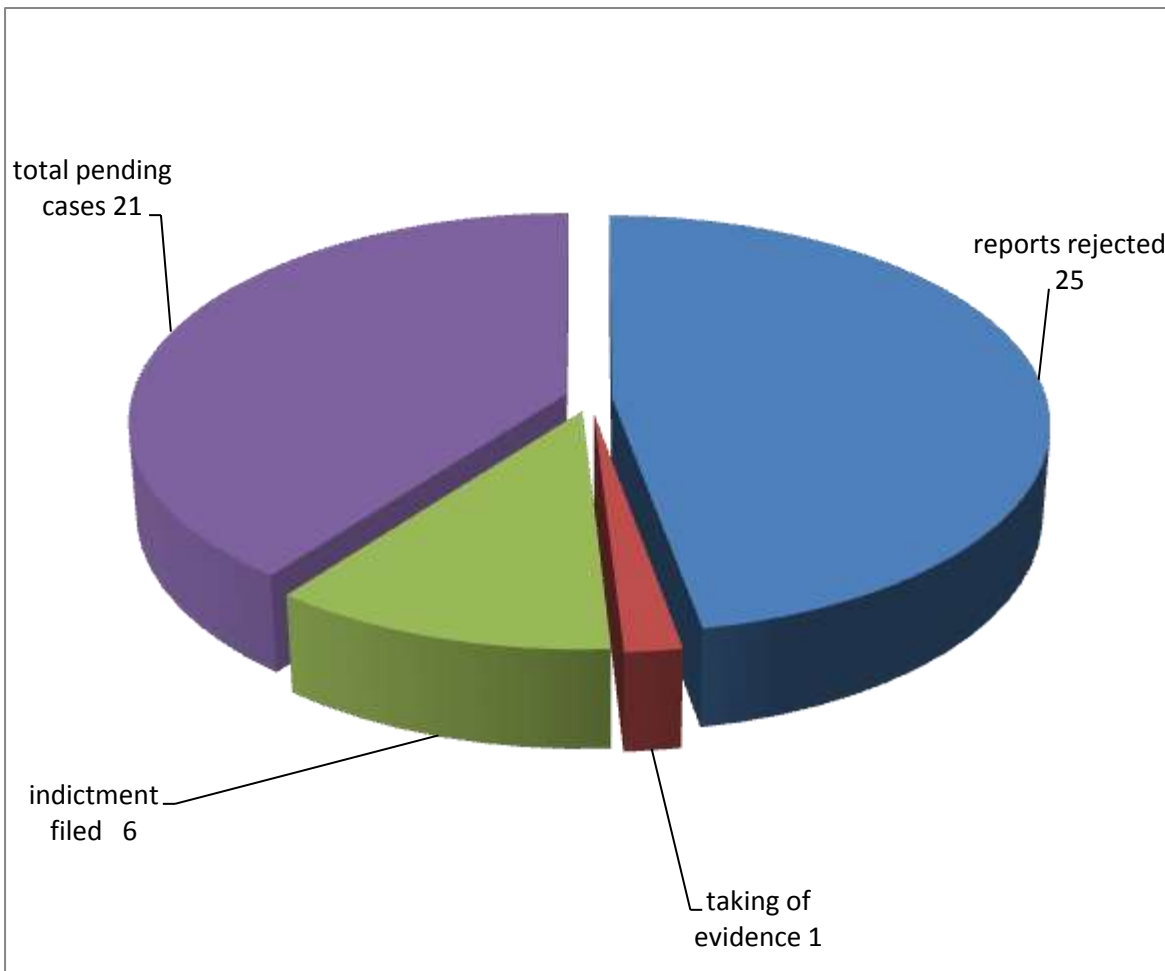


Table 6.2.

**Adult persons reported, according to type of decision on criminal offence –
Infringement of the rights of authors or of the rights of performers, Art. 229 CC
- State Attorney's Office**

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC USRH, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

Year	Reported offenders total	Of these reported by MOI*	Known offenders					Unknown offenders
			Total cases closed	Report rejected	Taking of evidence	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
2012	4	1	3	3	0	0	1	0

* Since 1 January 2011, the data on the number of offenders reported by the Ministry of the Interior and the number of pending reports for known offenders have been monitored separately.

Table 6.2.A

**Adult persons reported, according to type of decision on criminal offence Infringement of the personal rights of authors or of performers, Art. 284 CC
– State Attorney's Office**

(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)

Year	Reported offenders total	Of these reported by MOI	Method of settlement - Known offenders					Unknown offenders
			Total cases closed	Report rejected	Taking of evidence	Indictment filed	Total pending cases	
2013	3	0	3	3	0	0	0	0
2014	1	1	1	1	0	0	0	0
2015	3	1	1	1	0	0	2	0
2016	8	0	7	7	0	0	1	0

Note:

Criminal offences from Article 284 paragraph 1 to 3 CC are persecuted upon request of an injured person or another interested person.

Table 6.3.**Adult persons reported, according to type of decision on criminal offence Unauthorized use of an author's work or of a performer's performance, Art. 230 CC****- State Attorney's Office**

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

Year	Reported offenders total	Of these reported by MOI*	Known offenders					Unknown offenders
			Total cases closed	Report rejected	Taking of evidence	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
2012	148	139	92	31	18	44	56	1

* Since 1 January 2011, the data on the number of offenders reported by the Ministry of the Interior and the number of pending reports for known offenders have been monitored separately.

Table 6.3.A**Adult persons reported, according to type of decision on criminal offence Unauthorized use of an author's work or of a performer's performance, Art. 285 CC****- State Attorney's Office**

(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)

Year	Reported offenders total	Of these reported by MOI	Method of settlement - Known offenders					Unknown offenders
			Total cases closed	Report rejected	Taking of evidence	Indictment filed	Total pending cases	
2013	32	30	21	8	2	11	11	0
2014	7	7	7	4	0	3	0	0
2015	27	9	16	13	2	1	11	0
2016	24	8	16	14	0	2	8	0

Chart 6.2.
Trends for adult persons reported for criminal offences relating to copyright infringement (aggregate data from Tables 6.2. and 6.3. and 6.2.A and 6.3.A) – State Attorney’s Office

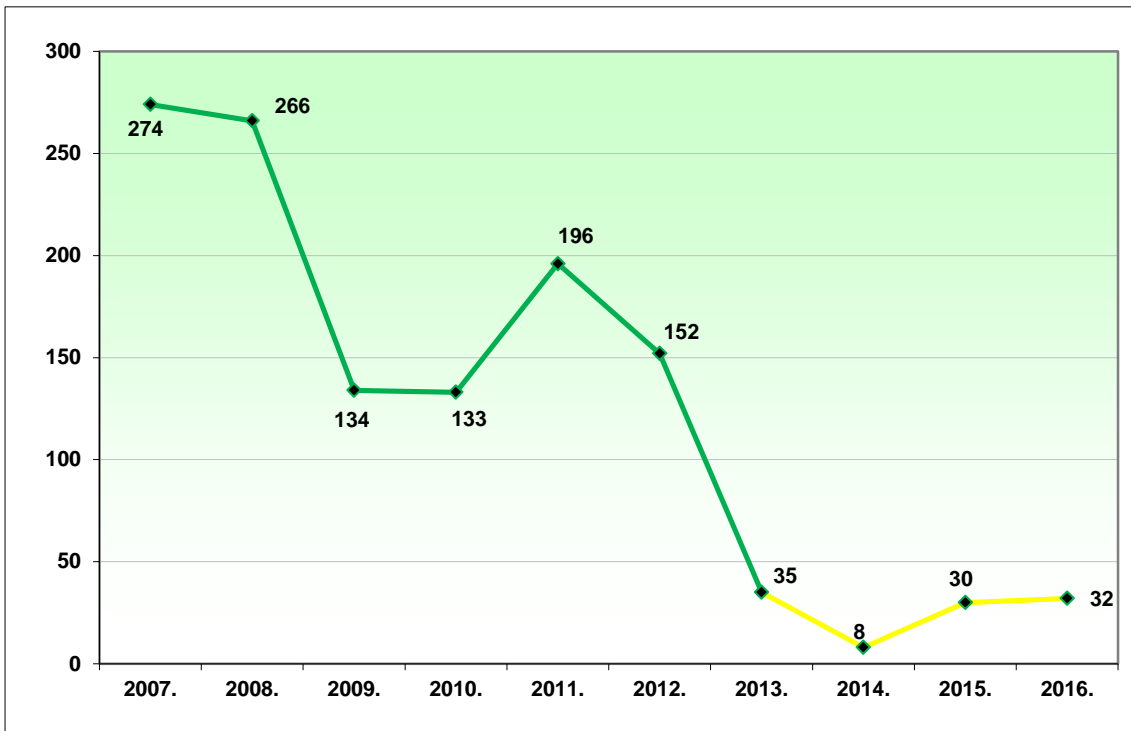


Chart 6.3.
Trends of criminal reports rejections concerning the infringements of copyright (aggregate data from Tables 6.2. and 6.3. and 6.2.A and 6.3.A) – State Attorney’s Office

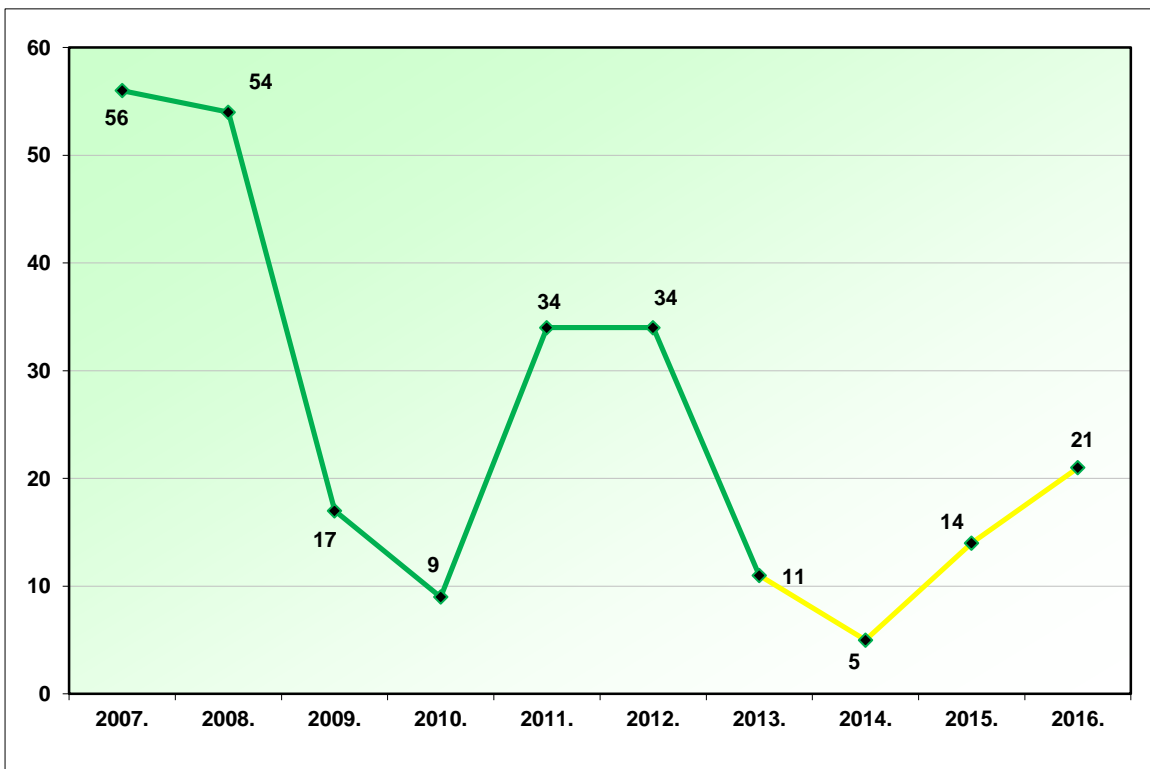


Chart 6.4.

Trends of indictments served for criminal offences comprising copyright infringement (aggregate data from Tables 6.2. and 6.3. and 6.2.A and 6.3.A) – State Attorney’s Office

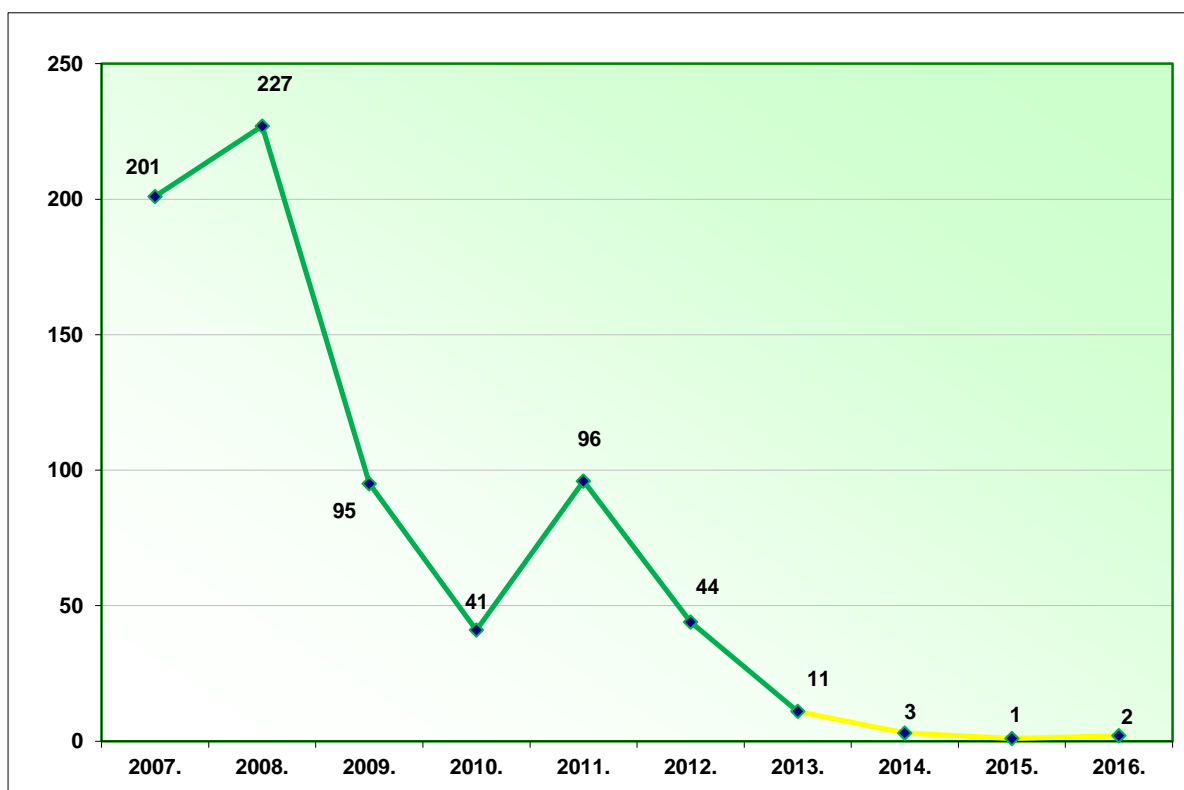


Table 6.4.

Adult persons reported, according to type of decision on criminal offence - Infringement of the rights of producers of phonograms or videograms and the rights related to radio broadcastings, Art. 231 CC

- State Attorney’s Office

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

Year	Reported offenders total	Of these reported by MOI*	Known offenders					Unknown offenders
			Total cases closed	Report rejected	Taking of evidence	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
2012	18	17	5	2	2	0	13	3

* Since 1 January 2011, the data on the number of offenders reported by the Ministry of the Interior and the number of pending reports for known offenders have been monitored separately.

Table 6.4.A

**Adult persons reported, according to type of decision on criminal offence - Infringement of other copyright-related rights, Art. 286 CC
- State Attorney's Office**

(Criminal Code, OG 125/11, 144/12,56/15 and 61/15)

Year	Reported offenders total	Of these reported by MOI	Method of settlement - Known offenders					Unknown offenders
			Total cases closed	Report rejected	Taking of evidence	Indictment filed	Total pending cases	
2013	6	5	3	0	0	3	3	0
2014	10	1	9	4	0	5	1	0
2015	13	4	10	5	0	5	3	0
2016	4	0	2	1	1	0	2	0

Chart 6.5.
Trends in the total number of cases closed – Infringements of copyright-related rights
(data from the Tables 6.4 and 6.4.A)
- State Attorney's Office

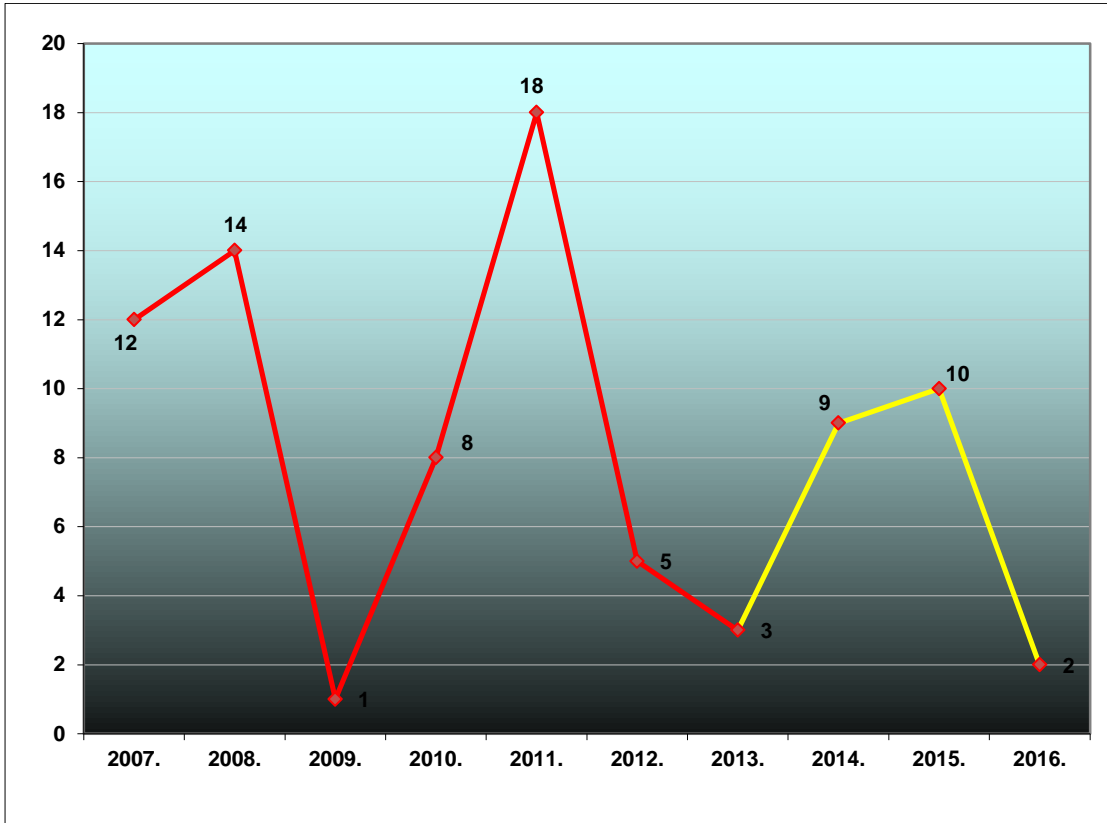


Table 6.5.**Adult persons reported, according to type of decision on criminal offence - Infringement of the right conferred by an invention applied for or protected, Art. 232 CC****- State Attorney's Office**

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

Year	Reported offenders total	Of these reported by MOI*	Known offenders					Unknown offenders
			Total cases closed	Report rejected	Taking of evidence	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
2012	1	0	0	0	0	0	1	0

* Since 1 January 2011, the data on the number of offenders reported by the Ministry of the Interior and the number of pending reports for known offenders have been monitored separately.

