

**IPA 2008 National Programme for Albania**  
**Centralised National programmes Support to Copyrights**

**1. Basic information**

**1.1 CRIS Number:** 2008/020-1161. **2 Title:** Strengthening and enforcement of the capacities of Albanian Copyright Office and other state institutions involved in the process of respecting and protecting copyright.

**1.3 Sector:** 03.07

**1.4 Location:** Tirana, Albania

**Implementing arrangements:**

**1.5 Contracting Authority:** Delegation of the European Commission to Albania

**1.6 Implementing Agency:** Delegation of the European Commission, Tirana on behalf of the Government of Albania

**1.7 Beneficiary:** Albanian Copyright Office, Regional Copyright Offices (to be established end of 2008 – beginning of 2009) , experts of regional branches of taxation and customs authorities, police structures, local authority and collective management agencies of author's rights.

**Project manager**

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**Financing:**

**1.8 Overall cost (VAT excluded)<sup>1</sup>:** 800.000 Euro

**1.9 EU contribution:** 800.000 Euro

**1.10 Final date for contracting:**

Three years following the date of the conclusion of the Financing Agreement

**1.11 Final date for execution of contracts:**

Two years following the expiry date for Contracting

**1.12 Final date for disbursements:**

One year after the end date for the execution of contracts

**2. Overall Objective and Project Purpose**

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<sup>1</sup> The total cost of the project should be net of VAT and/or other taxes. Should this not be the case, the amount of VAT and the reasons why it should be considered eligible should be clearly indicated (see Section 7.6)

### **2.1 Overall Objective:**

To contribute to the protection of intellectual property in Albania at a similar level to that of the European Union, defining a period up to four years to meet this obligation

### **2.2 Project purpose:**

Strengthening and enforcement of the capacities of the Albanian Copyright Office and Regional Copyright Offices and their partners, in the chain of the institutions which have responsibilities and commitments in the process of respecting and protecting copyright

### **2.3 Link with AP/NPAA / EP/ SAA**

**The Stabilisation and Association Agreement (SAA)** between the Government of Albania and the European Community was signed in June 2006. This project's intervention field is in line with the objectives set out by this Agreement, in particular Article 73 and Article 39 of the Interim Agreement (Intellectual, industrial and commercial property). According to this article, the Parties confirm the importance that they attach to ensuring adequate and effective protection and enforcement of intellectual, industrial and commercial property rights.

The short and medium term priorities for Albania in the process of European Integration are outlined in the **European Partnership document**, and for the Copyright Office this project should take in consideration the following short and medium term priorities. This Office should undertake different measures in order to fulfil national obligations regarding the EU Integration Process. It should prepare a national strategy and an action plan for further legislative developments and strengthening of intellectual property rights, strengthen the administrative capacity for protection of IPR. Intensify enforcement against piracy and counterfeiting, further increase awareness of IPR issues amongst the business community and law enforcement bodies, including the judiciary.

The main goal of the Copy Right Office is to guarantee copyright protection through the establishment and functioning of Albanian Copyright Office as a leading Institution responsible for the protection of these rights. These obligations are addressed in the **National Plan for the Implementation of the Stabilization and Association Agreement**. In this document legislative initiatives and implementing activities to fulfil these obligations are foreseen such amendment of the existing law on copyrights, public awareness campaign, strengthening cooperation with other institutions, in order to implement the National Strategy on Intellectual Property, etc. A detailed list of these activities and legal initiatives is included in Annex 4.

### **2.4 Link with MIPD**

According to the MIPD Document, Under section 2.2.3.3 "Programmes to be implemented" capacity building for the Directorate of Patents and Trademarks and Intellectual Property Rights implementation and enforcement agencies and strengthening of the IP legal environment. Capacity building to the establishment and functioning of the Albanian Office for Copyrights and related legislation is foreseen. Such support would help the improving of the institutional set-up of key market

actors, among them the Office for Copy Rights, as foreseen under point 2.2.3.2 “Expected results”

## **2.5 Link with National Development Plan**

Significant part of the National Plan for Development and Integration is the National Strategy of Culture. In this strategy the Copyright field is divided in short, medium and long term measures. ACO has decided to introduce as a priority, in the National Strategy of Culture of the Republic of Albania the control and strict observation of market for civil exchange and circulation of intellectual product, registration and certification of any right of intellectual product home-brew or stranger, emphasis of authority of law` force through the administrative counterfeit ascertainment, penalty, and prevent of its iterance, coordinate, according to an organization in consonance with the legislation into force to all the national executive institutions of law, as are NCRT, taxation and customs bodies, accusation organ, etc of economic operators as producer and user, which enjoyed the exploitation right, of benefit operators of protection of intellectual product.

