ICC BASCAP MEMBERSHIP GUIDE
Mission, accomplishments, work plan and benefits of membership
THE COSTS OF COUNTERFEITING AND PIRACY

The days when the only counterfeit goods sold on street corners were CDs and DVDs are long gone. Today, counterfeiters are producing fake foods and beverages, pharmaceuticals, electronics, auto parts and everyday household products, while copyright pirates have created multi-million dollar networks to produce, transport and sell unauthorized copies of music, video and software.

Millions of fake products are being manufactured and shipped to world markets at increasingly alarming rates. Millions of consumers are at risk due to these unsafe and ineffective products. In addition, governments, businesses and society are being robbed of hundreds of billions in tax revenues, business income and jobs.

Failure to respect intellectual property rights (IPRs) also threatens the creativity and innovation which underpin prosperous societies, industries and businesses. Counterfeiting and piracy have also been shown to support a host of illegal activities and terrorist and criminal networks.
HOW WE WORK

Business Action to Stop Counterfeiting and Piracy (BASCAP), an initiative of the International Chamber of Commerce (ICC), brings together leading actors from the private sector with over 13 years’ experience in fighting counterfeiting and piracy. Representing companies covering all areas of industry, BASCAP has an established track record of dealing with almost all areas of counterfeiting and piracy.

BASCAP Mission and Vision

BASCAP Vision

A world where fighting counterfeiting and piracy has been identified as a priority, where authorities at all levels have put in place appropriate policies and laws supported by the resources and commitment necessary to effectively tackle this scourge.

BASCAP Mission

Combatting counterfeiting and piracy for the good of society and business is the cornerstone of BASCAP’s mission. Counterfeiting and piracy impact virtually every product category and the daily lives of millions of people around the world. Countless fake products are being manufactured and shipped to world markets at increasingly alarming rates. Consumers are at risk due to these unsafe, unregulated and ineffective products while society, governments, businesses are being robbed of hundreds of billions in tax revenues, business income and jobs. Failure to respect IPRs also threatens the creativity and innovation which underpin prosperous societies, industries and businesses. Counterfeiting and piracy have also been shown to support a host of illegal activities and criminal networks.

In response to growing levels of counterfeiting and piracy, BASCAP raises awareness of the devastating socio-economic harm of these illicit activities and advocates for the effective enforcement and protection of IPRs by local, national, regional and international authorities.

BASCAP provides unparalleled research and policy recommendations on counterfeiting and piracy issues, responding to and anticipating the needs of its Member companies worldwide. Building on its well established track record, BASCAP will continue to identify and engage with key stakeholders, hold governments to account and develop practical solutions to tackle and eliminate the scourge of counterfeiting and piracy.

BASCAP is the leading voice of business on IPR protection in relation to counterfeiting and piracy.

Key strategic goals—BASCAP is:

EFFECTIVE

• Leading powerful and evidence based advocacy to help shape policy and legislative developments, implementation and effective application

• Working with and representing key stakeholders from business, government and society to drive change to support legitimate trade and safe consumer goods

INNOVATIVE

• Driving forward looking research and publications, based on solid and credible studies and practical experience

• Developing and supporting state of the art recommendations and solutions
PRAGMATIC

- Developing answers that business can actually implement and use to combat existing counterfeiting and piracy, and prevent and diminish the growth of counterfeiting and piracy to protect their business and consumers
- Being recognised as the “go to” organisation for well researched, broadly based and constructive, workable solutions

AREAS OF WORK / PRIORITY AREAS

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OUR APPROACH

The BASCAP work plan focuses on five main programme streams:

1. Promoting more effective public policy, legislation and industry best practices
2. Pressing regional and national governments to strengthen IP enforcement
3. Leveraging International Governmental Organisations (IGOs)
4. Publishing leading reports to shape government agendas and priorities
5. Building global public awareness
At BASCAP we encourage national and regional governments to take concrete action to reduce and ultimately eliminate counterfeiting and piracy. Our strategy for achieving this is to push for significantly higher benchmarks for government performance at the national, regional, multilateral and international levels. We have published a range of recommendations including:

- **BASCAP 25 best practices for IPR Enforcement** is a basic “checklist” that can be used to evaluate if regulations are in place to tackle issues that have historically undermined effective IPR enforcement.