Table 6.5.A**Adult persons reported, according to type of decision on criminal offence – Infringement of the right to an invention, Art. 287 CC****- State Attorney's Office**

(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)

Year	Reported offenders total	Of these reported by MOI	Method of settlement - Known offenders					Unknown offenders
			Total cases closed	Report rejected	Taking of evidence	Indictment filed	Total pending cases	
2013	0	0	0	0	0	0	0	0
2014	0	0	0	0	0	0	0	0
2015	4	0	4	4	0	0	0	0
2016	1	1	0	0	0	0	1	0

Chart 6.6.
Trends in the total number of cases closed - Infringement of the right to an invention,
(data from the Tables 6.5 and 6.5.A)
- State Attorney's Office

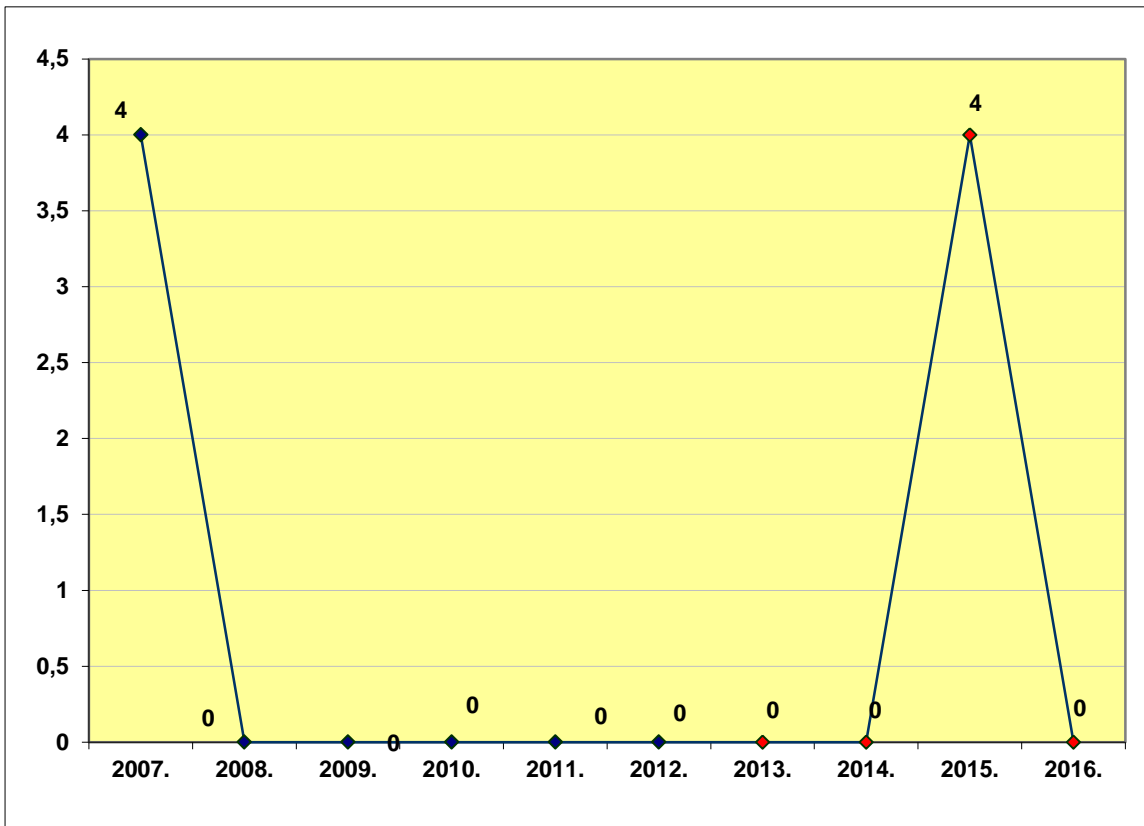


Table 6.6.**Adult persons reported, according to type of decision on criminal offence - Infringement of Industrial Property Rights and Unauthorized Use of Another's Company Name, Art. 285 CC****- State Attorney's Office**

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

Year	Reported offenders total	Of these reported by MOI*	Known offenders					Unknown offenders
			Total cases closed	Report rejected	Taking of evidence	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
2012	51	41	25	7	1	16	26	2

* Since 1 January 2011, the data on the number of offenders reported by the Ministry of the Interior and the number of pending reports for known offenders have been monitored separately.

Table 6.6.A**Adult persons reported, according to type of decision on criminal offence – Infringement of a trademark, Art. 288 CC****- State Attorney's Office**

(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)

Year	Reported offenders total	Of these reported by MOI	Method of settlement - Known offenders					Unknown offenders
			Total cases closed	Report rejected	Taking of evidence	Indictment filed	Total pending cases	
2013	6	6	5	3	0	2	1	0
2014	17	17	17	6	0	11	0	0
2015	21	9	11	2	3	6	10	0
2016	16	3	7	3	0	4	9	0

Table 6.6.B
Adult persons reported, according to type of decision on criminal offence –
Infringement of a registered designation of origin, Art. 289 CC
- State Attorney's Office
(Criminal Code, OG 125/11, 144/12,56/15 and 61/15)

Year	Reported offenders total	Of these reported by MOI	Method of settlement - Known offenders					Unknown offenders
			Total cases closed	Report rejected	Taking of evidence	Indictment filed	Total pending cases	
2013	0	0	0	0	0	0	0	0
2014	0	0	0	0	0	0	0	0
2015	2	0	2	0	2	0	0	0
2016	0	0	0	0	0	0	0	0

Chart 6.7.
Trends in the total number of cases closed – Infringement of industrial property rights and an unauthorized use of another person's firm / infringement of a trademark and a registered designation of origin (data from the Tables 6.6, 6.6.A and 6.6.B)
- State Attorney's Office

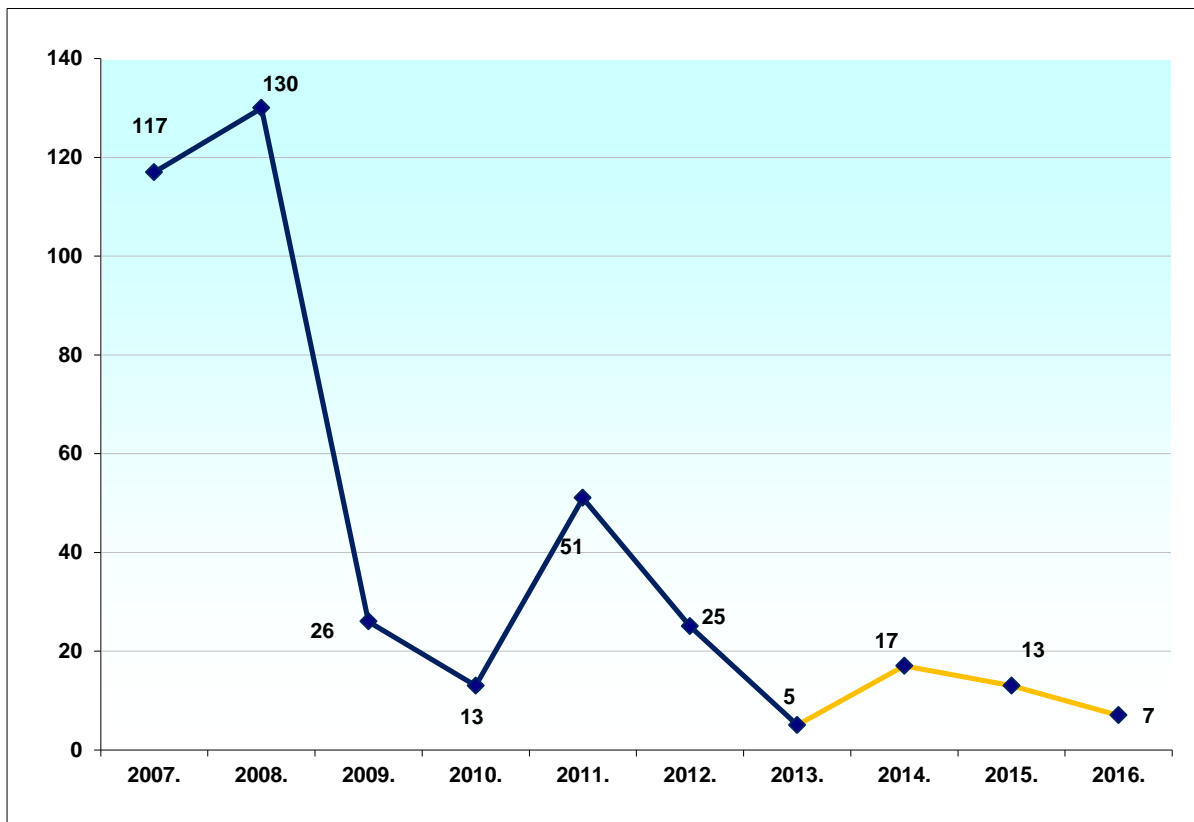


Chart 6.8.

Trends in rejecting criminal reports - Infringement of industrial property rights and an unauthorized use of another person's firm / infringement of a trademark and a registered designation of origin (data from the Tables 6.6, 6.6.A and 6.6.B) - State Attorney's Office

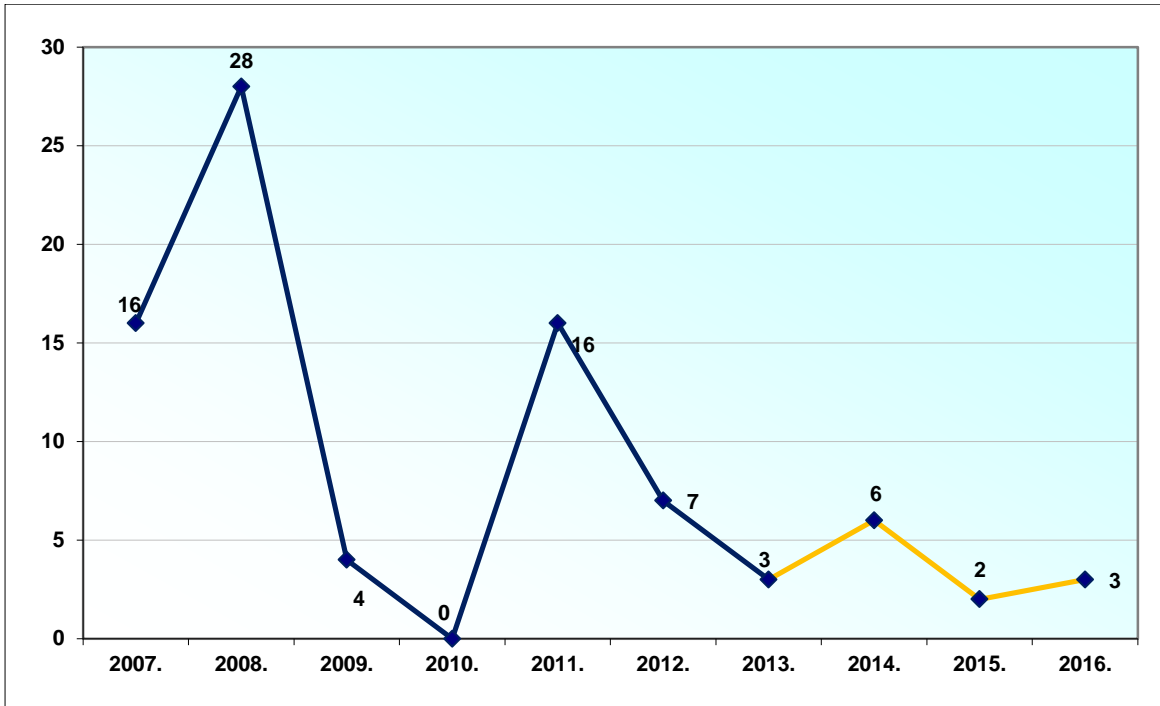


Chart 6.9.

Trends in indictments served - Infringement of industrial property rights and an unauthorized use of another person's firm / infringement of a trademark and a registered designation of origin (data from the Tables 6.6, 6.6.A and 6.6.B) - State Attorney's Office

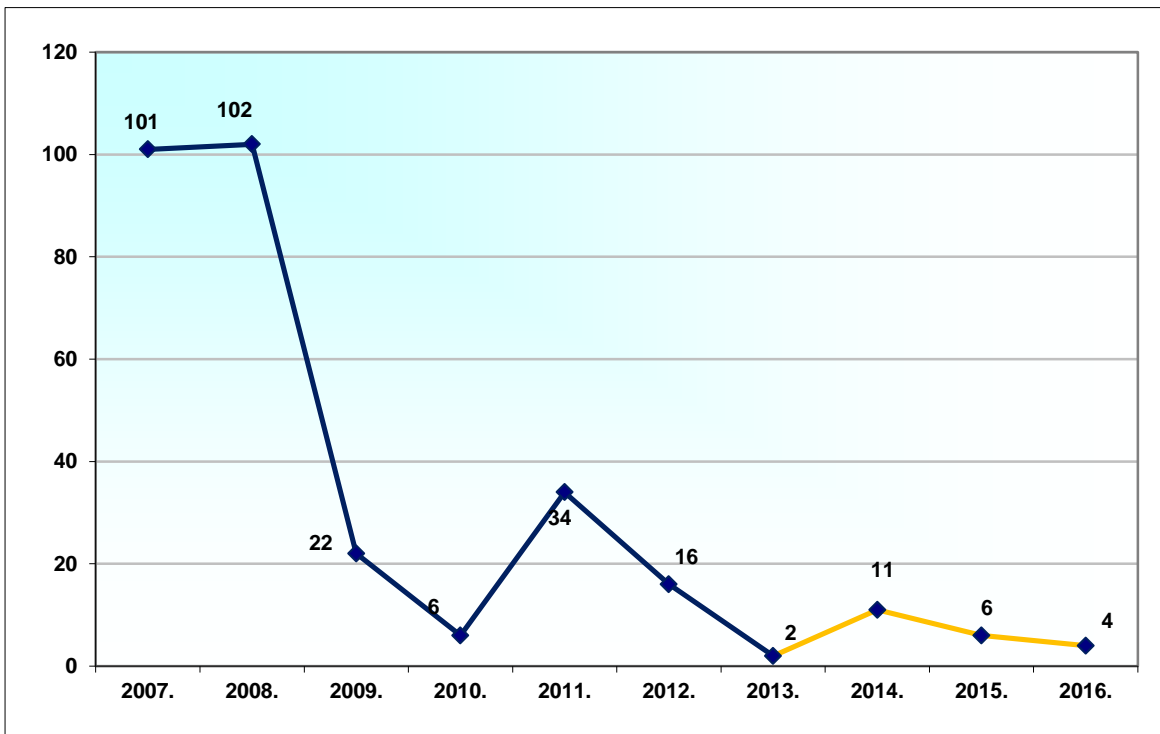


Table 6.7.**Adult persons reported for criminal offences infringing the intellectual property rights (2007 - 2012)****- State Attorney's Office**

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

		Criminal offences	Godina				
			2007	2008	2009	2010	2011
Copyright	Art. 229 CC	8	2	2	9	10	4
	Art. 230 CC	266	264	132	124	186	148
	Art. 231 CC	12	14	1	8	40	18
Total Copyright		286	280	135	141	236	170
Industrial Property	Art. 232 CC	4	0	0	0	4	1
	Art. 285 CC	122	130	31	13	97	51
Total Industrial Property Rights		126	130	31	13	101	52
TOTAL		412	410	166	154	337	222

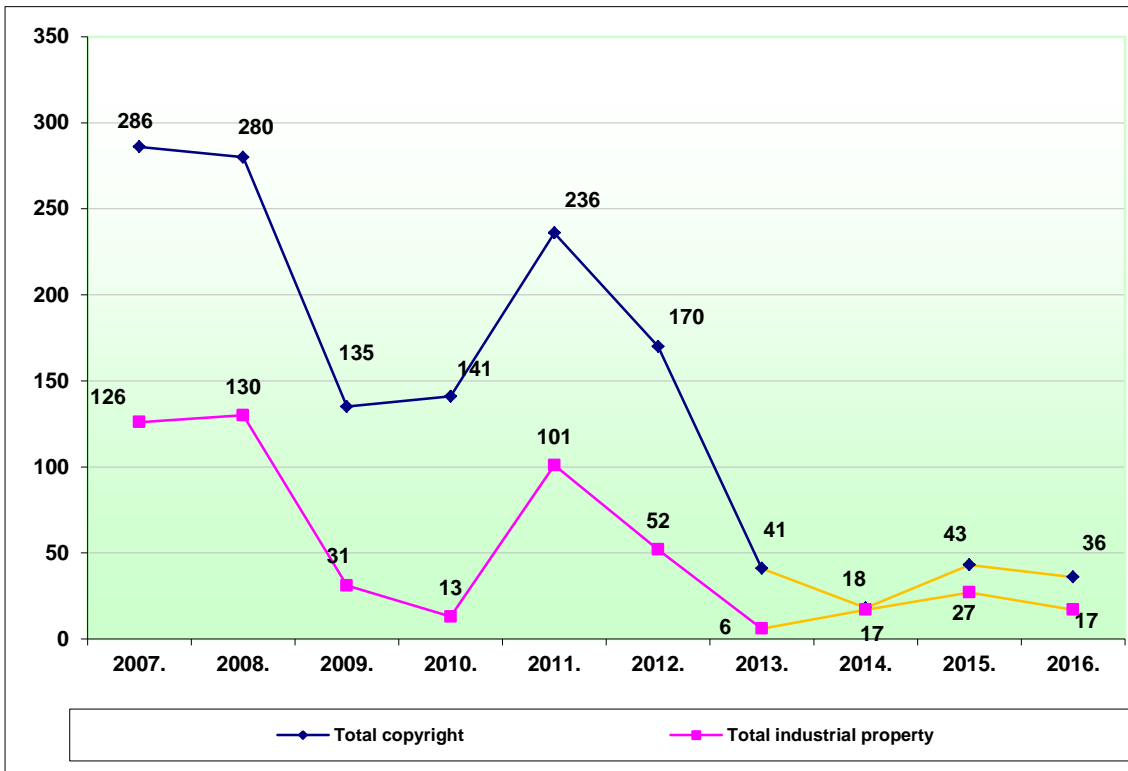
Table 6.7.A**Adult persons reported for criminal offences infringing the intellectual property rights (2013 - 2016)****- State Attorney's Office**

(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)

		Criminal offences	Year	Year	Year	Year
			2013	2014	2015	2016
Copyright	Art. 284 CC		3	1	3	8
	Art. 285 CC		32	7	27	24
	Art. 286 CC		6	10	13	4
Total Copyright and Related Rights			41	18	43	36
Industrial Property	Art. 287 CC		0	0	4	1
	Art. 288 CC		6	17	21	16
	Art. 289 CC		0	0	2	0
Total Industrial Property			6	17	27	17
TOTAL			47	35	70	53

Chart 6.10.

Trends in adult persons reported for criminal offences infringing copyright and related rights and industrial property rights (data from the Tables 6.7 and 6.7.A)
- State Attorney's Office



7. CRIMINAL COURTS AND MISDEMEANOUR' COURTS – DECISIONS

7.1. Criminal Law Sanctions

As regards the course of action of criminal procedure following the issue of an indictment brought by the State Attorney's Office, concerning the infringements of intellectual property rights, a presentation in detail is given of statistical data on the aggregate number of persons accused, the number of persons found guilty and of the types of decisions taken by criminal courts in cases persons were not found guilty, such as the number of suspensions of the criminal proceedings, the number of refusals, the number of acquittals and the number of persons not found guilty for being mentally incompetent.

The structure of criminal sanctions imposed in criminal procedures relating to the infringement of intellectual property rights has been presented. The statistical data have also been presented concerning the number of judicial proceedings in which offenders were imposed security measure of seizure of goods and material gain, as well as data concerning cost estimates of the fines imposed.

Note:

Data on the operation of criminal courts for 2016 delivered by the Ministry of Justice are given partly by the names of Articles from earlier wording of the Criminal Code (OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11) because criminal proceedings began at the time of this Code being valid, and partly by provisions of the new Criminal Code (OG 125/11, 144/12, 56/15 and 61/15), in relation to the proceedings started according to this Code.

Therefore, the data for 2016 are presented in separate tables for each individual criminal offence.