## **2.6 Link with national / sectoral investment plans**

N/A

### **3. Description of project**

#### **3.1 Background and justification:**

Albanian Copyright Office is a new institution; established during March 2009, based on Law Nr. 9380, date 28.04.2005 “On Copyright and Related Rights”. The establishment of this institution was foreseen under this law, but was as well as result of an urgent need to fight the wide spread piracy in the country. The staff of Albanian Copyright Office is composed of 7 lawyers and the other part is supportive structure (international relations/ public relations and finance).

Copyright situation in Albania, is not considerably improved. The awareness of the economic operators regarding exercising and protecting the intellectual property in Albania is still very low. This cause the non-respecting and non-payment of the copyright for the works used in the market. There is a small part of the community of users of artistic property who are ready to pay for the artistic property they use. The major part of them refuses to respect the law. The community of authors themselves is not sufficiently sensitized on the benefits they can have if the law is duly implemented and respected. The major problem remains awareness of the community of authors, owners of artistic property and users of their property and the low level of information on the law between the community and the state structures which are involved in the process of respecting and protecting copyright in Albania.

The institutional collaboration, between the institutions which are part of the national system which have responsibilities on the implementation and enforcement of the law on copyright, remains weak. Despite of the fact that ACO has initiated and signed understanding memorandums with the National Council of Radio and Televisions, General Directory of Taxes and General Directory of Customs, still concrete actions are missing. The lack of judges and prosecutors, specialized to judge and analyze the cases of infringement of author’s right, remains a problem (a considerable number of these cases conclude not in the favor of the authors)

Under these conditions a technical assistance under CARDS 2006 a budget of Euro 0.5 million for Albanian Copyright Office was approved. These funds have not yet been allocated to the Albanian Copyright Office. This project is linked with the approved project by CARDS 2006, which is conceived to be realized for Awareness and Information on the law. This project will be implemented during 2008 and it is conceived to be realized through: wide sensibility campaigns/ workshops with the different categories of authors and representatives of all the categories of state structures and private entities which are involved in the process of respecting a protecting copyright in Albania/ publications/ etc.

Nevertheless, there remains the need for the Office to raise the awareness between different categories of actors and factors, involved in the process of respecting and protecting copyright in the Republic of Albania. This goal can be achieved through wide sensibility campaign, workshops and seminars, different publications addressed to each of the categories of users and owners of IPR. These are supposed to be realized during 2008.

After this first stage it remains crucial the enforcement of the law. Drafting an action plan with the state and private institutions involved in the process of respecting and protection copyright. The beneficiary institutions which should be involved in project implementation are;

- Albanian Copyright Office
- Regional Offices on Copyright
- Judiciary system (judges)
- Prosecutors' offices
- General Directory of Customs and their branches in the country
- General Directory of Taxes and their branches in the country
- National Council of Radio and Television
- Directory of the economic crime (Ministry of Interior Affairs)
- Agencies of Collective administering of Authors' rights
- Authorities of local power

In the conditions that during the end 2008 and 2009 will be established regional offices for copyright, it is necessary training of the staff of ACO and these local branches. August – September 2008 will be prepared the Decision of Council of Ministers on Setting up the Regional Copyright Office in 11 Districts of Albania such as Shkoder, Elbasan, Vlore, Gjirokaster, Korce, Berat, Durres, Lezha, Dibra, Kukes and Fier. They can be functional during 2009 because the state budget can be operational only in the beginning of 2009.

Establishment of collaborative cores in the districts of Albania with the participation of experts from the Customs, Taxes entities, Judiciary and prosecutors, inspectors of the economic crime Department, State police etc, aiming a better coordination of the operations in this field.

Public awareness is also very important. Raised awareness of the community of authors themselves and of the users of their artistic property, will give positive impact to the improved level of protection of copyright. The twinning light project on strengthening of enforcement capacities of copyright, comes as a logical step, after realizing the up-mentioned project on the awareness and information on the law.

### **3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact (where applicable)**

The project will have positive impact in further strengthening of the staff of ACO, and regional copyright offices, as well as strengthening of the experts of other state institutions, which are involved in the process of respecting and protecting the copyright.

### **3.3 Results and measurable indicators:**

#### **Component 1: Trainings on general issues of copyright and enforcement of the law**

Result: Trained staff of ACO on enforcement issues (10 people) (3 days training in Tirana)

##### Measurable Indicators

- 10 people trained from the expert for 1 day on general issues of copyright
- 10 people trained for 2 days on enforcement issues of copyright

##### **Indicators should be assessed in the following way:**

There is a database (register) of the right holders, contracts of right transfer, object of the activity (obligations deriving from the Albanian Copyright Law) registered in ACO.

