

The "follow the money" approach in intellectual property rights enforcement

Background

"Follow the money" is an initiative of the European Commission bringing together the online advertising community and rights holders to establish a multi-stakeholder dialogue aimed at disrupting the revenue flow for commercial-scale IP infringing activities through voluntary agreements between them.

The Memorandum of Understanding on the sale of counterfeit goods via the Internet, brokered by the Commission in 2011, was the first voluntary cooperation agreement between stakeholders at European level aimed at better enforcement of IPR. The 2014 IPR enforcement action plan announced the Commission's facilitation of new voluntary initiatives on advertising and payment services, with a third on shippers/distribution intermediaries to follow at a later stage.

The Commission has been engaging with the industry in an effort to produce principles of the Memorandum of Understanding to be signed by rights holders and the advertising industry (advertisers, agencies, and digital advertising platforms). EACA has been part of the process and we have contributed during meetings and with our expertise.

EACA position

EACA members do not support IP infringement and work only with responsible players in the advertising chain. With regards to the Memorandum of Understanding, we believe that any EU approach also has to take well established national initiatives into consideration and encourage them to converge. Future MoU should have measurable objectives.

Additionally, EACA is currently working with IAB Europe and WFA on self-regulatory principles between our three organisations which will encourage the associations' members to take further action with a view to stopping funding IPR infringing websites.