- **Pressing for responsible action by supply chain intermediaries.** BASCAP has pioneered a set of best practices and delineates roles and responsibilities of intermediaries in the fight against counterfeiting and piracy. Sectors include maritime operators, landlords, e-commerce platforms, Internet Service Providers, advertisers and payment processors.

- **Measures to fight online counterfeiting.** BASCAP’s Best Practices for Removing Fakes from Online Platform are a blueprint for effectively removing fakes from online platforms.

- **Confiscating proceeds of crime.** BASCAP and the United Nations Interregional Crime and Justice Research Institute (UNICRI) released a report advocating for the confiscation of the proceeds of crime as an effective government tool against the infiltration of transnational organized crime into counterfeiting and piracy.

- **Free trade zones.** The BASCAP report, Controlling the Zone: Balancing facilitation and control to combat illicit trade in the world’s Free Trade Zones, calls for increased regulation and better management of free trade zones (FTZs), that can be vulnerable to counterfeiting and piracy.

- **Promoting stronger, multilateral intellectual property regimes.** BASCAP advocates for the effective and timely enforcement of IPRs in international trade agreements, namely to safeguard their intended beneficial contribution to economic and social welfare.

- **Special report on consumer protection, health and safety responsibilities for governments.** BASCAP advocates for stronger national mechanisms and safeguards consumers against the risks from counterfeit and pirated goods while raising awareness of the related economic and social harms.
2. PRESSING NATIONAL GOVERNMENTS TO STRENGTHEN IP ENFORCEMENT

BASCAP’s work at the country level includes detailed recommendations for policy and legislative changes needed to bring national intellectual property enforcement efforts up to international standards. Our recommendations create momentum at the ground level and provide a blueprint for local business and government officials to work together against counterfeiting and piracy.

BASCAP has an established track record of working with companies and other stakeholders across the globe, setting up working groups focused on the following countries:
3. LEVERAGING INTERGOVERNMENTAL ORGANISATIONS (IGOs)

ICC is the voice of global business in key intergovernmental forums. BASCAP collaborates closely with intergovernmental organisations to help them identify and take action towards better intellectual property enforcement.

ICC UN observer status

ICC is the only business organisation to be granted Observer Status with the the UN General Assembly (UNGA); This gives BASCAP a direct channel to engage with the UN alongside intergovernmental organisations.

Our UN Observer Status is the first time business has been given a direct voice to the UN system allowing ICC to contribute directly to the work of the General Assembly. This reflects the vital role the private sector will play in implementing the UN’s 2030 Agenda for Sustainable Development.
4. BASCAP REPORTS AND PUBLICATIONS

BASCAP has published an extensive library of innovative reports, papers and publications covering a broad range of important counterfeiting, piracy and IPR topics relevant to governments, IGOS and other stakeholders. We strive to produce documents that are relevant, well-researched and accurate, and our reports and papers have been widely recognised and referenced by third party stakeholders in their own work. Our most recent publications can be found below.

List taken from website:

- **BASCAP 25 Best Practices for IPR Enforcement**
  - September, 2015

- **Roles and Responsibilities of Intermediaries: Fighting Counterfeiting and Piracy in the Supply Chain**
  - March, 2015

- **Declaration of Intent to Prevent the Maritime Transportation of Counterfeit Goods**
  - November, 2016

- **BASCAP Know your customer, due diligence and maritime supply chain integrity**
  - September, 2018

- **BASCAP Measures to Engage Landlords in the Fight against Counterfeit and Pirated Goods**
  - September, 2017

- **Economic Impacts of Counterfeiting and Piracy**
  - December, 2016

**National and regional work**

- India
- Nigeria
- Singapore
5. BUILDING GLOBAL PUBLIC AWARENESS

A critical component of BASCAP’s mission is to improve consumer awareness of the harms of counterfeiting and piracy and to promote respect for intellectual property and IPR.

Following exhaustive research, BASCAP created an awareness programme that can be adapted and used by other organisations. The theme of the campaign is “FAKES COST MORE, I BUY REAL!”

By promoting a consistent identity and generating materials in numerous languages, the campaign reinforces awareness and is a global call to action.