Database of the National Centre of Registrations (NCR) form which it results that 10.000 subjects (approximate number) are activities which includes use of intellectual product

Verifying from each of the regions how much is decreased the number of non-registered activities and how much respectively is increased the number of the registered ones.

Result: Trained staff of the regional copyright offices (3 persons from each of the regional offices in Shkoder, Elbasan, Vlore, Gjirokaster, Korce, Berat, Durres, Lezha, Dibra, Kukes and Fier – in all 33 people) (3 days training in Tirana)

##### Measurable Indicators

- 33 people trained from the expert for 1 day on general issues of copyright
- 33 people trained for 2 days on enforcement issues of copyright

There is a database (register) of the right holders, contracts of right transfer, object of the activity (obligations deriving from the Albanian Copyright Law) registered in ACO.

Database of the National Centre of Registrations (NCR) form which it results that 10.000 subjects (approximate number) are activities which includes use of intellectual product

Verifying from each of the regions how much is decreased the number of non-registered activities and how much respectively is increased the number of the registered ones.

Result: Trained experts of state institutions which are charged to deal with copyright. (Customs, Taxes offices, NCRT, police, courts, prosecutors, etc) (3 days training in Tirana)

##### Measurable Indicators

- 12 districts x 10 persons (each district) – 120 persons trained on copyright issues (1 day).
- 12 districts x 10 persons (each district) – 120 persons trained on how to coordinate activity between each other (2 days).

There is a database (register) of the right holders, contracts of right transfer, object of the activity (obligations deriving from the Albanian Copyright Law) registered in ACO.

Database of the National Centre of Registrations (NCR) form which it results that 10.000 subjects (approximate number) are activities which includes use of intellectual product

Verifying from each of the regions how much is decreased the number of non-registered activities and how much respectively is increased the number of the registered ones.

How much is increased the number of the fines collected by taxation authorities?

How much is increased the number of the court cases resolved in favour of the authors or the right holders?

## **Component 2: Drafting of the Action Plan and coordination between regional offices**

Result: Action plan drafted with concrete steps aiming coordination of work between these institutions.

### Measurable indicators:

- Action plan drafted
- Information meeting organized in Tirana;
- 32 persons trained

## **3.4 Activities:**

A Twinning Light contract is foreseen under this project on the following basis:

### **Component 1: Service contract to provide training on general issues of copyright and enforcement of the law**

- 3 days training in Tirana with the staff of Albanian Copyright Office (10 people trained)
- 3 days training in Tirana with the staff Regional Copyright Office (33 people trained)
- 3 days training in Tirana with the experts of state institutions which are charged to deal with copyright (Customs, Taxes offices, NCRT, police, courts, prosecutors, (120 people trained)

### **Component 2: Service contract for drafting of the Action Plan and coordination between regional offices**

- drafting an action plan with the activities that each institutions shall realize.
- 1 day meeting in Tirana with the people working in Albanian Copyright Office and Regional Copyright Offices (32 people at all); the meeting shall conclude with a document (action plan)

## **3.5 Conditionality and sequencing:**

Regional Offices are established on time and the adequate enforcement of copyright is assured by the judiciary.

## **3.6 Linked activities:**

Establishment of regional copyright offices is an obligation deriving from the law on Copyright and Related rights, and the period end of 2008 and during 2009 is defined in the

National Plan on the Implementation of SAA. Their establishment will be supported by the state budget of the Ministry of Culture.

The activity has a preparatory phase. Preliminary the head of the office or authorised by her persons will contact with the directors of the state structures which will be involved in the activity, in order to agree with them in general for the activity and to have the respective experts appointed by them.

Until now Albanian Copyright Office has received two experts visit supported by TAIEX/EU concerning revising the Albanian Legislation in the field of Copyright and related Rights.

### **3.7 Lessons learned**

A general report will be developed on each phase of the project, on its impact and the duties that have each of the beneficiaries participated in it.