Table 7.1.0.**Data on the types of judicial decisions concerning offenders – criminal offences infringing intellectual property rights in 2016**

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

	Persons accused Total	Persons found guilty	Not found guilty			
			Suspension of the criminal procedure	Acquittal	Refusal	Mentally incompetent persons
TOTAL	3	1	2	0	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	2	0	2	0	0	0
Infringement of the rights of producers of phonograms or videograms or the rights related to radio broadcastings, Article 231 CC	0	0	0	0	0	0
Total Copyright	2	0	2	0	0	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 another person's firm, Article 285 CC	1	1	0	0	0	0
Total Industrial property	1	1	0	0	0	0

Table 7.1.0.A**Data on the types of judicial decisions concerning offenders – criminal offences infringing intellectual property rights in 2016***(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)*

	Persons accused Total	Persons found guilty	Not found guilty				
			Suspension of the criminal procedure	Acquittal	Refusal	Mentally incompetent persons	Returning of an indictment*
TOTAL	15	11	2	2	0	0	0
Infringement of personal rights of an author or of a performer, Article, 284 CC	0	0	0	0	0	0	0
Unauthorized use of an author's work or of a performer's performance, Article 285 CC	2	0	0	2	0	0	0
Infringement of other copyright-related rights, Article, 286 CC	1	1	0	0	0	0	0
Total Copyright	3	1	0	2	0	0	0
Infringement of the right to an invention, Article 287 CC	2	0	2	0	0	0	0
Infringement of a trademark, Article 288 CC	10	10	0	0	0	0	0
Infringement of a registered designation of origin, Article 289 CC	0	0	0	0	0	0	0
Total Industrial property	12	10	2	0	0	0	0

*according to the new Criminal Code

Table 7.1.1.
Adult persons accused and court decisions on criminal offences concerning the infringement of intellectual property rights in 2016 (aggregate date from the Tables 7.1.0. and 7.1.0 A)

Persons accused Total	Persons found guilty	Not found guilty				
		Suspension of the criminal procedure	Acquittal	Refusal	Mentally incompetent persons	Returning of an indictment*
18	12	4	2	0	0	0

*according to the new Criminal Code

Chart 7.1.1.
Types of decisions concerning all infringements of intellectual property rights in 2016 – Criminal courts

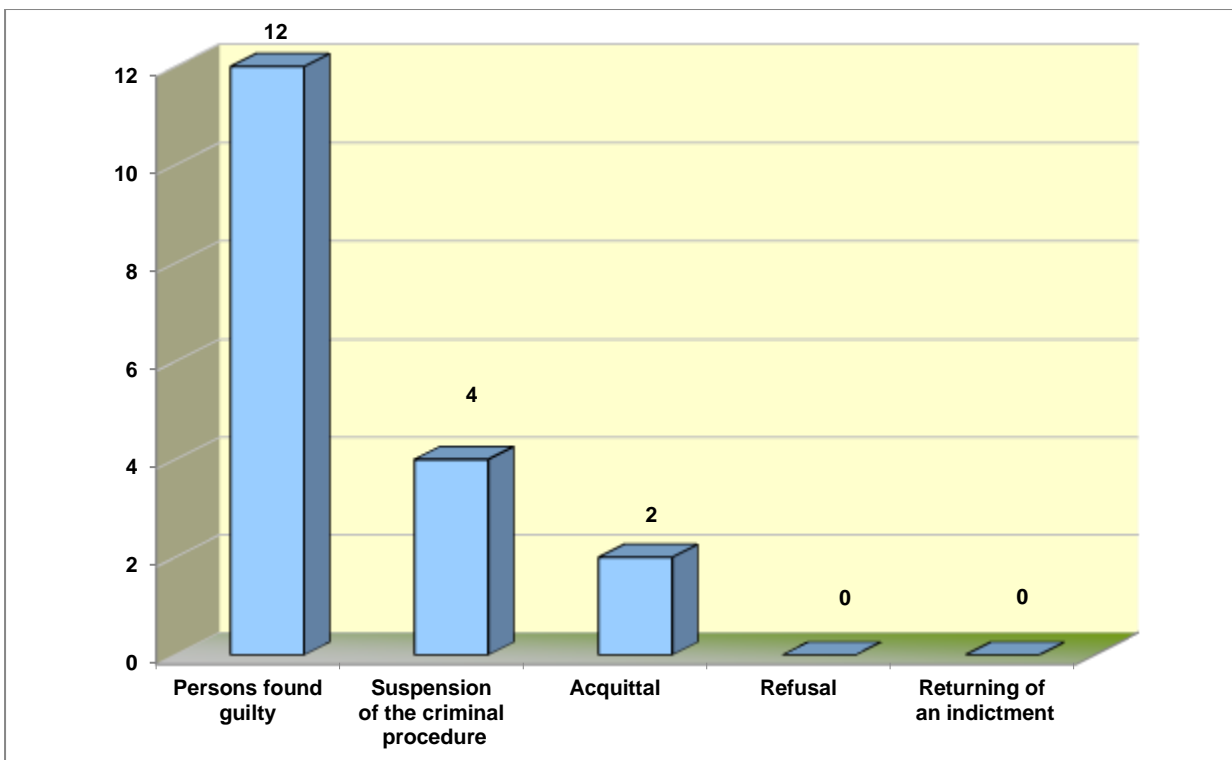


Table 7.1.2.**Adult persons accused, according to type of decision for a criminal offence concerning the infringement of the rights of authors or the rights of performers, Art. 229 CC***(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)***- Court decisions**

Year	Persons accused Total	Persons found guilty	Not found guilty			
			Suspension of the criminal procedure	Acquittal	Refusal	Mentally incompetent persons
2007	5	0	4	1	0	0
2008	2	2	0	0	0	0
2009	2	2	0	0	0	0
2010	1	0	1	0	0	0
2011	2	1	0	1	0	0
2012	1	1	0	0	0	0
2013	23	2	20	1	0	0
2014	3	0	2	0	1	0
2015	0	0	0	0	0	0
2016	0	0	0	0	0	0

Table 7.1.2.A.**Adult persons accused, according to type of decision for a criminal offence concerning the infringement of personal rights of authors or of performers, Art. 284 CC***(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)***- Court decisions**

Year	Persons accused Total	Persons found guilty	Not found guilty				
			Suspension of the criminal procedure	Acquittal	Refusal	Mentally incompetent persons	Returning of an indictment*
2014	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0

*according to the new Criminal Code

Chart 7.1.2.

Trends – adult persons accused and persons found guilty for a criminal offence –
Infringement of the rights of authors or the rights of performers, Art. 229 CC from 1997 /
Infringement of personal rights of authors or of performers, Art. 284 CC from 2011
(aggregate data from the Tables 7.1.2. and 7.1.2 A)

- Court decisions

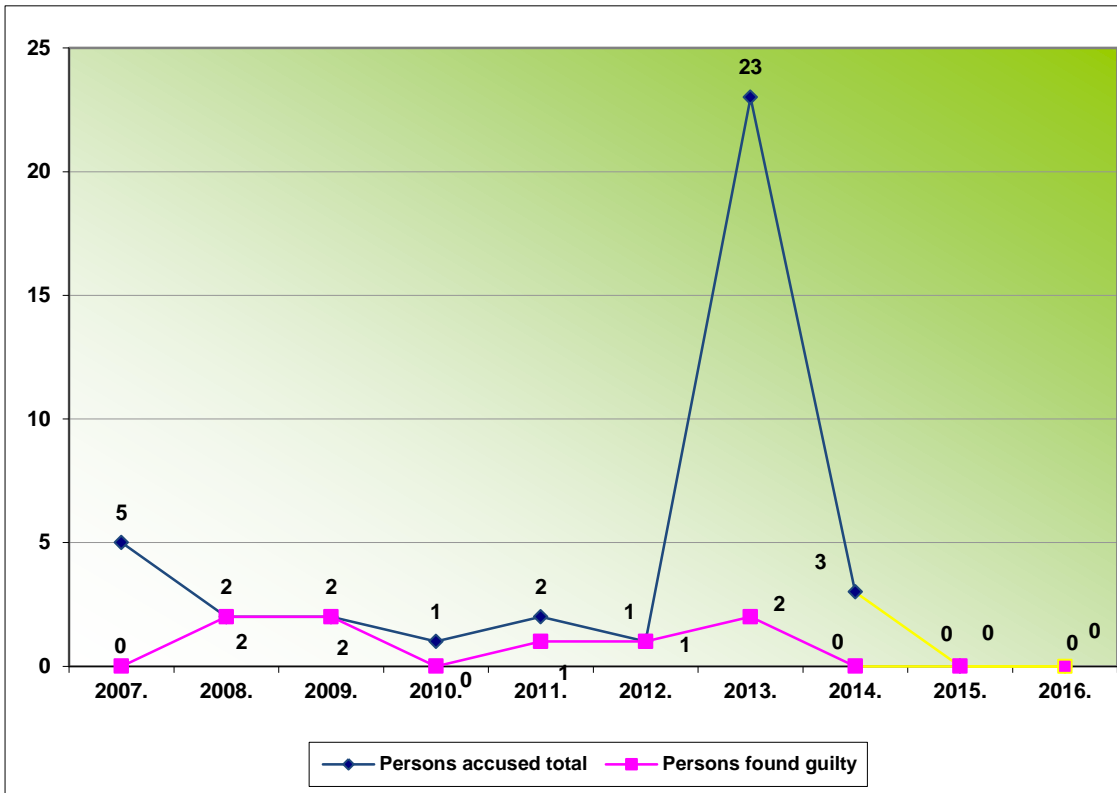


Table 7.1.3.**Adult persons accused, according to the type of decision for a criminal offence - Unauthorized use of a copyright work or of a performance of the performing artist, Art. 230 CC***(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)***– Court decisions**

Year	Persons accused Total	Persons found guilty	Not found guilty			
			Suspension of the criminal procedure	Acquittal	Refusal	Mentally incompetent persons
2007	265	194	29	22	20	0
2008	280	226	20	19	15	0
2009	208	166	18	17	6	1
2010	140	115	15	5	5	0
2011	79	58	8	6	7	0
2012	62	44	10	7	1	0
2013	23	9	12	1	1	0
2014	15	3	6	3	3	0
2015	13	3	4	3	3	0
2016	2	0	2	0	0	0

Table 7.1.3.A.**Adult persons accused, according to the type of decision for a criminal offence - Unauthorized use of a copyright work or of a performance of the performing artist, Art. 285 CC***(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)***– Court decisions**

Year	Persons accused Total	Persons found guilty	Not found guilty				
			Suspension of the criminal procedure	Acquittal	Refusal	Mentally incompetent persons	Returning of an indictment*
2014	1	0	0	0	0	0	1
2015	3	2	0	0	1	0	0
2016	2	0	0	2	0	0	0

*according to the new Criminal Code

Chart 7.1.3.

Trends - adult persons accused and persons found guilty for a criminal offence - Unauthorized use of a copyright work or of a performance of the performing artist, Art. 230 CC from 1997 / Unauthorized use of a copyright work or of a performance of the performing artist, Art. 285 CC from 2011

(aggregate data from the Tables 7.1.3. and 7.1.3 A)

– Court decisions

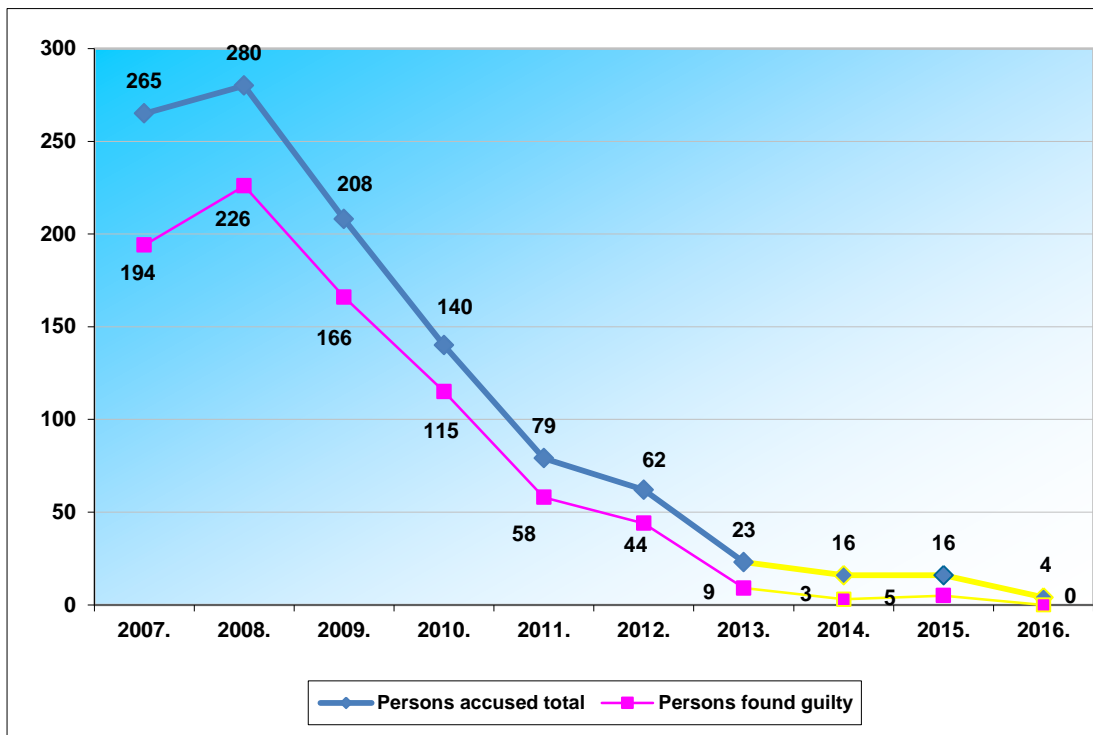


Table 7.1.4.**Adult persons accused, according to the type of decision for a criminal offence - Infringements of the rights of producers of phonograms or videograms or the rights related to radio broadcastings,****Art. 231 CC**

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

– Court decisions

Year	Persons accused Total	Persons found guilty	Not found guilty			
			Suspension of the criminal procedure	Acquittal	Refusal	Mentally incompetent persons
2007	16	14	2	0	0	0
2008	13	8	2	0	3	0
2009	12	8	2	1	1	0
2010	21	18	0	2	1	0
2011	18	12	0	3	1	0
2012	8	7	1	0	0	0
2013	5	2	3	0	0	0
2014	1	1	0	0	0	0
2015	1	0	1	0	0	0
2016	0	0	0	0	0	0

Table 7.1.4.A**Adult persons accused, according to the type of decision for a criminal offence - Infringement of other copyright-related rights, Art. 286 CC**

(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)

– Court decisions

Year	Persons accused Total	Persons found guilty	Not found guilty				
			Suspension of the criminal procedure	Acquittal	Refusal	Mentally incompetent persons	Returning of an indictment*
2014	0	0	0	0	0	0	0
2015	3	0	2	0	1	0	0
2016	1	1	0	0	0	0	0

*according to the new Criminal Code

Chart 7.1.4.

Trends - adult persons accused and persons found guilty for a criminal offence - Infringements of the rights of producers of phonograms or videograms or the rights related to radio broadcastings, Art. 231 CC from 1997 / Infringement of other copyright-related rights, Art. 286 CC from 2011

(aggregate data from the Tables 7.1.4. and 7.1.4 A)

- Court decisions

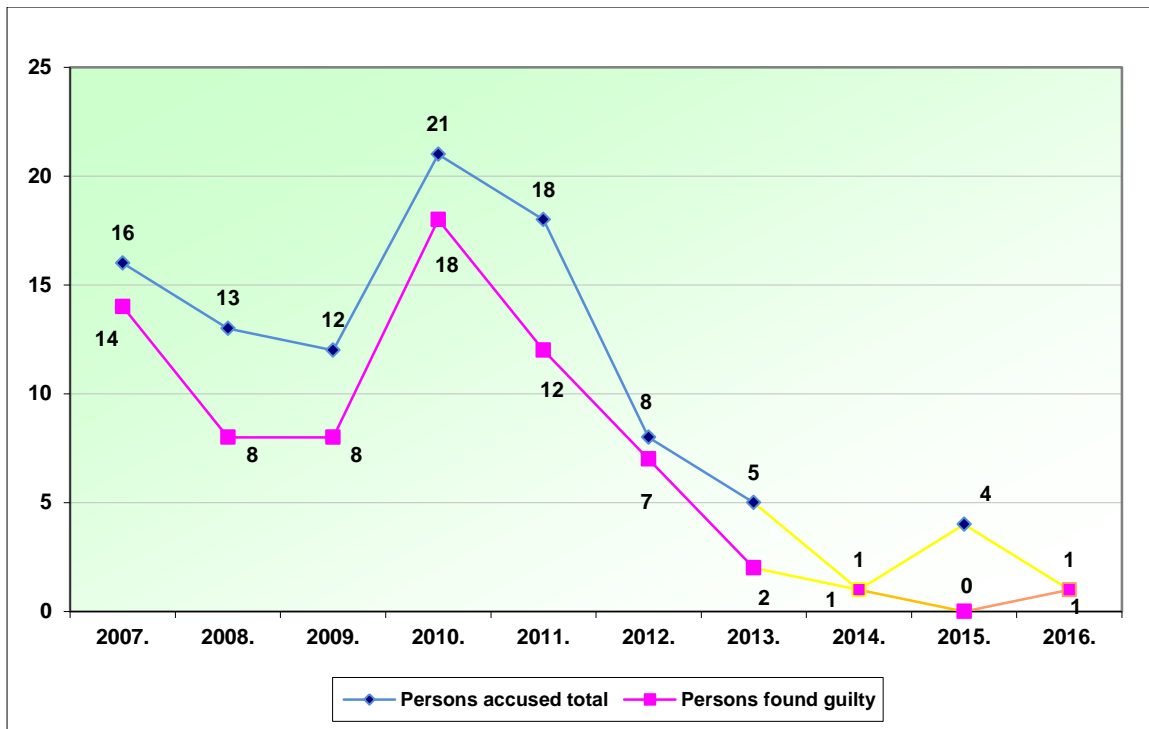


Table 7.1.5.**Adult persons accused, according to the type of decision for a criminal offence -
Infringement of the rights conferred by an invention applied for or protected, Art. 232
CC***(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)***- Court decisions**

Year	Persons accused Total	Persons found guilty	Not found guilty			
			Suspension of the criminal procedure	Acquittal	Refusal	Mentally incompetent persons
2007	4	4	0	0	0	0
2008	2	2	0	0	0	0
2009	3	1	1	0	1	0
2010	1	1	0	0	0	0
2011	1	0	1	0	0	0
2012	3	1	2	0	0	0
2013	2	1	1	0	0	0
2014	0	0	0	0	0	0
2015	0	0	0	0	0	0
2016	0	0	0	0	0	0

Table 7.1.5.A**Adult persons accused, according to the type of decision for a criminal offence -
Infringement of the right to an invention, Art. 287 CC***(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)***- Court decisions**

Year	Persons accused Total	Persons found guilty	Not found guilty				
			Suspension of the criminal procedure	Acquittal	Refusal	Mentally incompetent persons	Returning of an indictment*
2014	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0
2016	2	0	2	0	0	0	0

*according to the new Criminal Code

Chart 7.1.5.

**Trends - adult persons accused and persons found guilty for a criminal offence -
Infringement of the rights conferred by an invention applied for or protected, Art. 232
CC from 1997 / Infringement of the right to an invention, Art. 287 CC from 2011**

(aggregate data from the Tables 7.1.5. and 7.1.5 A)

- Court decisions

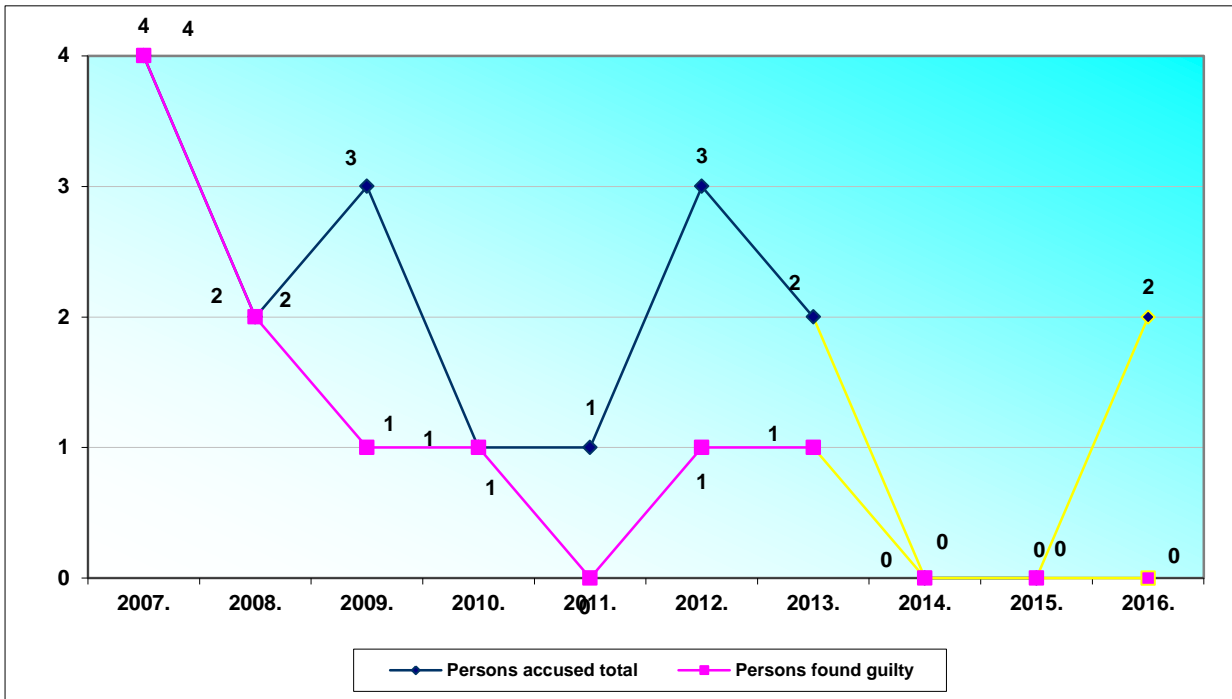


Table 7.1.6.

**Adult persons accused, according to the type of decision for a criminal offence -
Infringement of the industrial property rights and unauthorized use of another person's
firm, Art. 285 CC**

- Court decisions

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

Year	Persons accused Total	Persons found guilty	Not found guilty			
			Suspension of the criminal procedure	Acquittal	Refusal	Mentally incompetent persons
2007	103	96	2	3	2	0
2008	92	79	4	4	5	0
2009	126	118	4	3	1	0
2010	76	69	1	6	0	0
2011	35	34	1	1	0	0
2012	21	18	0	1	2	0
2013	4	3	1	0	0	0
2014	13	3	9	0	1	0
2015	2	1	1	0	0	0
2016	1	1	0	0	0	0

Table 7.1.6.A.

**Adult persons accused, according to the type of decision for a criminal offence -
Infringement of a trademark, Art. 288 CC**

(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)

- Court decisions

Year	Persons accused Total	Persons found guilty	Not found guilty				
			Suspension of the criminal procedure	Acquittal	Refusal	Mentally incompetent persons	Returning of an indictment*
2014	6	6	0	0	0	0	0
2015	10	10	0	0	0	0	0
2016	10	10	0	0	0	0	0

*according to the new Criminal Code

Table 7.1.6.B.