The campaign has been successfully launched in more than 30 countries including:

- ALBANIA
- BELGIUM
- CHINA
- FINLAND
- FRANCE
- GHANA
- GEORGIA
- GERMANY
- ITALY
- KENYA
- MEXICO
- MONTENEGRO
- MOROCCO
- PHILIPPINES
- SERBIA
- SPAIN
- SOUTH AFRICA
- TRINIDAD & TOBAGO
- TURKEY
- UKRAINE
- UNITED KINGDOM
- ZIMBABWE

The Fakes Cost More, I Buy Real campaign holds enormous potential as it is currently available for use in the local languages of 170 countries, covering all world regions. Learn more at www.ibuyreal.org.
BASCAP MEMBERSHIP

BASCAP membership is open to all companies that share the goal of eliminating counterfeiting and piracy. Membership is not restricted to current ICC members and BASCAP welcomes new members from all sectors of industry that share our mission and objectives.

BASCAP membership is subject to an approval procedure involving the BASCAP Steering Committee. Members are required to pay an annual subscription fee or dues.

BENEFITS OF MEMBERSHIP

1. **Strength in numbers**—BASCAP was created to connect and mobilise businesses across industries, sectors and national borders to achieve results more effectively than any single company can accomplish alone. BASCAP strengthens each member’s internal efforts to protect its brand and investments from the illegal practices of counterfeiting and piracy.

2. **The voice of global business**—BASCAP is an initiative of ICC, the recognized voice of global business. This provides BASCAP members with:
   - On-the-ground resources for reaching and influencing national policymakers through ICC’s global network of national committees located in 90 countries;
   - Legitimacy and access to influential intergovernmental organisations;
   - Visibility with global media, including ICC’s global website and social platforms.

3. **Collective messaging**—BASCAP’s cross sector membership enables it to deliver a comprehensive and compelling case to governments that the risks and damages of counterfeiting and piracy are not limited to one product, one sector or a single company.

4. **Aggregated resources and expertise**—BASCAP is a vehicle to pool funding and expertise, creating a mass of resources greater than any single company or sector could accumulate alone.

5. **More effective company enforcement efforts**—BASCAP’s policy and legislative agenda presses governments for stronger intellectual property enforcement regimes where counterfeiting is a national priority, law enforcement and border controls are adequately funded, penalties are in place and judges are sufficiently trained. Under these circumstances, the private enforcement and litigation efforts of BASCAP member companies can be radically more effective.

6. **Defending the global IP system**—To better defend the world’s IPR system, BASCAP ardently promotes the value of intellectual property and its relation to economic growth, employment, innovation and R&D, trade and investment and small and medium-sized enterprises.

7. **Member-driven agenda**—BASCAP exists to serve the objectives of its members. The strategic direction and projects undertaken by BASCAP are developed by and for member companies through their direct participation in the BASCAP Steering Committee. Only projects that promote member company objectives in a particular country, forum or subject area are pursued.
BASCAP STRUCTURE

BASCAP members
Our members comprise companies committed to the belief that the protection of IPR is a social and economic imperative and that the erosion of these protections, through the illegal practices of counterfeiting and piracy, are debilitating to all companies that invest in intellectual capital—not just their own.

Steering Committee
The Steering Committee brings together senior executives from member companies to establish BASCAP implementation priorities and strategies to leverage the ongoing efforts of companies working worldwide against counterfeiting and piracy. The Steering Committee meets up to three times each year and participates in meetings and teleconferences on self-selected project task forces. Steering Committee members are actively engaged in providing input on work plans, programme development and budgets. They have access to all BASCAP materials and are given the opportunity to participate in meetings and events with IGOs, national governments and media.

Membership requirements
BASCAP is open to all companies committed to the fight against counterfeiting and piracy. For more detailed information on joining, please contact: info.bascap@iccwbo.org.
ABOUT THE INTERNATIONAL CHAMBER OF COMMERCE (ICC)

The International Chamber of Commerce (ICC) is the world’s largest business organisation with a network of over 6 million members in more than 100 countries. We work to promote international trade, responsible business conduct and a global approach to regulation through a unique mix of advocacy and standard setting activities—together with market-leading dispute resolution services. Our members include many of the world’s largest companies, SMEs, business associations and local chambers of commerce.

We make the business work for everyone, every day, everywhere.