**Adult persons accused, according to the type of decision for a criminal offence -
Infringement of a registered designation of origin, Art. 289 CC**

(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)

- Court decisions

Year	Persons accused Total	Persons found guilty	Not found guilty				
			Suspension of the criminal procedure	Acquittal	Refusal	Mentally incompetent persons	Returning of an indictment*
2014	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0

*according to the new Criminal Code

Chart 7.1.6.

**Trends - adult persons accused and persons found guilty for a criminal offence -
Infringement of the industrial property rights and unauthorized use of another person's
firm, Art. 285 CC from 1997 / Infringement of a trademark, Art. 288 CC and Infringement
of a registered designation of origin, Art. 289 CC from 2011
(aggregate data from the Tables 7.1.6., 7.1.6 A and 7.1.6.B)**

- Court decisions

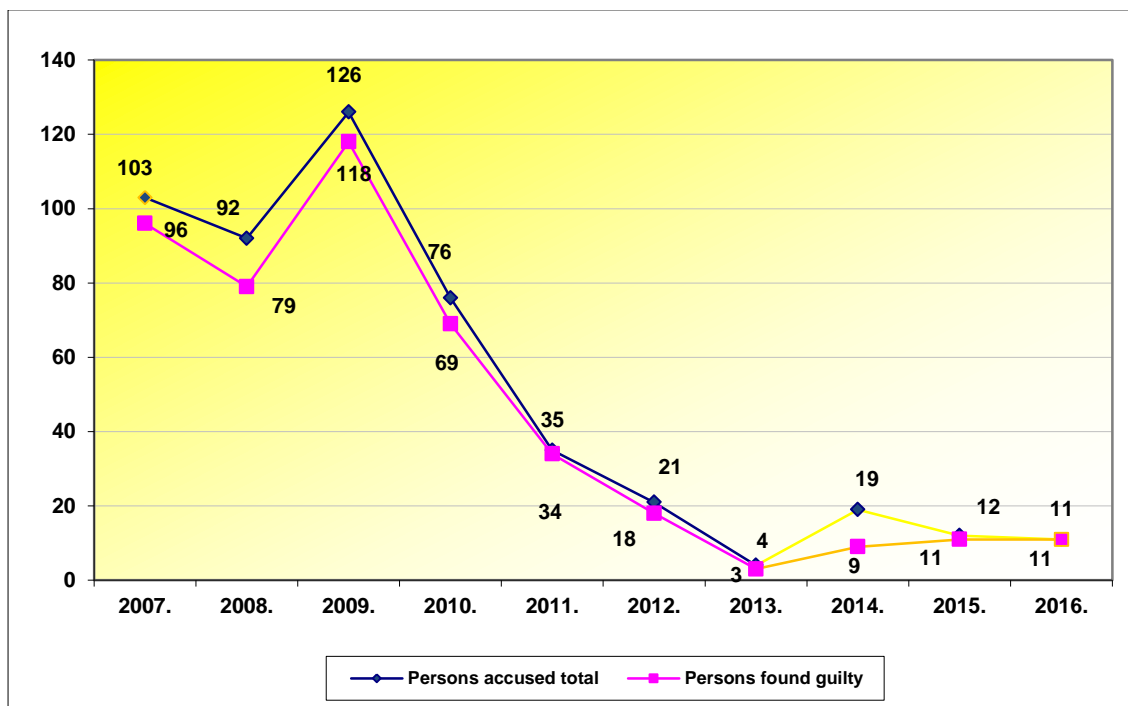


Table 7.1.7.

**Persons convicted according to sanctions imposed in accordance with Art. 230 CC (copyright – infringements)
- Imprisonments as imposed**

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

	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
2007	1	0	0	0	0	1	122	4	19	43	36	14	6
2008	4	0	3	1	0	0	151	7	29	54	35	15	11
2009	7	1	4	2	0	0	116	18	38	39	14	4	3
2010	4	2	1	0	0	1	76	16	23	26	8	2	1
2011	3	0	3	0	0	0	41	17	13	5	3	2	1
2012	4	4	0	0	0	0	32	11	12	6	2	1	0
2013	2	2	0	0	0	0	3	1	2	0	0	0	0
2014	0	0	0	0	0	0	3	0	2	1	0	0	0
2015	0	0	0	0	0	0	2	0	1	0	1	0	0
2016	0	0	0	0	0	0	0	0	0	0	0	0	0

Table 7.1.7.A.

**Persons convicted according to sanctions imposed in accordance with Art. 285 CC (copyright - infringements)
- Imprisonments as imposed**

(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)

	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
2014	0	0	0	0	0	0	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	2	0	1	1	0	0	0
2016	0	0	0	0	0	0	0	0	0	0	0	0	0

Chart 7.1.7.
Unconditional imprisonments for criminal offences comprising infringements of copyright (aggregate data from the Tables 7.1.7. and 7.1.7.A)

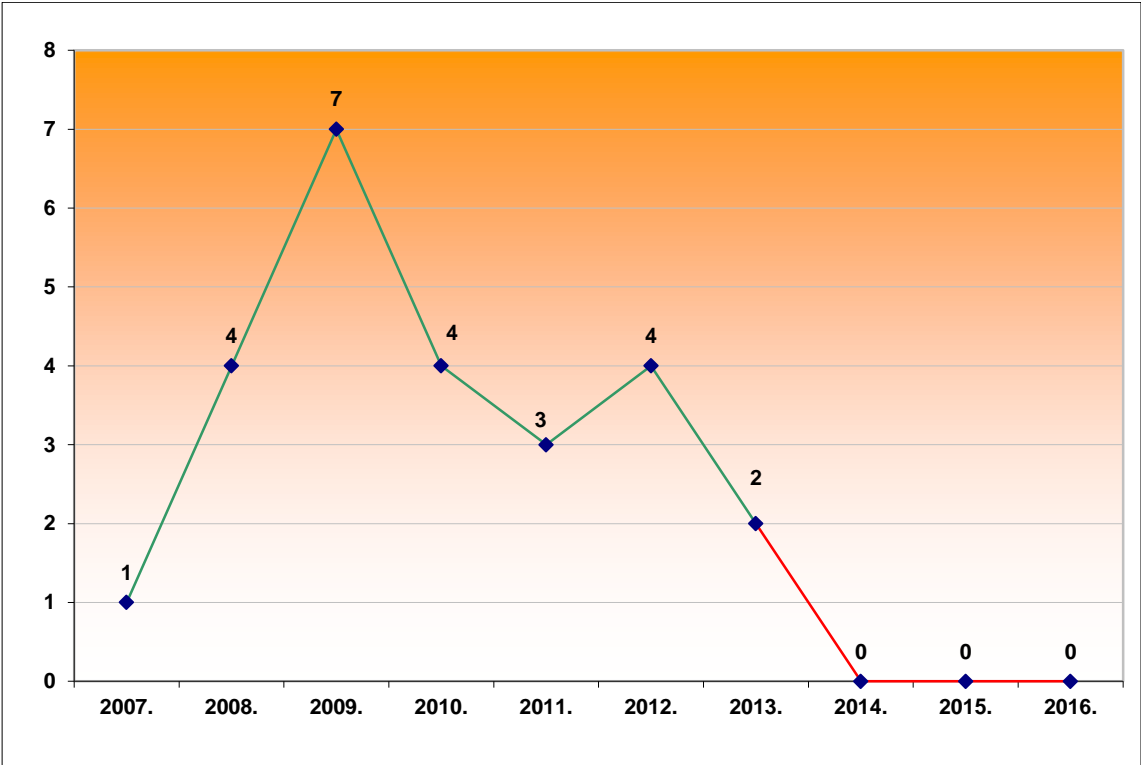


Chart 7.1.8.
Conditional imprisonments for criminal offences comprising infringements of copyright (aggregate data from the Tables 7.1.7. and 7.1.7.A)

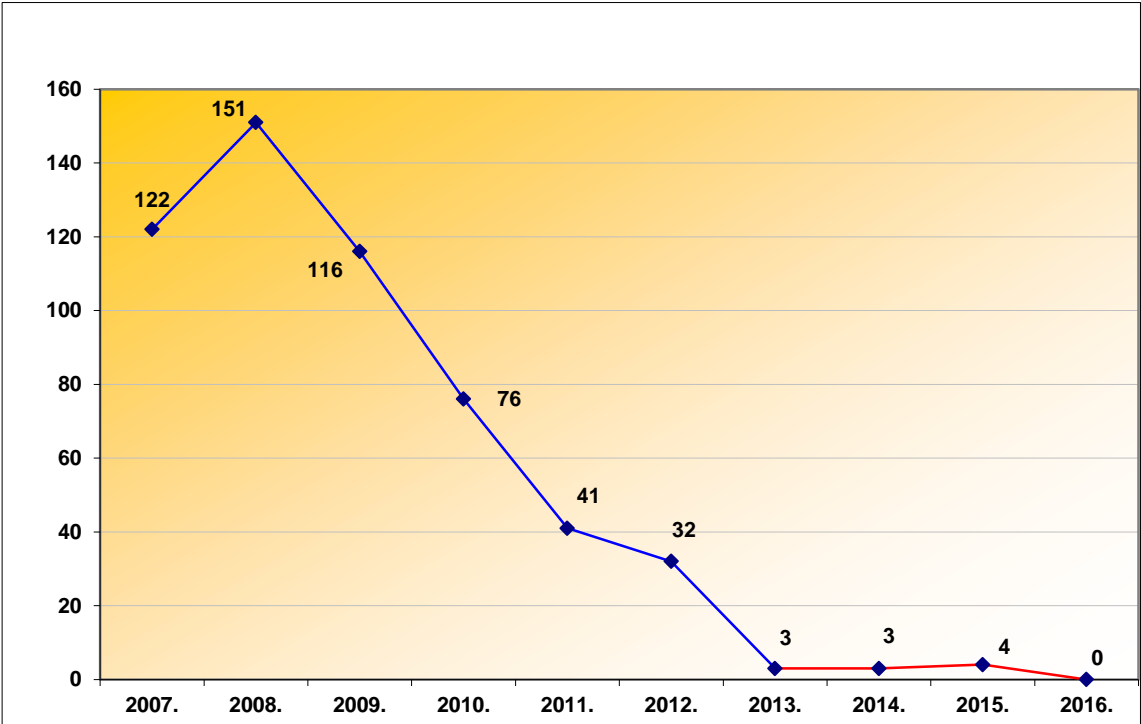


Table 7.1.8.

Persons convicted according to sanctions imposed in accordance with Art. 230 CC (copyright - infringements)

- Fines and other sanctions as imposed

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

	Unconditional fine					Conditional fine					Other sanctions		
	(expressed in daily incomes)					(expressed in daily incomes)					Judicial admonition	Educational measures	Suspension of juvenile prison
	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			
2007	64	29	5	5	1	5	1	1	2	1	2	0	0
2008	65	30	31	1	3	4	1	3	0	0	2	0	0
2009	35	29	5	1	0	7	3	3	0	1	1	0	0
2010	43	35	6	2	0	4	3	1	0	0	0	0	0
2011	14	10	4	0	0	0	0	0	0	0	0	0	0
2012	8	5	1	1	1	0	0	0	0	0	1	0	0
2013	2	1	0	0	1	0	0	0	0	0	0	0	0
2014	0	0	0	0	0	0	0	0	0	0	0	0	0
2015	1	0	0	0	1	0	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0	0	0	0	0	0	0

Table 7.1.8.A.

Persons convicted according to sanctions imposed in accordance with Art. 285 CC (copyright - infringements)

(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)

- Fines and other sanctions as imposed

	Unconditional fine (expressed in daily amounts)							Conditional fine (expressed in daily amounts)							Other sanctions		
	Total	10 to 25	26 to 50	51 to 75	76 to 100	101 to 150	more than 150	Total	10 to 25	26 to 50	51 to 75	76 to 100	101 to 150	more than 150	Judicial admonition	Educational measures	Suspension of juvenile prison
2014	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Chart 7.1.9.
Unconditional fines (expressed in daily incomes / amounts) for criminal offences –
Infringements of copyright
(aggregate data from the Tables 7.1.8. and 7.1.8.A)

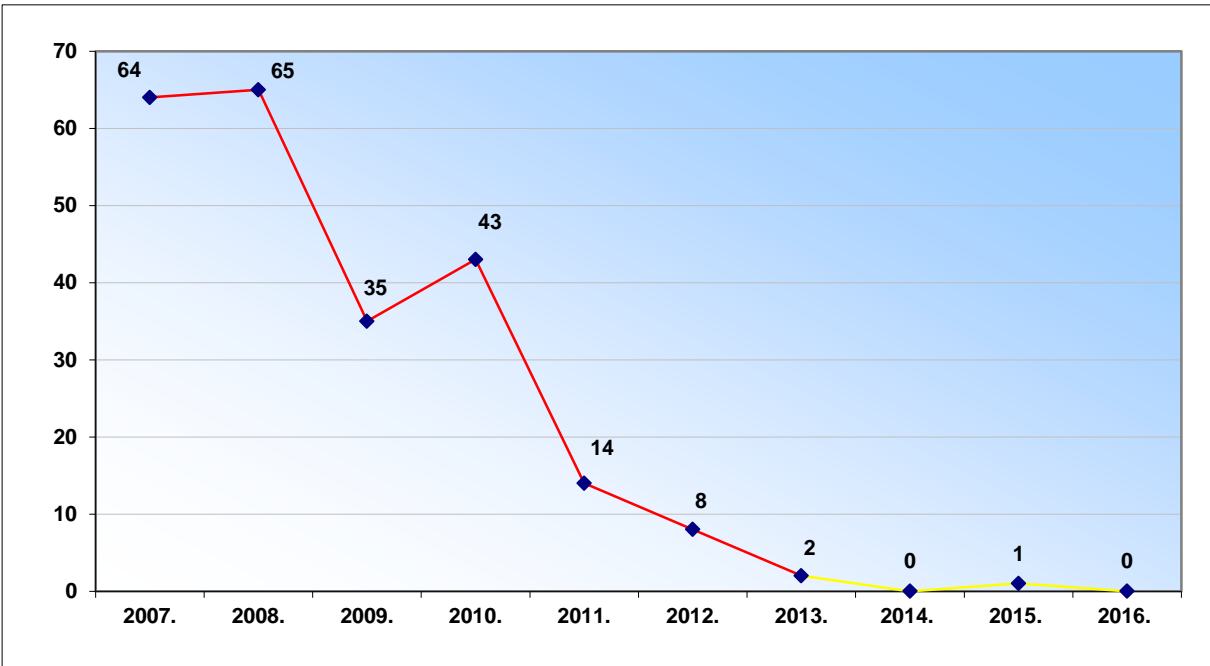


Chart 7.1.10.
Conditional fines (expressed in daily incomes / amounts) for criminal offences –
Infringements of copyright
(aggregate data from the Tables 7.1.8. and 7.1.8.A)

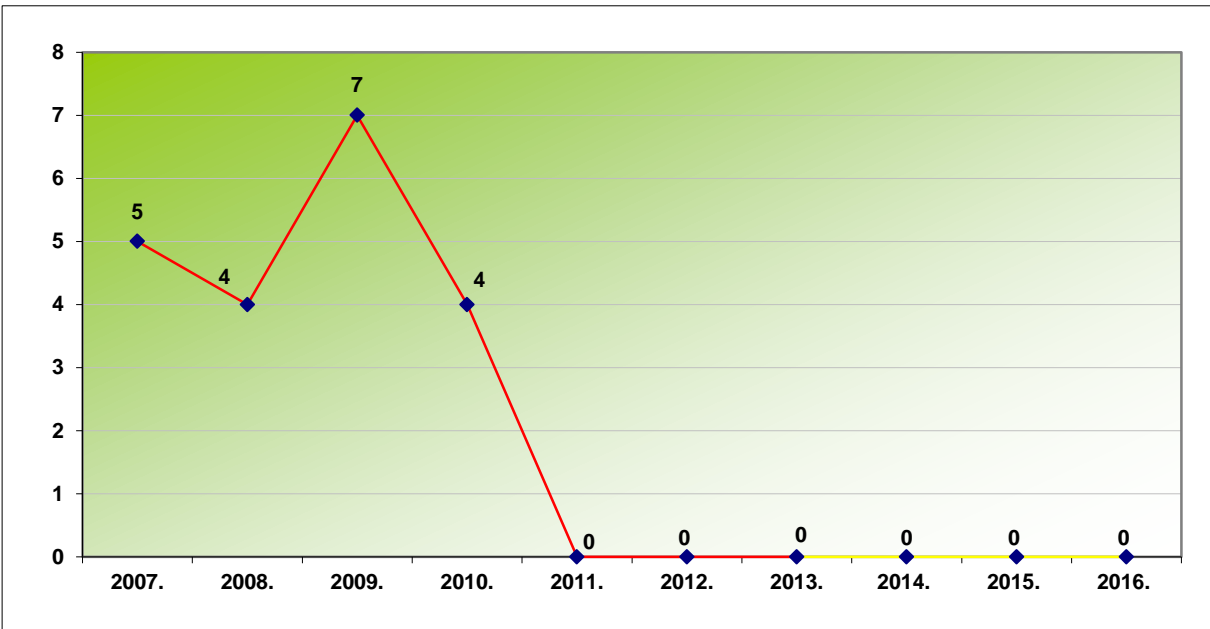


Table 7.1.9.**Persons convicted according to sanctions imposed in accordance with Art. 285 CC (infringements of industrial property rights)**

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

- 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
2007	1	0	1	0	35	0	9	13	5	5
2008	1	1	0	0	53	13	14	15	6	5
2009	2	1	1	0	20	5	5	0	10	0
2010	2	0	2	0	39	12	17	5	3	2
2011	0	0	0	0	16	6	4	4	1	1
2012	1	1	0	0	9	2	4	2	1	0
2013	0	0	0	0	3	0	1	2	0	0
2014	0	0	0	0	3	0	2*	0	0	0
2015	0	0	0	0	1	0	1*	0	0	0
2016	0	0	0	0	1	0	0	1	0	0

* Note: a conditional imprisonment sentence of 6-12 months was imposed in one case in 2014 and in one case in 2015

Table 7.1.9.A.

Persons convicted according to sanctions imposed in accordance with Art. 288 CC (Infringement of a trademark)

(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)

- 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
2014	0	0	0	0	0	0	5	1	2	2	0	0	0
2015	0	0	0	0	0	0	7*	0	5	2	0	0	0
2016	0	0	0	0	0	0	8	0	3	5	0	0	0

* in 2015, one defendant was imposed a secondary fine in addition to a conditional imprisonment

Table 7.1.9.B.

Persons convicted according to sanctions imposed in accordance with Art. 289 CC (Infringement of a registered designation of origin)

(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)

- 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
2014	0	0	0	0	0	0	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0	0	0	0	0	0	0

Table 7.1.10.**Persons convicted according to sanctions imposed in accordance with Art. 285 CC (infringements of industrial property rights)**

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

- Fines and other sanctions as imposed

	Unconditional fine (expressed in daily incomes)						Other sanctions		
	Total	10 to 25	26 to 50	51 to 75	76 to 100	101 to 150	Judicial admonition	Educational measures	Suspension of juvenile prison
2007	55	23	15	12	5	0	0	0	0
2008	25	12	0	13	0	0	0	0	0
2009	96	14	6	75	0	1	0	0	0
2010	40	23	14	2	0	1	0	0	0
2011	15	5	4	2	0	4	0	0	0
2012	10	4	6	0	0	0	0	0	0
2013	0	0	0	0	0	0	0	0	0
2014	0	0	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0	0	0

Table 7.1.10.A.**Persons convicted according to sanctions imposed in accordance with Art. 288 CC (Infringement of a trademark)***(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)***- Fines and other sanctions as imposed**

	Unconditional fine (expressed in daily amounts)							Conditional fine (expressed in daily amounts)					Other sanctions		
	Total	10 to 25	26 to 50	51 to 75	76 to 100	101 to 150	151 and over	Total	10 to 25	26 to 50	51 to 75	76 to 100	Judicial admonition	Educational measures	Suspension of juvenile prison
2014	2	0	1	0	0	0	1	0	0	0	0	0	0	0	0
2015	5	0	2	1	2	0	0	0	0	0	0	0	0	0	0
2016	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0

Note: In 2014, one legal person was convicted to an unconditional fine according to the new CC (range: HRK 5,000 – 100,000)

Table 7.1.10.B.**Persons convicted according to sanctions imposed in accordance with Art. 289 CC (Infringement of a registered designation of origin)***(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)***- Fines and other sanctions as imposed**

	Unconditional fine (expressed in daily amounts)							Conditional fine (expressed in daily amounts)					Other sanctions		
	Total	10 to 25	26 to 50	51 to 75	76 to 100	101 to 150	151 and over	Total	10 to 25	26 to 50	51 to 75	76 to 100	Judicial admonition	Educational measures	Suspension of juvenile prison
2014	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Chart 7.1.11.
Unconditional fines (expressed in daily incomes / amounts) for criminal offences comprising infringements of industrial property rights (aggregate data from the Tables 7.1.10., 7.1.10.A and 7.1.10.B)

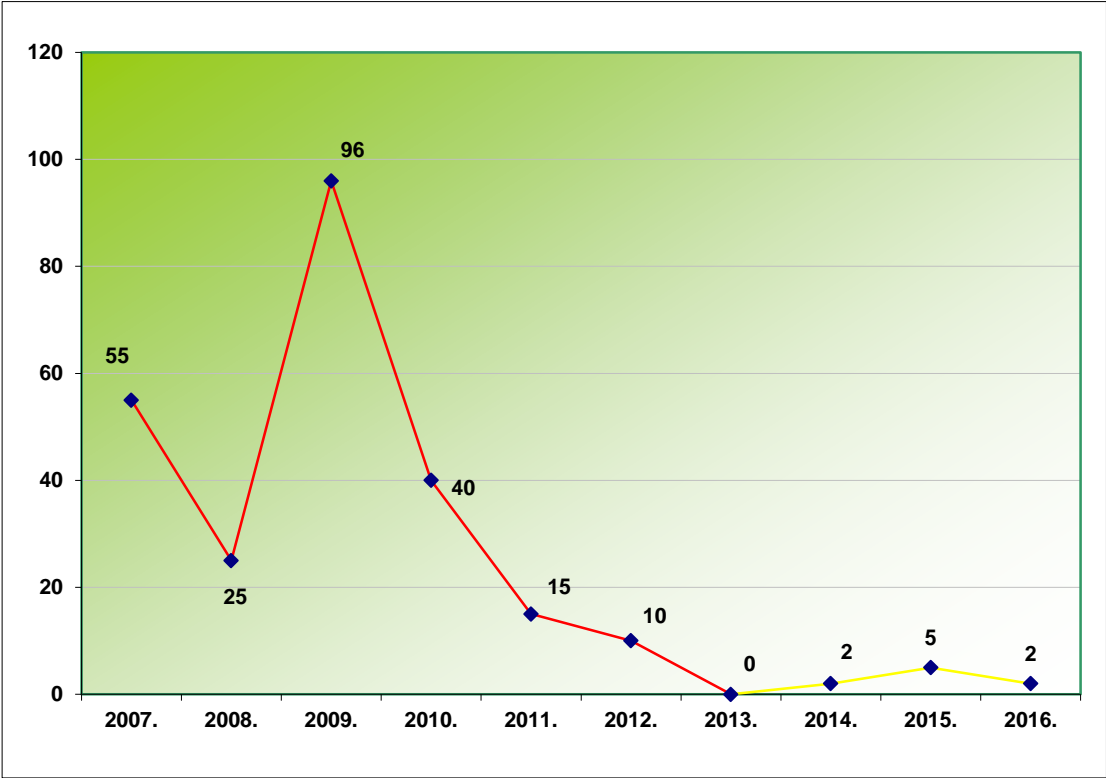


Table 7.1.11.

Persons convicted according to sanctions imposed for other infringements – infringements of the rights conferred by an invention applied for or protected and other infringements (Article 232, Article 229 and Article 231 CC)

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

- 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
2007	11	2	2	4	3	0	7	6	0	1	0	0
2008	4	0	2	2	0	0	7	2	0	1	4	0
2009	10	4	6	0	0	0	7	2	0	1	4	0
2010	1	1	0	0	0	0	14	6	6	0	1	1
2011	9	5	2	1	1	0	2	0	2	0	0	0
2012	3	1	2	0	0	0	0	0	0	0	0	0
2013	5	3	0	1	1	0	0	0	0	0	0	0
2014	1	0	1	0	0	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0	0	0	0	0	0

Table 7.1.11.A.

Persons convicted according to sanctions imposed for other infringements – infringements of the right to an invention and other infringements (Article 287, Article 284 and Article 286 CC)

(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)

- Sanctions as imposed

	Conditional imprisonment						Unconditional fine (expressed in daily amounts)					
	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
2014	0	0	0	0	0	0	0	0	0	0	0	0
2015	0	0	0	0	0	0	0	0	0	0	0	0
2016	1	1	0	0	0	0	0	0	0	0	0	0

Chart 7.1.12.

Conditional imprisonments for other infringements – infringements of the rights conferred by an invention applied for or protected and other infringements (aggregate data from the Tables 7.1.11.i 7.1.11.A)

- Sanctions as imposed

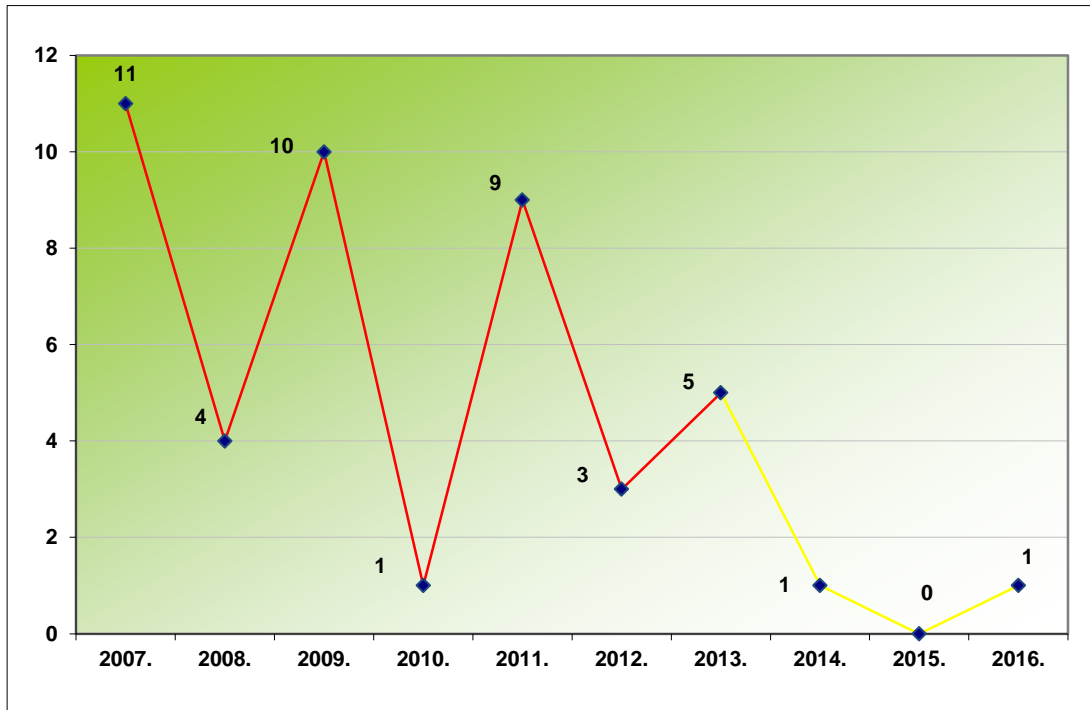


Chart 7.1.13.

Unconditional fines for other infringements – infringements of the rights conferred by an invention applied for or protected and other infringements (aggregate data from the Tables 7.1.11.i 7.1.11.A)

- Sanctions as imposed

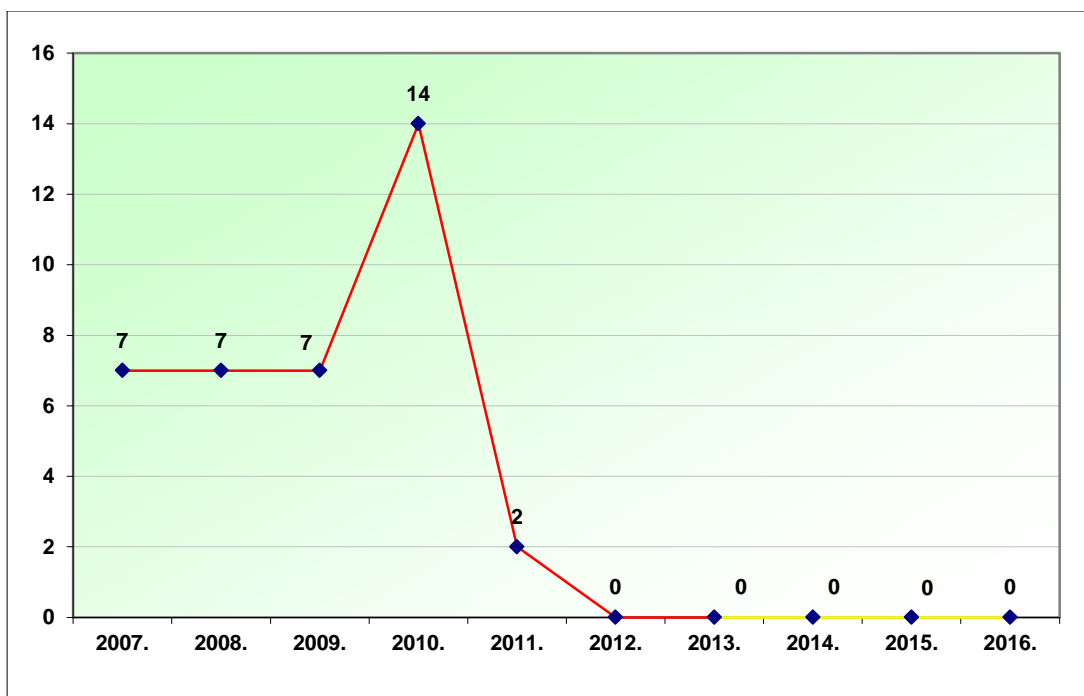


Table 7.1.12.

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

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03

– Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

Year	A security measure imposed of seizure of objects	Seizure of material gain
2007	143	12
2008	126	12
2009	58	8
2010	50	3
2011	29	4
2012	18	0
2013	2	0
2014	2	3
2015	1	0
2016	0	0

Table 7.1.12.A.

The number of judicial procedures in which a security measure of the seizure of objects and a special measure of the seizure of material gain were imposed - Unauthorized use of a copyright work or of a performance of the performing artist - Art. 285 CC

(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)

Year	A security measure imposed of seizure of objects	Seizure of material gain
2014	0	0
2015	1	0
2016	0	0

Chart 7.1.14.

The number of judicial procedures in which a security measure of the seizure of objects and a special measure of the seizure of material gain were imposed - persons convicted for the infringements of copyright (aggregate data from the Tables 7.1.12. and 7.1.12.A)

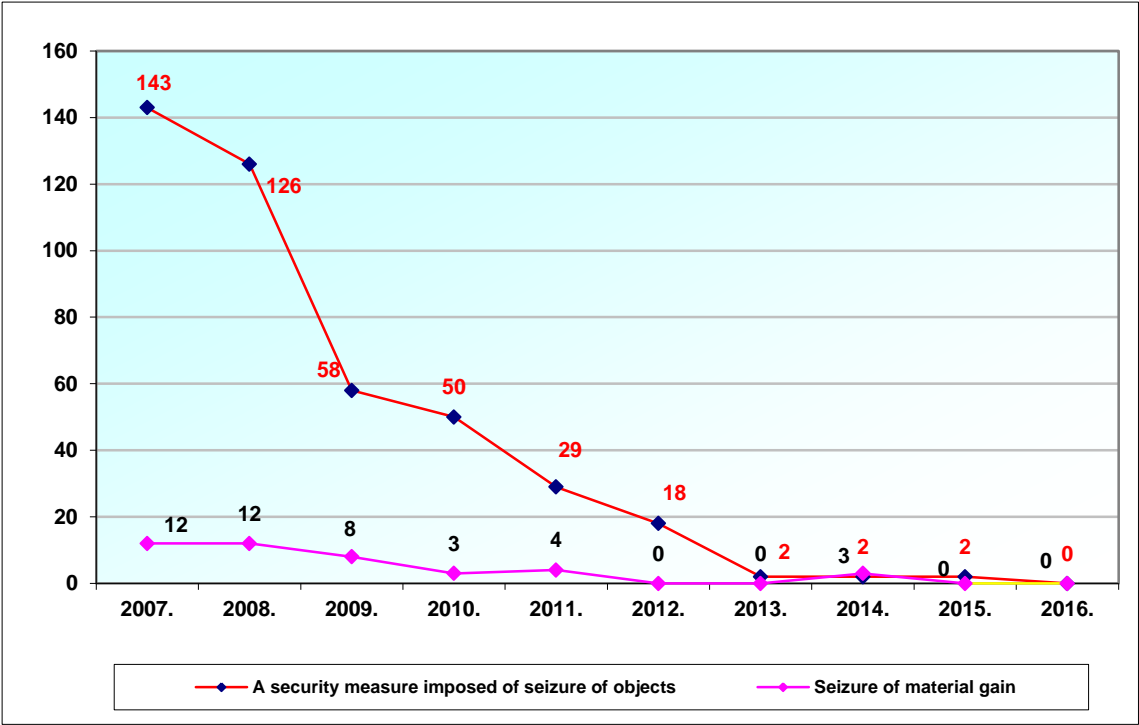


Table 7.1.13.

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

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

Year	Total	Security measures		Seizure of material gain
		Seizure of objects	Expulsion of aliens	
2007	77	75	1	1
2008	222	201	0	21
2009	41	32	7	2
2010	49	49	0	0
2011	10	10	0	0
2012	15	15	0	0
2013	1	1	0	0
2014	3	2	0	1
2015	1	1	0	0
2016	1	1	0	0

Table 7.1.13.A.

The number of judicial proceedings imposing a security measure of seizing objects and a special measure of seizing material gain respectively – persons convicted for the infringements of industrial property rights - Art. 287, 288 and 289 CC

(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)

Year	Total	Security measures Seizure of objects	Seizure of material gain
2014	7	6	1
2015	8	7	1
2016	8	7	1

Note: Since the data are displayed according to the new Criminal Code, the table no longer contains data on the security measure of expulsion of aliens.

Chart 7.1.15.
The total number of judicial proceedings imposing a security measure of seizing objects, expulsion of aliens and a special measure of seizing material gain respectively – persons convicted for the infringements of industrial property rights

(aggregate data from the Tables 7.1.13. and 7.1.13.A)

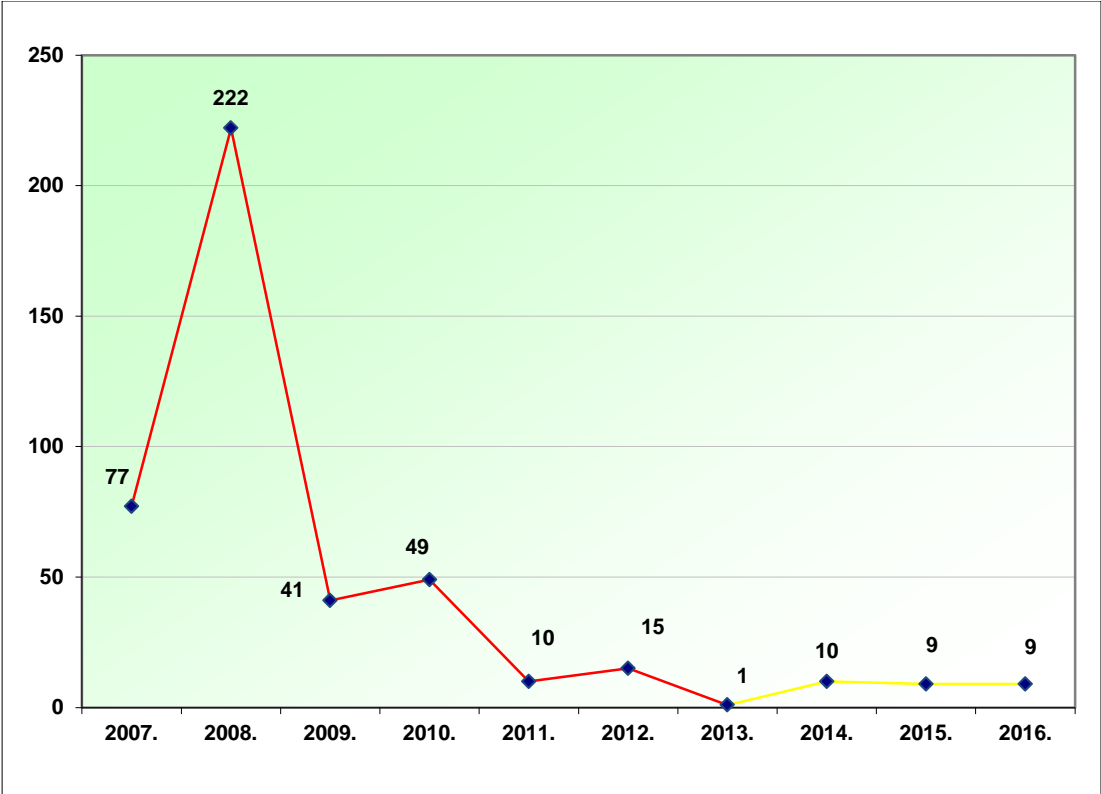


Table 7.1.14.

Account of fines imposed on offenders for infringing copyright (Article 230 CC)

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

		EUROS TOTAL	10 to 25 DD	26 to 50 DD	51 to 75 DD	76 to 100 DD	101 to 150 DD
			2.905 HRK	6.308 HRK	10.458 HRK	14.608 HRK	20.750 HRK
2007	HRK		87.150	157.700	73.206	87.648	20.750
	EUR	58.900	12.000	22.000	10.000	12.000	2.900
2008	HRK		87.150	195.548	10.458	29.216	20.750
	EUR	47.002	11.938	26.787	1.433	4.002	2.842
2009	HRK		80.144	46.405	41.832	14.608	0
	EUR	25.067	10.979	6.357	5.730	2.001	0
2010	HRK		79,004,40	89,741,50	76.312,16	0	0
	EUR	33.754	10.882	12.361	10.511	0	0
2011	HRK		27.146	34.074	0	0	0
	EUR	8.433	3.739	4.694	0	0	0
2012	HRK		17.757	0	20.000	0	34.784
	EUR	9.594	2.348	0	2.645	0	4.601
2013	HRK		3.663	0	0	0	15.000
	EUR	2.464	482	0	0	0	1.982
2014	HRK		0	0	0	0	0
	EUR	0	0	0	0	0	0
2015	HRK		0	0	0	0	20.000
	EUR	2.628	0	0	0	0	2.628
2016	HRK		0	0	0	0	0
	EUR	0	0	0	0	0	0

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

Table 7.1.14.A
Account of fines imposed on offenders for infringing copyright
(Article 285 CC)

(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)

		EUROS TOTAL	10 to 25 DI	26 to 50 DI	51 to 75 DI	76 to 100 DI	101 to 150 DI	150 DI and more
			2.905 HRK	6.308 HRK	10.458 HRK	14.608 HRK	20.750 HRK	
2014	HRK		0	0	0	0	0	0
	EUR	0	0	0	0	0	0	0
2015	HRK		0	0	0	0	0	0
	EUR	0	0	0	0	0	0	0
2016	HRK		0	0	0	0	0	0
	EUR	0	0	0	0	0	0	0

DI – daily amount

Chart 7.1.16.
Account of fines imposed on offenders for infringing copyright
(aggregate data from the Tables 7.1.14. and 7.1.14.A)

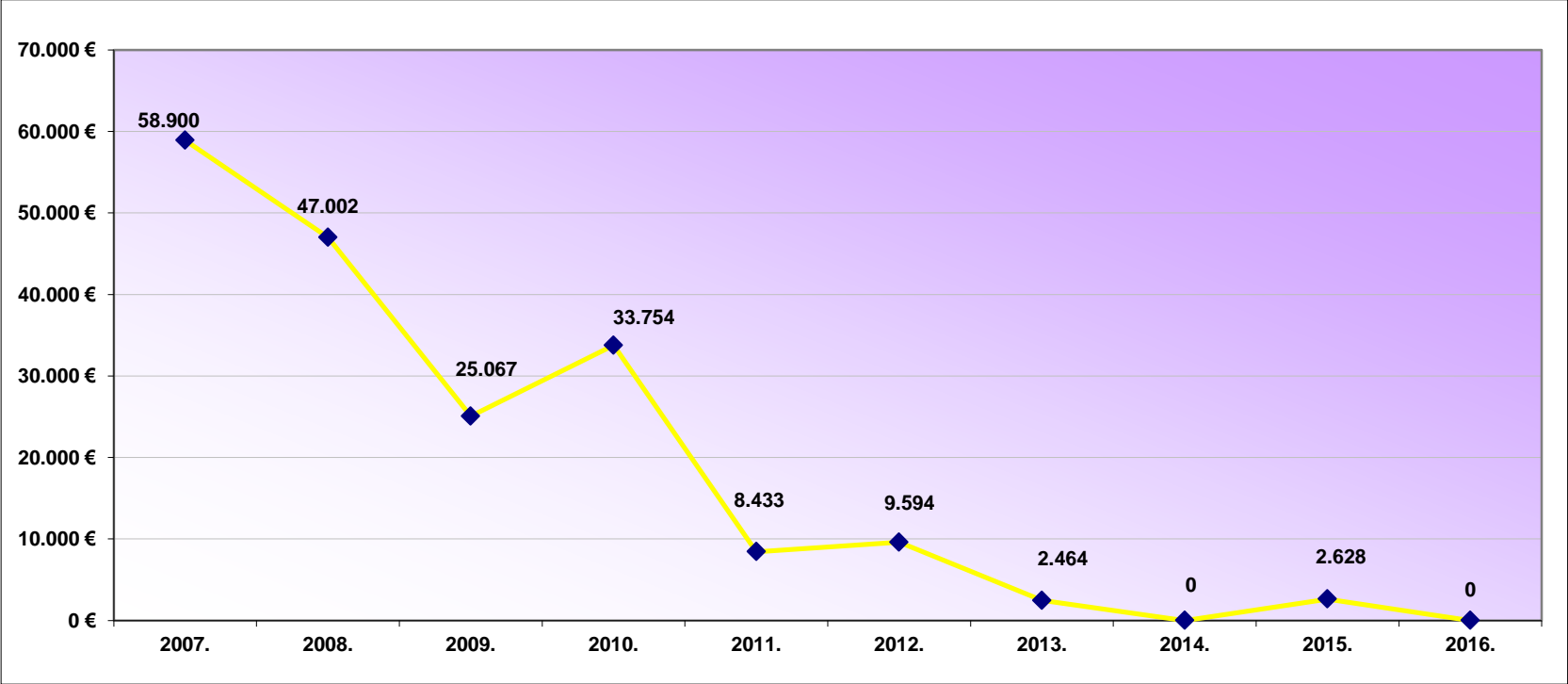


Table 7.1.15.

Account of fines imposed on offenders for infringements of industrial property rights – Article 285 CC

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

		EUROS TOTAL	10 to 25 DD	26 to 50 DD	51 to 75 DD	76 to 100 DD	101 to 150 DD
			2.905 HRK	6.308 HRK	10.458 HRK	14.608 HRK	20.750 HRK
2007	HRK		66.815	138.776	83.664	102.256	0
	EUR	53.700	9.200	19.000	11.500	14.000	0
2008	HRK		34.860	69.388	10.458	0	0
	EUR	15.713	4.775	9.505	1.433	0	0
2009	HRK		30.005	62.358	33.412	3.333	21.258
	EUR	20.598	4.110	8.542	4.577	457	2.912
2010	HRK		62.417,66	78,293,50	27.028,00	35.100,00	20.000,00
	EUR	30.694	8.597	10.784	3.723	4.835	2.755
2011	HRK		14.357	30.490	0	37.577	96.140
	EUR	24.596	1.978	4.200	0	5.176	13.242
2012	HRK		9.149	38.125	0	0	0
	EUR	6.253	1.210	5.043	0	0	0
2013	HRK		0	0	0	0	0
	EUR	0	0	0	0	0	0
2014	HRK		0	0	0	0	0
	EUR	0	0	0	0	0	0
2015	HRK		0	0	0	0	0
	EUR	0	0	0	0	0	0
2016	HRK		0	0	0	0	0
	EUR	0	0	0	0	0	0

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

Table 7.1.15.A**Account of fines imposed on offenders for infringements of industrial property rights – Article 288 and 289 CC***(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)*

		EUROS TOTAL	10 to 25 DI	26 to 50 DI	51 to 75 DI	76 to 100 DI	101 to 150 DI	150 DI and more
			2.905 HRK	6.308 HRK	10.458 HRK	14.608 HRK	20.750 HRK	
2014	HRK		0	7.308	0	0	0	30.450
	EUR	4.947*	0	957	0	0	0	3.990
2015	HRK		0	13.415	14.122,50	20.000	0	0
	EUR	6.247**	0	1.763	1.856	2.628	0	0
2016	HRK		0	18.532	0	0	0	0
	EUR	2.461***	0	2.461	0	0	0	0

* according to the average exchange rate of EUR for 2014 (according to the data of HNB 1 EUR = 7,63 HRK)

** according to the average exchange rate of EUR for 2015 (according to the data of HNB 1 EUR = 7,61 HRK)

*** according to the average exchange rate of EUR for 2016 (according to the data of HNB 1 EUR = 7,53 HRK)

DI – daily amount

Note: In one case in 2016, a legal person was imposed a fine of HRK 15,000 based on Art. 288 CC (Infringement of a trademark), and since it was not a matter of daily amounts for offenders, this amount is not presented in this Table

Chart 7.1.17.
Account of fines imposed on offenders for infringements of industrial property rights
(aggregate data from the Tables 7.1.15. and 7.1.15.A)

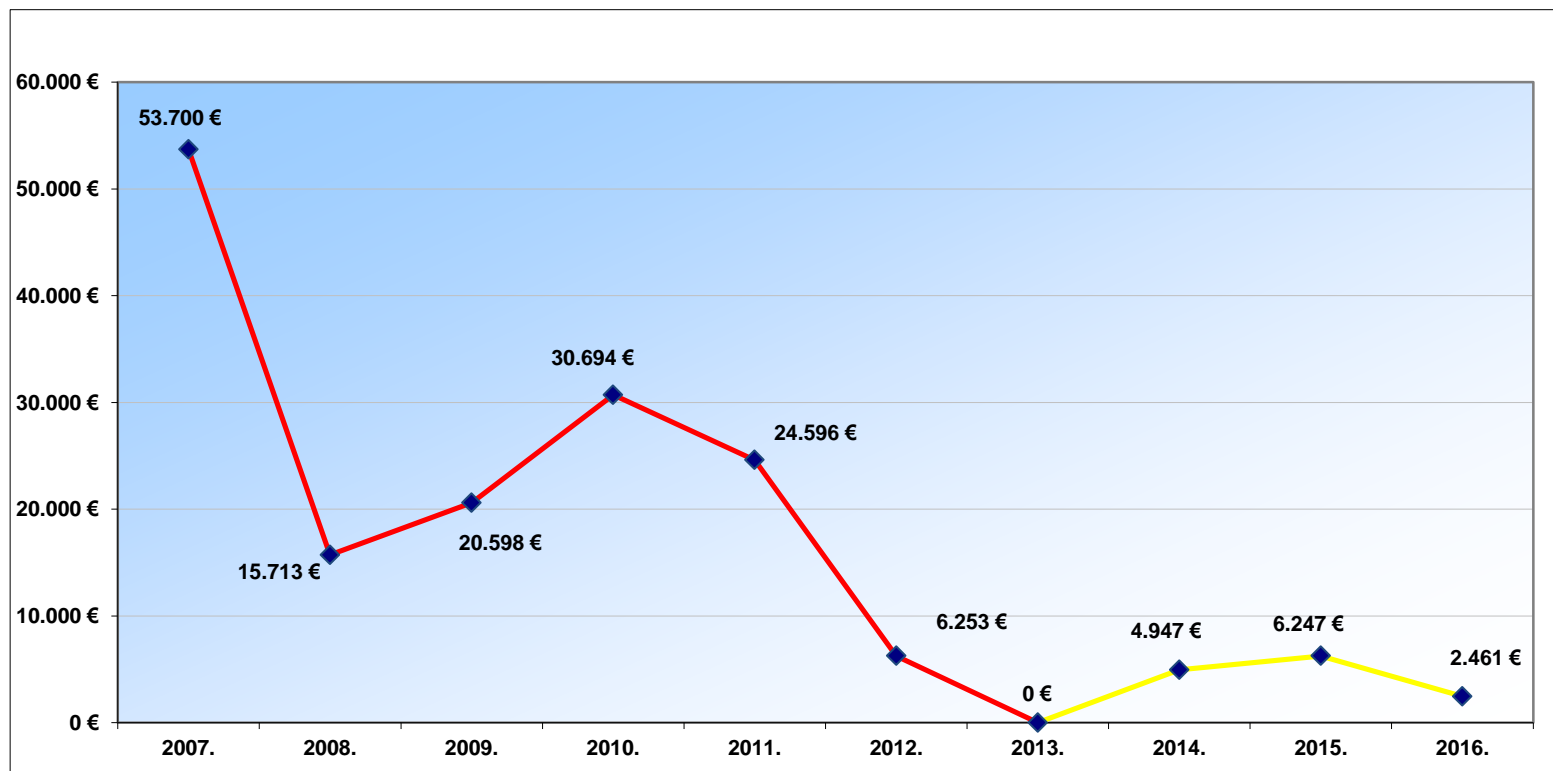


Table 7.1.16.

Account of fines imposed on offenders for infringements of the rights conferred by an invention applied for or protected and other infringements of copyright and related rights

- Article 232 CC, 229 CC and 231.CC

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

		EUROS TOTAL	10 to 25 DD	26 to 50 DD	51 to 75 DD	76 to 100 DD	101 to 150 DD
			2.905 HRK	6.308 HRK	10.458 HRK	14.608 HRK	20.750 HRK
2007	HRK		17.430	0	10.458	0	0
	EUR	3.900	2.400	0	1.500	0	0
2008	HRK		5.810	0	10.458	58.432	0
	EUR	10.233	796	0	1.433	8.004	0
2009	HRK		0	0	0	0	0
	EUR	0	0	0	0	0	0
2010	HRK		0	0	0	0	0
	EUR	0	0	0	0	0	0
2011	HRK		0	0	0	0	0
	EUR	0	0	0	0	0	0
2012	HRK		0	0	0	0	0
	EUR	0	0	0	0	0	0
2013	HRK		0	0	0	0	0
	EUR	0	0	0	0	0	0
2014	HRK		0	0	0	0	0
	EUR	0	0	0	0	0	0
2015	HRK		0	0	0	0	0
	EUR	0	0	0	0	0	0
2016	HRK		0	0	0	0	0
	EUR	0	0	0	0	0	0

DD - a fine expressed in daily incomes (average daily income in the Republic of Croatia)

Table 7.1.16.A**Account of fines imposed on offenders for infringements of inventions and other infringements of copyright and related rights
- Article 287 CC, 284 CC and 286 CC***(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)*

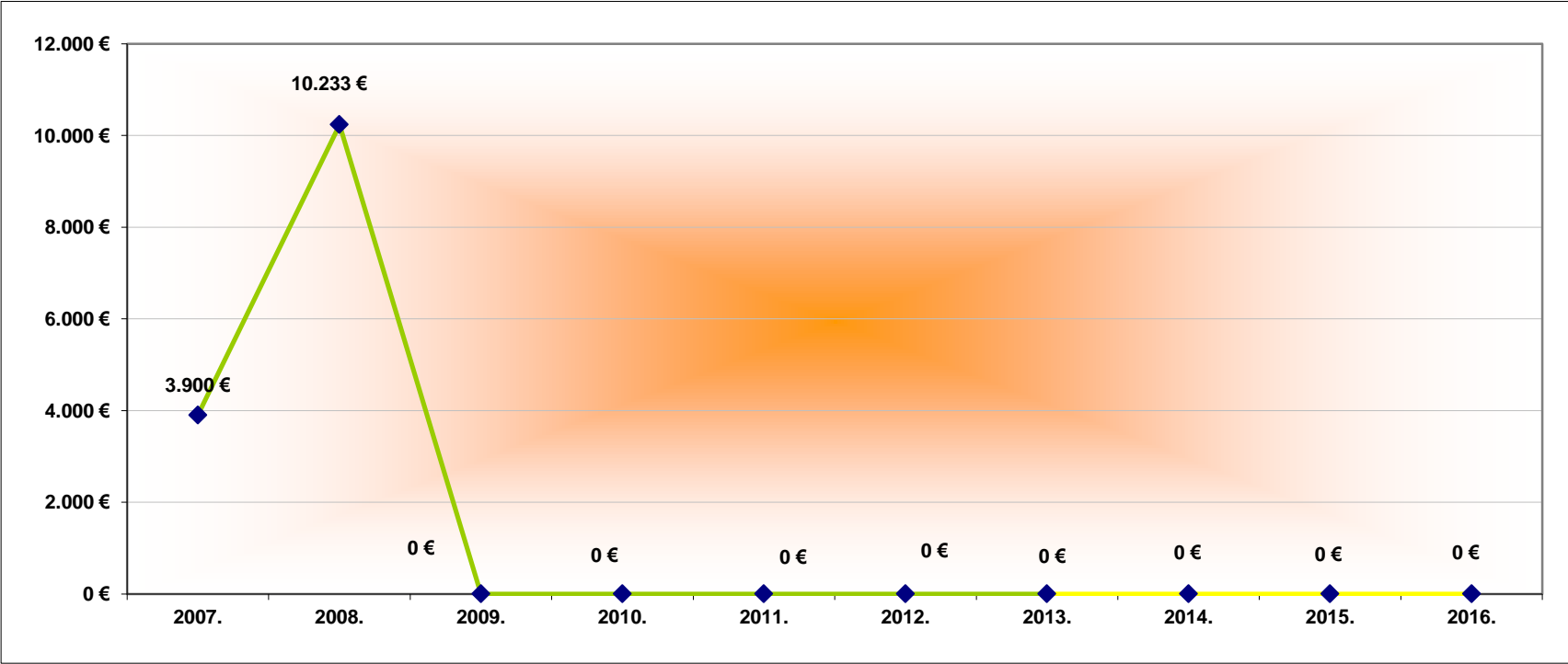
		EUROS TOTAL	10 to 25 DI	26 to 50 DI	51 to 75 DI	76 to 100 DI	101 to 150 DI	150 DI and more
			2.905 HRK	6.308 HRK	10.458 HRK	14.608 HRK	20.750 HRK	
2014	HRK		0	0	0	0	0	0
	EUR	0	0	0	0	0	0	0
2015	HRK		0	0	0	0	0	0
	EUR	0	0	0	0	0	0	0
2016	HRK		0	0	0	0	0	0
	EUR	0	0	0	0	0	0	0

DI – daily amount

Chart 7.1.18.

Account of fines imposed on offenders for infringements of the rights conferred by an invention applied for or protected and other infringements

(aggregate data from the Tables 7.1.16. and 7.1.16.A)



7.2. Misdemeanour sanctions

As regards the course of action of a misdemeanour procedure, statistical data have been presented in detail on the aggregate number of the accused and persons found guilty or responsible for misdemeanours concerning the infringements of intellectual property rights, the number of suspensions of misdemeanour proceedings, including statute of limitations, and the number of protective measures imposed on misdemeanants.

The structure of sanctions imposed for committed misdemeanours has been presented, separately for natural persons and separately for legal and responsible persons.

Statistical data have also been presented concerning the amount of fines imposed for infringing the provisions in the field of intellectual property rights.

Table 7.2.1.
Data on the types of court decisions issued against misdemeanants infringing intellectual property in 2016

Infringement of provisions	Accused	Persons found guilty / responsible	Suspension of the misdemeanour procedure		Protective measures
			Total	Statutory limitation	
TOTAL	5304	2940	121	13	37
Infringement of the copyright provisions	5213	2884	119	13	12
Infringement of the trademark provisions	83	51	2	0	24
Infringement of the patent provisions	0	0	0	0	0
Infringement of the industrial design provisions	5	5	0	0	1
Infringement of the provisions on geographical indications	3	0	0	0	0

Table 7.2.2.

Misdemeanour procedures against natural persons for infringing the copyright law provisions, from 2007 to 2016

Year	Accused	Found guilty	Sanctions imposed		
			Imprisonment	Fine	Reprimand/Admonition
2007	2.911	1.731	1	1.657	73
2008	3.186	1.914	0	1.783	131
2009	1.676	815	0	796	19
2010	3.083	1.954	1	1.875	78
2011	4.791	2.686	5	2.642	39
2012	4.243	2.796	2	2.771	23
2013	4.652	3.735	0	3.718	17
2014	4.532	3.532	0	3.484	48
2015	2.760	1.843	0	1.681	162
2016	3.321	1.862*	0	1.233	0**

*In 2016, 629 natural persons were imposed the obligation to pay procedural costs

**The information system applied on misdemeanour courts did not record any reprimand/admonition-relevant cases.

Chart 7.2.1.

Natural persons accused and found guilty for infringing the copyright law provisions, from 2007 to 2016

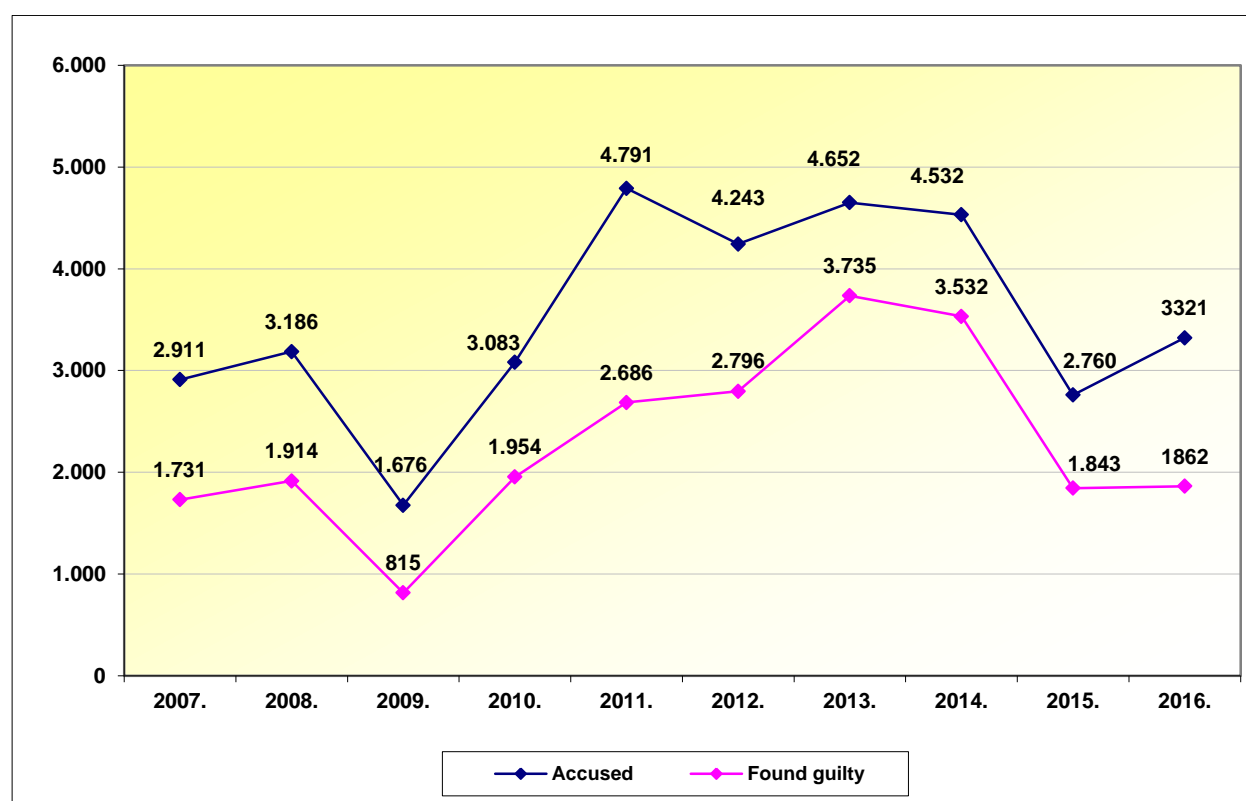


Table 7.2.3.
Misdemeanour procedures against legal and responsible persons for infringing the copyright law provisions, from 2007 to 2016

Year	Accused	Found responsible	Sanctions imposed	
			Fine	Reprimand/Admonition
2007	1.219	374	325	49
2008	1.473	547	440	107
2009	1.199	375	362	13
2010	2.126	1.400	1.355	22
2011	2.404	1.427	1.376	19
2012	2.372	1.534	1.481	53
2013	2.981	2.249	2.212	37
2014	3.240	2.478	2380	98
2015	1.594	1.101	995	106
2016	1.892	1.022*	659	0**

*In 2016, 363 legal persons were imposed the obligation to pay procedural costs
 **The information system applied on misdemeanour courts did not record any reprimand/admonition-relevant cases.

Chart 7.2.2.
Legal persons accused and found responsible for infringing the copyright law provisions, from 2007 to 2016

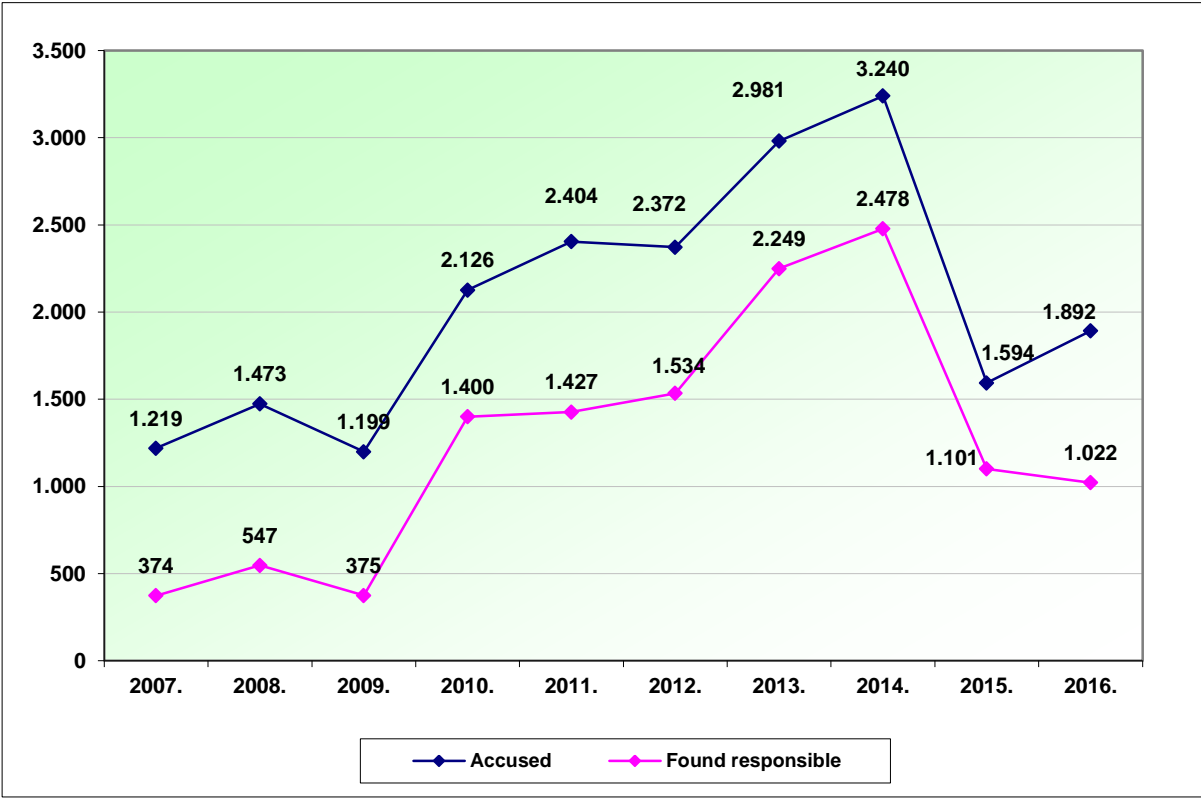


Table 7.2.4.
Misdemeanour procedures concerning infringements of the provisions on trademark and other indications, from 2007 to 2016 (natural persons)

Year	Accused	Found guilty	Sanctions imposed		
			Imprisonment	Fine	Reprimand/Admonition
2007	170	136	0	130	6
2008	133	105	0	92	13
2009	144	95	0	87	8
2010	348	171	0	136	35
2011	236	158	0	156	2
2012	184	149	0	148	1
2013	310	208	0	206	2
2014	303	164	0	162	2
2015	93	74	0	73	1
2016	64	40*	0	8	0**

*In 2016, 32 natural persons were imposed the obligation to pay procedural costs

**The information system applied on misdemeanour courts did not record any reprimand/admonition-relevant cases.

Chart 7.2.3.
Accused and found guilty for the infringements of the provisions on trademarks and other indications, from 2007 to 2016 (natural persons)

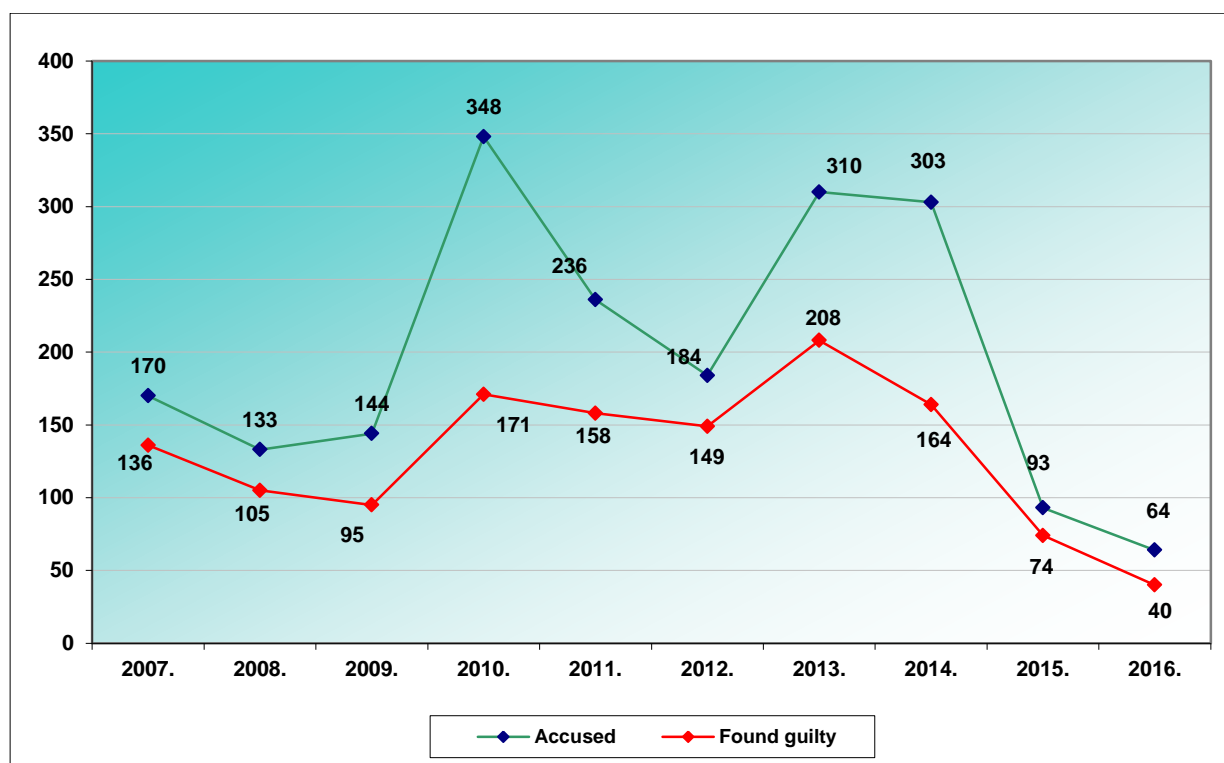


Table 7.2.5.

Misdemeanour procedures concerning infringements of the provisions on trademark and other indications, from 2007 to 2016 (legal and responsible persons)

Year	Accused	Found responsible	Sanctions imposed	
			Fine	Reprimand/Admonition
2007	61	37	31	6
2008	79	52	39	13
2009	141	58	56	2
2010	49	57	54	3
2011	71	57	55	2
2012	78	61	61	0
2013	117	70	70	0
2014	56	46	41	5
2015	27	18	16	2
2016	19	11*	6	0**

*In 2016, 5 legal persons were imposed the obligation to pay procedural costs

**The information system applied on misdemeanour courts did not record any reprimand/admonition-relevant cases.

Chart 7.2.4.

Legal persons accused and found responsible for infringements of the provisions on trademark and other indications, from 2007 to 2016

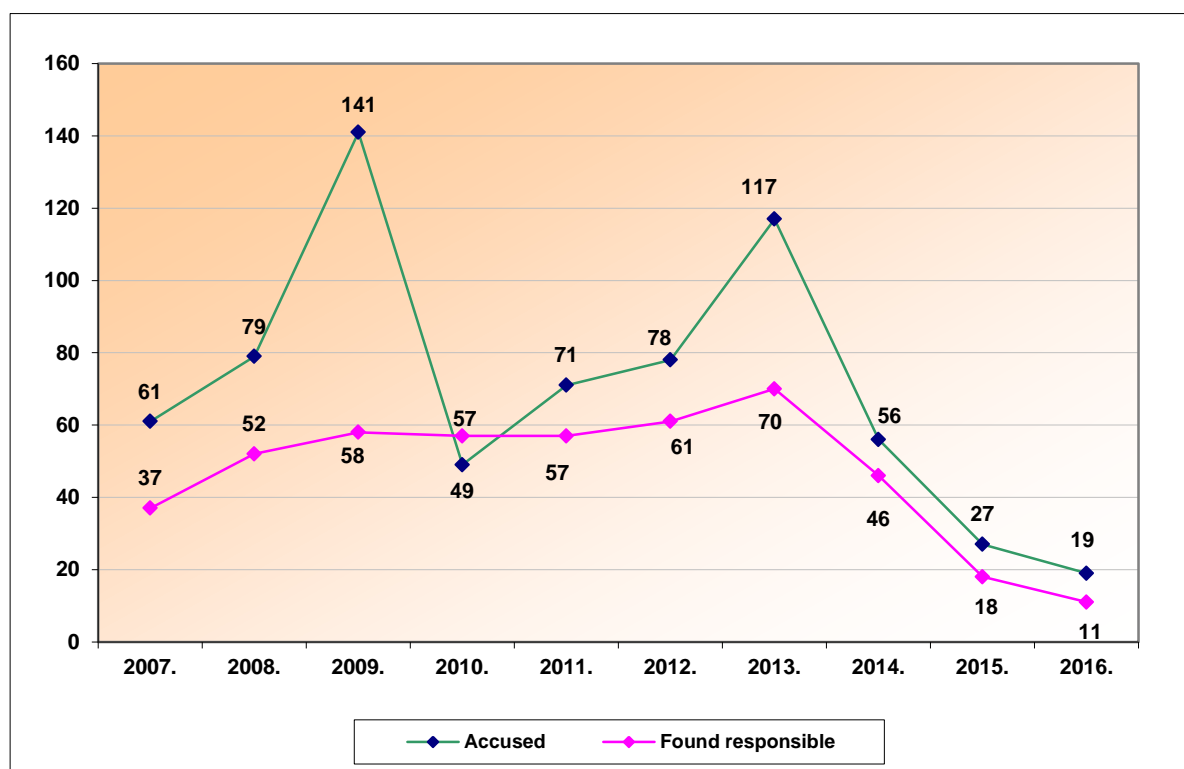


Table 7.2.6.

Misdemeanour procedures concerning infringements of the provisions on patents and technical improvements, from 2007 to 2016 (natural persons)

Year	Accused	Found guilty	Sanctions imposed		
			Imprisonment	Fine	Reprimand/Admonition
2007	3	2	0	2	0
2008	1	1	0	1	0
2009	0	0	0	0	0
2010	8	1	0	1	0
2011	1	1	0	1	0
2012	3	2	0	2	0
2013	2	1	0	1	0
2014	4	4	0	4	0
2015	0	0	0	0	0
2016	0	0	0	0	0

Table 7.2.7.

Misdemeanour procedures concerning infringements of the provisions on patents and technical improvements, from 2007 to 2016 (legal and responsible persons)

Year	Accused	Found responsible	Sanctions imposed	
			Fine	Reprimand/Admonition
2007	0	0	0	0
2008	2	2	2	0
2009	0	0	0	0
2010	12	12	12	0
2011	3	3	3	0
2012	3	2	2	0
2013	2	0	0	0
2014	4	4	4	0
2015	0	0	0	0
2016	0	0	0	0

Table 7.2.8.
Fines in HRK imposed on natural persons
- Infringements of the copyright provisions, from 2007 to 2016

Year	TOTAL	Up to 500	501 to 1 000	1 001 to 5 000	5 001 to 10 000	10 001 to 20 000
2007	1.657	326	484	834	12	1
2008	1.783	314	530	911	27	1
2009	796	144	224	376	45	7
2010	1.875	136	564	1.056	101	18
2011	2.642	151	787	1.571	124	9
2012	2.771	157	860	1.669	84	1
2013	3.718	525	1.230	1.847	116	0
2014	3.484	681	1.184	1.508	106	5
2015	1.681	345	676	639	19	2
2016	1.233	276	499	441	15	2

Table 7.2.9.
Fines in HRK imposed on legal and responsible persons
- Infringements of the copyright provisions, from 2007 to 2016

Year	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
2007	325	86	118	116	2	2	1
2008	440	102	123	211	4	0	0
2009	362	25	88	179	61	7	2
2010	1.355	139	272	793	115	22	14
2011	1.376	54	237	952	122	9	2
2012	1.481	51	169	1.129	118	14	0
2013	2.212	232	400	1.462	112	4	2
2014	2.380	248	396	1.550	169	17	0
2015	995	8	67	881	29	10	0
2016	659	11	45	576	23	2	2

Table 7.2.10.
Fines in HRK imposed on natural persons
- Infringements of the trademark provisions, from 2007 to 2016

Year	TOTAL	do 500	501 to 1 000	1 001 to 5 000	5 001 to 10 000	10 001 to 20 000
2007	130	7	39	83	1	0
2008	105	12	48	39	6	0
2009	87	1	8	75	3	0
2010	288	24	45	205	13	1
2011	156	33	22	98	1	2
2012	148	20	27	82	16	3
2013	206	26	42	122	13	3
2014	162	25	38	91	8	0
2015	73	6	19	43	5	0
2016	8	2	1	5	0	0

Table 7.2.11.
Fines in HRK imposed on legal and responsible persons
- Infringements of the trademark provisions, from 2007 to 2016

Year	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
2007	31	5	17	9	0	0	0
2008	52	8	20	20	4	0	0
2009	56	0	1	27	19	5	4
2010	134	4	8	67	38	10	7
2011	55	1	2	33	11	3	5
2012	61	2	5	30	16	6	2
2013	70	2	0	35	29	4	0
2014	41	1	2	27	6	4	1
2015	16	0	0	3	10	3	0
2016	6	0	0	2	3	1	0

Table 7.2.12.

Fines in HRK imposed on natural persons

- Infringements of the patent provisions and technical improvements, from 2007 to 2016

Year	TOTAL	Up to 500	501 to 1 000	1 001 to 5 000	5 001 to 10 000	10 001 to 20 000
2007	2	1	0	0	1	0
2008	1	0	1	0	0	0
2009	0	0	0	0	0	0
2010	1	0	0	1	0	0
2011	1	0	0	1	0	0
2012	2	2	0	0	0	0
2013	1	0	0	1	0	0
2014	4	3	1	0	0	0
2015	0	0	0	0	0	0
2016	0	0	0	0	0	0

Table 7.2.13.

Fines in HRK imposed on legal and responsible persons

- Infringements of the patent provisions and technical improvements, from 2007 to 2016

Year	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
2007	0	0	0	0	0	0	0
2008	2	0	2	0	0	0	0
2009	0	0	0	0	0	0	0
2010	12	0	2	10	0	0	0
2011	3	1	0	1	0	0	1
2012	2	0	1	1	0	0	0
2013	0	0	0	0	0	0	0
2014	4	3	0	1	0	0	0
2015	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0

Table 7.2.14.
Juvenile delinquents - Infringements of the copyright provisions - 2016

Criminal procedure	Misdemeanour procedure
0	0

8. ADMINISTRATIVE AND COMMERCIAL COURTS – DATA ON THE NUMBER OF CASES AND THE FORMS OF LEGAL PROCEDURES

Statistical data have been presented concerning the number of cases and the forms of legal procedures in litigations in the field of intellectual property rights at the High Administrative Court of the Republic of Croatia and at the High Commercial Court of the Republic of Croatia, as well as at the four competent administrative and commercial courts of first instance having their seats in Zagreb, Split, Rijeka and Osijek.

Table 8.1.
Disputes before administrative courts (1.1.2016 - 31.12.2016)

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 CLOSED	
TRADEMARKS	9	11	1	5	0	0	6	14
PATENTS	0	1	0	0	0	0	0	1
INDUSTRIAL DESIGNS	0	1	0	0	0	0	0	1
TOTAL	9	13	1	5	0	0	6	16

Table 8.1.A
Disputes before the High Administrative Court of the Republic of Croatia (1.1.2016 - 31.12.2016)

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 CLOSED	
TRADEMARKS	0	2	0	2	0	0	2	0
PATENTS	0	0	0	0	0	0	0	0
INDUSTRIAL DESIGNS	0	0	0	0	0	0	0	0
TOTAL	0	2	0	2	0	0	2	0

Table 8.2.
Cases before commercial courts (1.1.2016 - 31.12.2016)

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	JUDGEMENT BASED ON HEARING	JUDGEMENT BY CONFESSION	JUDGEMENT BY DEFAULT	JUDGEMENT BY ABSENCE	JUDGEMENT WITHOUT HEARING	JUDGEMENT BASED ON WAIVER	SETTLEMENT	REJECTION	REFERRAL TO ANOTHER COURT	OTHERWISE	
Zagreb	421	538	403	100	1	198	0	4	5	5	2	4	84	556
%			100,00	24,81	0,25	49,13	0	0,99	1,24	1,24	0,50	0,99	20,84	
Rijeka	58	101	124	23	0	84	0	2	0	0	5	1	9	35
%			100,00	18,55	0	67,74	0	1,61	0	0	4,03	0,81	7,26	
Split	205	174	279	28	1	189	15	0	0	0	3	2	41	100
%			100,00	10,04	0,36	67,74	5,38	0	0	0	1,08	0,72	14,70	
Osijek	25	126	123	95	1	0	0	0	0	0	0	0	27	28
%			100,00	77,24	0,81	0	0	0	0	0	0	0	21,95	

Table 8.3.
Cases before commercial courts – consolidated (1.1.2016 – 31.12.2016)

	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 THE CASES										TOTAL CASES CLOSED	NUMBER OF CASES PENDING AT THE END OF THE REPORTING PERIOD	
					ACCEPTED	REFUSED	PARTLY ACCEPTED	BY A JUDGEMENT	JUDGEMENT BY CONFESSION	JUDGEMENT WITHOUT A HEARING	JUDGEMENT BY WAIVER	JUDGEMENT BY DEFAULT	JUDGEMENT 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	47	19	-	2	0	0	6	0	0	0	0	0	0	1	14	0	21	45	
	PATENT	7	0	-	2	0	0	3	0	0	0	0	0	0	1	0	0	4	3	
	INDUSTRIAL DESIGN	12	0	-	1	0	0	1	0	0	1	0	0	0	0	2	0	4	8	
	GEOGRAPHICAL INDICATION	0	0	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	COPYRIGHT	COLLECTIVE	500	858	-	193	7	1	206	3	6	0	468	15	1	5	127	3	834	524
		INDIVIDUAL	132	57	-	1	1	0	28	0	0	4	3	0	4	1	13	4	57	132
	OSTALO	11	5	-	1	0	0	2	0	0	0	0	0	0	2	5	0	9	7	
	TOTAL		709	939	-*	200	8	1	246	3	6	5	471	15	5	10	161	7	929	719

*Data have not been delivered

Table 8.4.

Cases before the High Commercial Court of the Republic of Croatia (1.1.2016 - 31.12.2016)

THE HIGH COMMERCIAL COURT OF HR	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				
	403	165	233	133	8	23	1	1	29	38	335
			100	57,1%	3,4%	9,9%	0,4%	0,4%	12,4%	16,3%	

9. DURATION OF THE PROCEDURE BEFORE COURTS

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

Table 9.1.1. Duration of the procedure from filing of a criminal report to the final court decision in 2016

(Criminal Code, OG 110/97, 27/98 - rectification, 50/00 – Decision of the Constitutional Court of the RoC, 129/00, 51/01, 11/03, 190/03 – Decision of the Constitutional Court of the RoC, 105/04, 84/05 – rectification, 71/06, 110/07, 152/08 and 57/11)

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 a copyright work or of a performance of the performing artist, Art. 230 CC	1	0	0	0	0	0	0	0	0	1	0	0	0	0
%	100	0,0	0,0	0,0	0,0	0,0	0,0	0,0	0,0	100,0	0,0	0,0	0,0	0,0
Infringements of the rights of producers of phonograms or videograms or the rights related to radio broadcastings, Article 231 CC	0	0	0	0	0	0	0	0	0	0	0	0	0	0
COPYRIGHT TOTAL	1	0	0	0	0	0	0	0	0	1	0	0	0	0
%														
Infringement of the rights 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	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
INDUSTRIAL PROPERTY TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Table 9.1.1.A

Duration of the procedure from filing of a criminal report to the final court decision in 2016

(Criminal Code, OG 125/11, 144/12, 56/15 and 61/15)

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. 284 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 a copyright work or of a performance of the performing artist, Art. 285 CC	1	0	0	0	0	0	0	0	0	1	0	0	0	0
%	100	0,0	0,0	0,0	0,0	0	0	0	0	100,0	0	0	0	0
Infringement of other copyright-related rights, Art. 286 CC	1	0	0	0	0	1	0	0	0	0	0	0	0	0
COPYRIGHT TOTAL	2	0	0	0	0	1	0	0	0	1	0	0	0	0
%	100	0	0	0	0	50,0	0	0	0	50,0	0	0	0	0
Infringement of the right to an invention, Art. 287 CC	1	0	0	0	0	0	0	0	0	0	0	0	0	1
%	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	100,0
Infringement of a trademark, Art. 288 CC	9	2	3	1	0	0	1	2	0	0	0	0	0	0
%	100	22,2	33,3	11,1	0,0	0,0	11,1	22,2	0,0	0,0	0,0	0,0	0,0	0,0
Infringement of a registered designation of origin, Art. 289 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
INDUSTRIAL PROPERTY TOTAL	10	2	3	1	0	0	1	2	0	0	0	0	0	1

Chart 9.1.1.
Duration of the procedure from filing of a criminal report to the final court decision in 2016
- copyright
(aggregate data from the Tables 9.1.1. and 9.1.1.A)

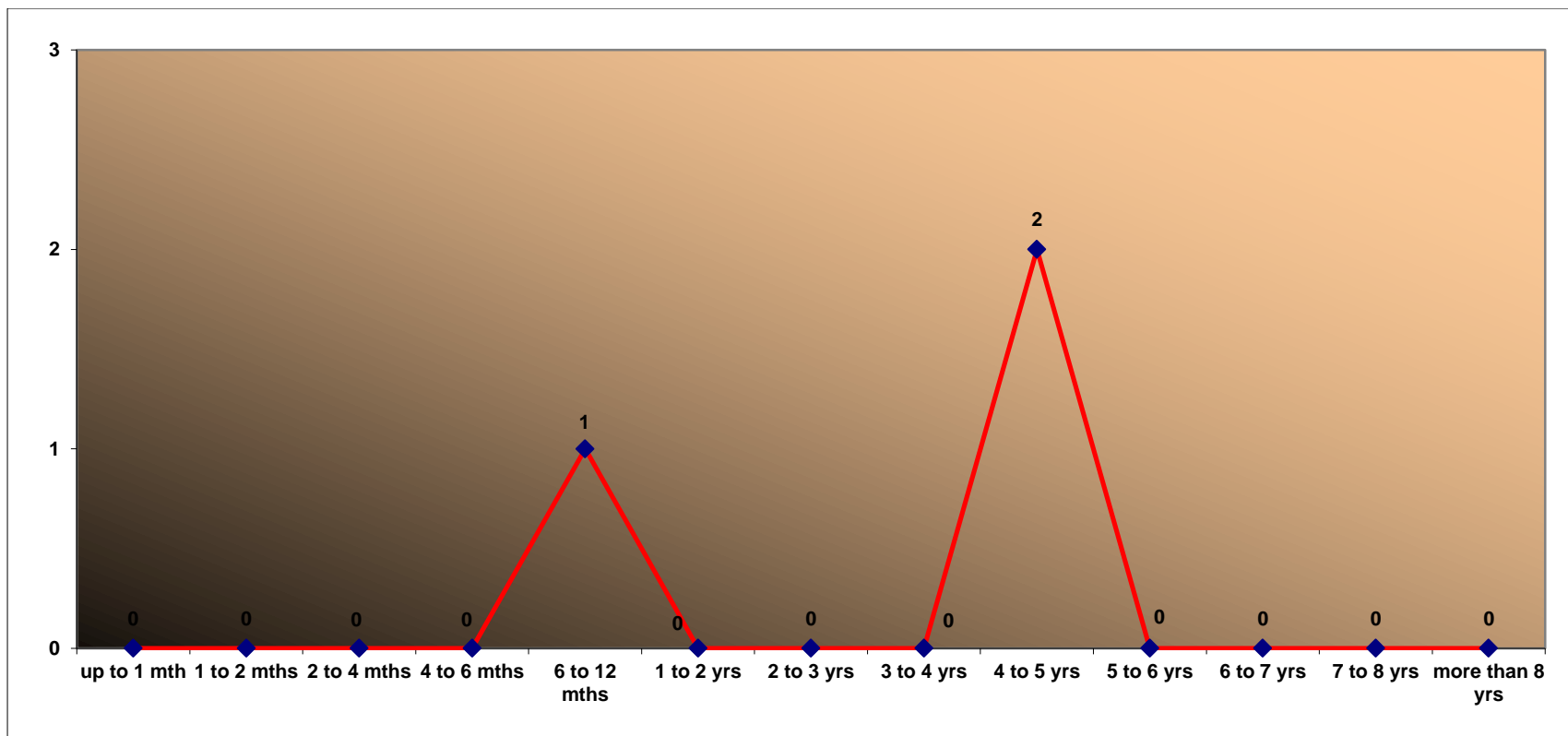
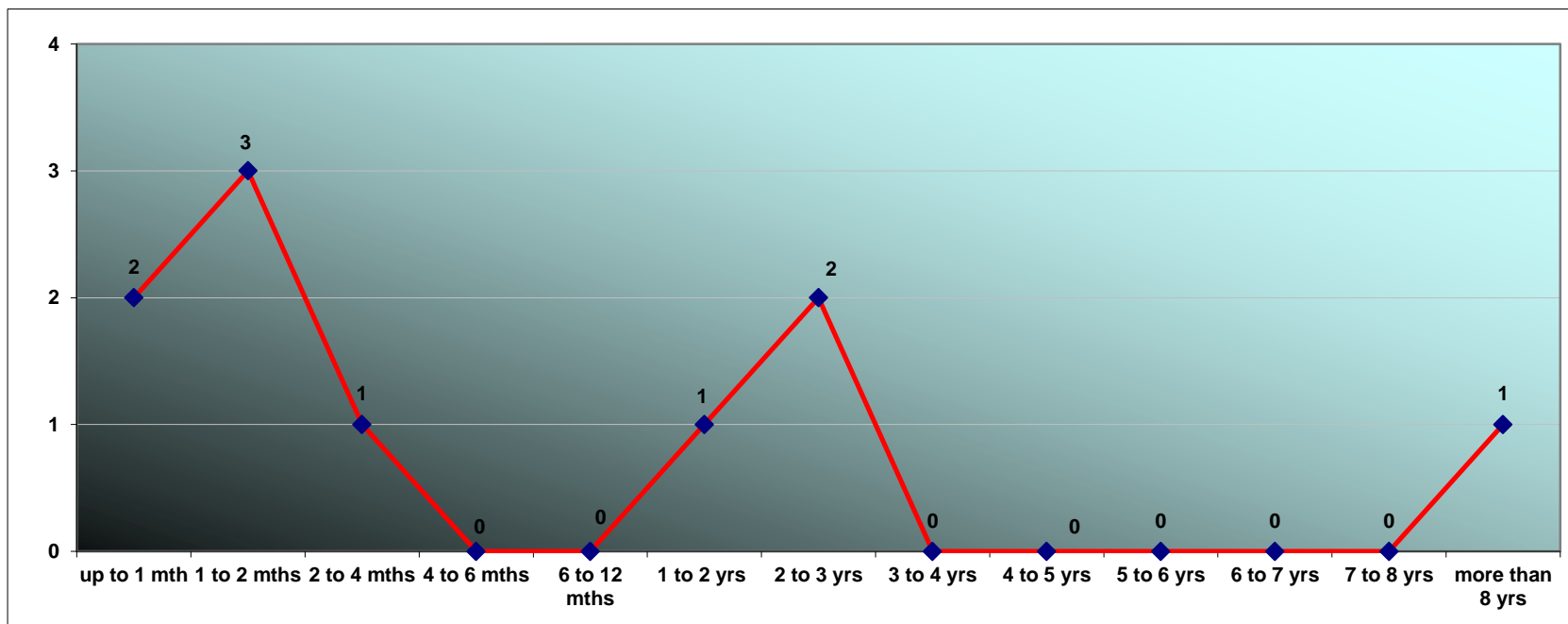


Chart 9.1.2.

Duration of the procedure from filing of a criminal report to the final court decision in 2016

- industrial property

(aggregate data from the Tables 9.1.1. and 9.1.1.A)



9.2. Duration of the procedure from filing of a misdemeanour report

Table 9.2.1.

Duration of the procedure from filing of a misdemeanour report to the **final** court decision in 2016

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
Infringements of the copyright provisions,	4.449	563	692	1.043	583	918	382	117	81	40	21	8	1	0
%	100	12,7	15,6	23,4	13,1	20,6	8,6	2,6	1,8	0,9	0,5	0,2	0,0	0,0
Infringements of the trademark provisions, and other indications provisions	59	1	2	6	9	34	3	1	1	2	0	0	0	0
%	100	1,7	3,4	10,2	15,3	57,6	5,1	1,7	1,7	3,4	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

Chart 9.2.1.

Duration of the procedure from filing of a misdemeanour report to the final court decision in 2016
- Infringements of the copyright provisions

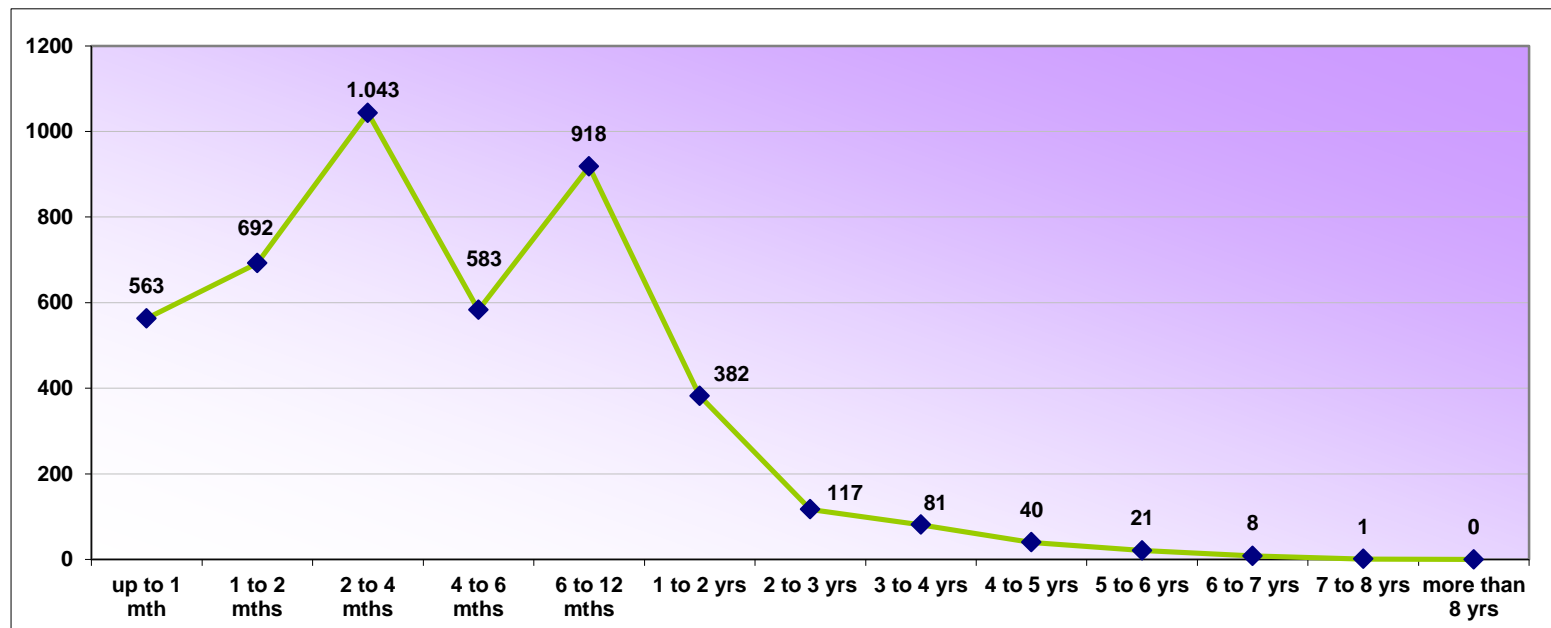
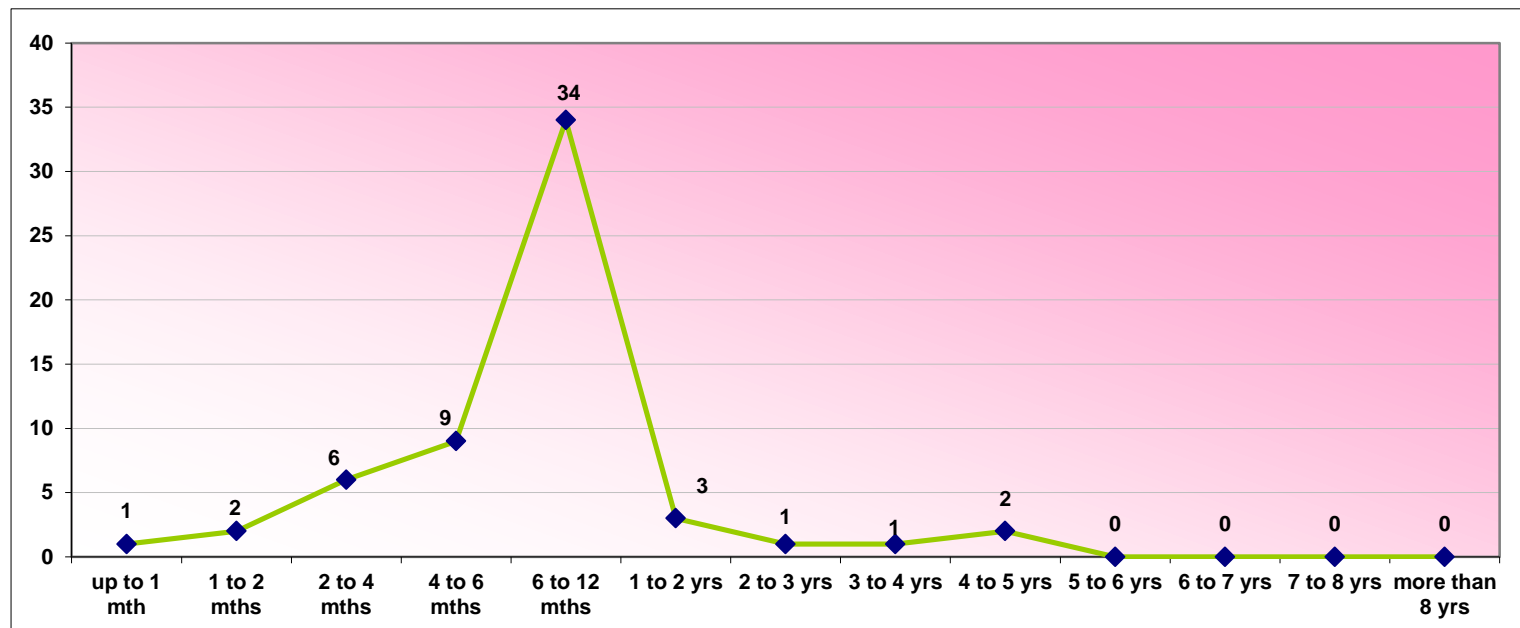


Chart 9.2.2.

Duration of the procedure from filing of a misdemeanour report to the final court decision in 2016
- Infringements of the provisions on trademark and other symbols



9.3. Duration of the procedure before commercial courts and the High Commercial Court of the Republic of Croatia

Table 9.3.1.

Duration of the procedure before commercial courts and the High Commercial Court of the Republic of Croatia in 2016

	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	929	228	322	198	103	27	14	14	23
%	100	24,5	34,7	21,3	11,1	2,9	1,5	1,5	2,5
HIGH COMMERCIAL COURT	233	40	10	10	16	77	78	2	0
%	100	17,2	4,3	4,3	6,9	33,0	33,5	0,9	0,0

Chart 9.3.1.

Duration of the procedure before commercial courts in 2016

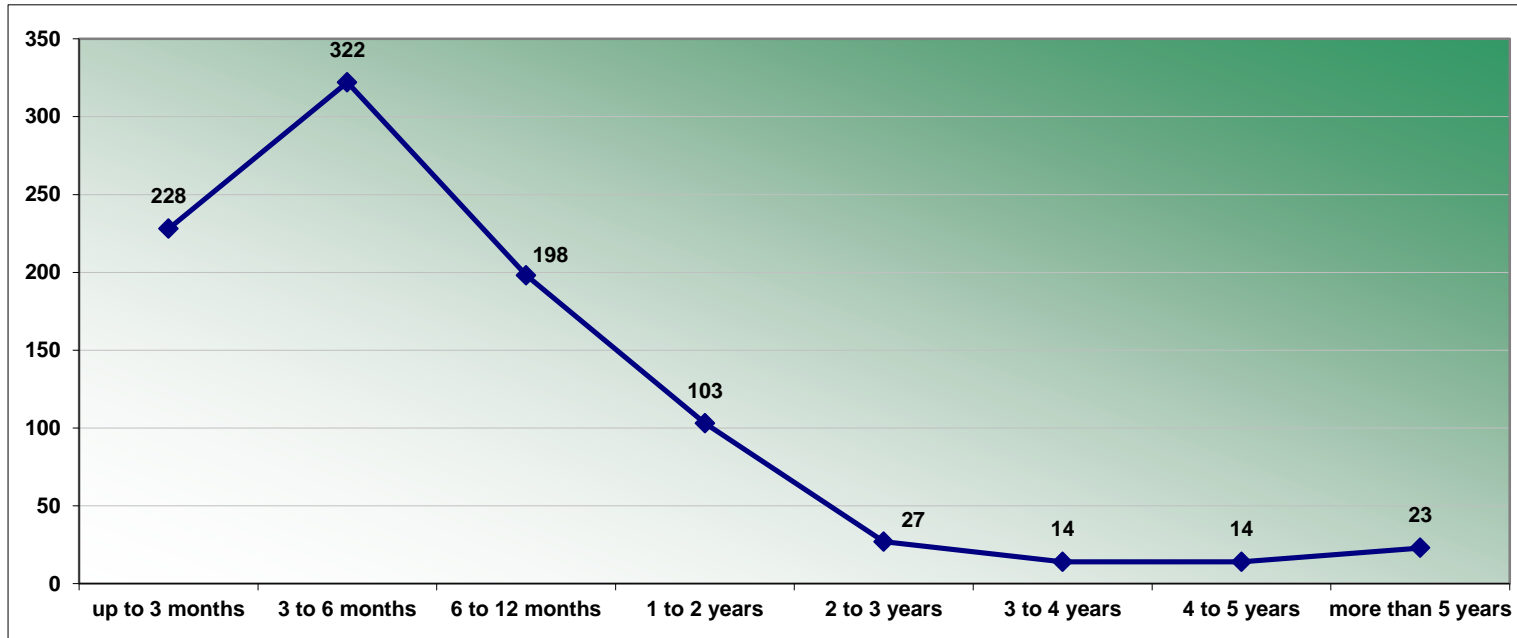
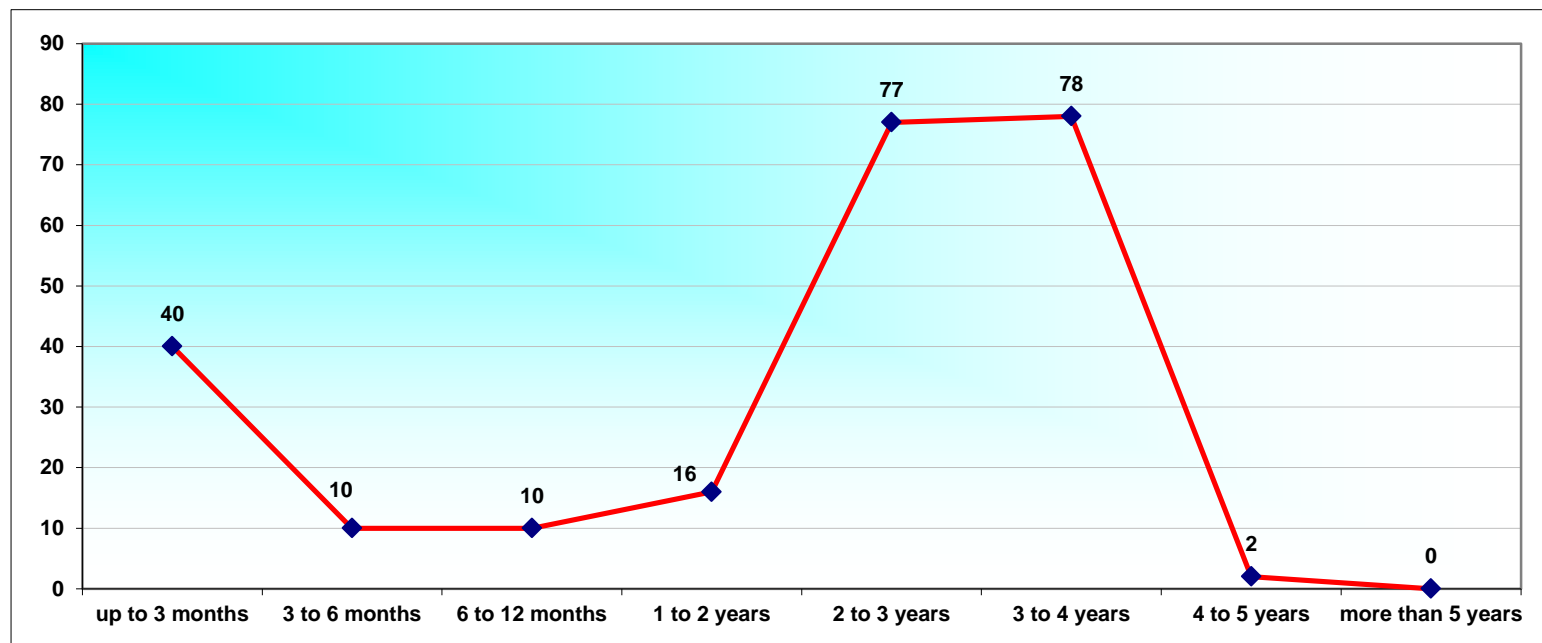


Chart 9.3.2.

Duration of the procedure before the High Commercial Court of the Republic of Croatia in 2016



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

Table 9.4.1.

Duration of the procedure before administrative courts in 2016

	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 COURTS	6	0	0	5	0	1	0	0	0
%	100	0,0	0,0	83,3	0,0	16,7	0,0	0,0	0,0

Table 9.4.1.A

Duration of the procedure before the High Administrative Court of the Republic of Croatia in 2016

	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	2	0	2	0	0	0	0	0	0
%	100	0,0	100,0	0,0	0,0	0,0	0,0	0,0	0,0