#### 4. Indicative Budget (amounts in €)

			SOURCES OF FUNDING									
			TOTAL EXP.RE	IPA COMMUNITY CONTRIBUTION		NATIONAL CONTRIBUTION					PRIVATE CONTRIBUTION	
ACTIVITIES	IB (1)	INV (1)	EUR (a)=(b)+(c)+(d)	EUR (b)	%(2)	Total EUR (c)=(x)+(y)+(z)	% (2)	Central EUR (x)	Regional / Local EUR (y)	IFIs EUR (z)	EUR (d)	% (2)
Contract 1 Twinning Project with EU Member State			800.000	800.000	100 %							
Component 1.1 Training on general issues of copyright and law enforcement	700.000	–	700.000	700.000	77.5%							
Component 1.2 Drafting of the Action Plan and coordination between regional offices	100.000	–	100.000	100.000	12.5%							
TOTAL IB			800.000	800.000	100%							
TOTAL INV												
<b>TOTAL PROJECT</b>			<b>800.000</b>	<b>800.000</b>	<b>100%</b>							

**NOTE: DO NOT MIX IB AND INV IN THE SAME ACTIVITY ROW. USE SEPARATE ROW**

Amounts net of VAT

(1) In the Activity row use "X" to identify whether IB or INV

(2) Expressed in % of the **Total** Expenditure (column (a))

## 5. Indicative Implementation Schedule (periods broken down per quarter)

Contracts	Start of Tendering	Signature of contract	Project Completion
Contract 1.1 (Training)	1 <sup>st</sup> Quarter 2009	2 <sup>nd</sup> Quarter 2009	2 <sup>nd</sup> Quarter 2010

All projects should in principle be ready for tendering in the 1<sup>st</sup> Quarter following the signature of the FA

## 6. Cross cutting issues (where applicable)

### 6.1 Equal Opportunity

Throughout project implementation the principle of equal opportunity shall be applied.

### 6.2 Environment

N/A

### 6.3 Minorities

Considerations for respect for minority rights will be guaranteed.

## List of ANNEXES

- 1- Logical framework matrix in Standard Format
- 2- Amounts contracted and Disbursed per Quarter over the full duration of Programme
- 3 - Reference to laws, regulations and strategic documents:
- 4- Details per EU funded contract (\*) where applicable:

For *TA contracts*: account of tasks expected from the contractor

For *twinning covenants*: account of tasks expected from the team leader, resident twinning advisor and short term experts

For *grants schemes*: account of components of the schemes

For *investment contracts*: reference list of feasibility study as well as technical specifications and cost price schedule + section to be filled in on investment criteria (\*\*)

For *works contracts*: reference list of feasibility study for the *constructing works* part of the contract as well as a section on investment criteria (\*\*); account of services to be carried out for the *service part* of the contract

(\*) non standard aspects (in case of derogation to PRAG) also to be specified

(\*\*) section on investment criteria (applicable to all infrastructure contracts and constructing works):

- Rate of return
- Co financing
- compliance with state aids provisions
- Ownership of assets (current and after project completion)

**ANNEX 1**  
**Logical framework matrix in standard format**

LOGFRAME PLANNING MATRIX FOR Project Fiche	Programme name and number <b>Twinning light contract on strengthening enforcement capacities of copyright law</b>	
	Contracting period expires: Q1 2012	Disbursement period expires: Q1 2013
	Total budget : <b>800.000 Euro</b>	IPA budget: 800.000 euro

<b>Overall objective</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	
To contribute to the protection of intellectual property in Albania at a similar level to that of the European Union, defining a period up to four years to meet this obligation.	Number of cases processed; Decrease of number of cases reported	European Commission Progress Reports; Publications of the Copyrights Office	
<b>Project purpose</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>
Strengthening and enforcement of the capacities of the Albanian Copyright Office and Regional Copyright Offices and their partners, in the chain of the institutions which have responsibilities and commitments in the process of respecting and protecting copyright	170 people trained on general issues on copyright  170 people trained on enforcement issues of copyright	List of participants Database (register) of the right holders, contracts of right transfer, object of the activity (obligations deriving from the Albanian Copyright Law) registered in ACO. Database of the National Centre of Registrations (NCR) form which it results that 10.000 subjects (approximate number) are activities which includes use of intellectual product	Action plan adopted and in place; Regional copyright offices established;
<b>Results</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>
<b>Component1:</b> Trainings on general issues of copyright and enforcement of the law  - Trained staff of ACO on enforcement	- 10 people trained from the expert for 1 day on general issues of copyright  -10 people trained for 2	List of participants and training reports	People motivated to participate; Established cooperation between the relevant institutions;

<p>issues;</p> <ul style="list-style-type: none"> <li>- Trained staff of the regional copyright offices;</li> <li>- Trained experts of state institutions which are charged to deal with copyright</li> </ul> <p><b>Component 2:</b> Drafting of the Action Plan</p> <ul style="list-style-type: none"> <li>- Action plan drafted with concrete steps aiming coordination of work between these institutions.</li> </ul>	<p>days on enforcement issues of copyright</p> <ul style="list-style-type: none"> <li>- 33 people trained from the expert for 1 day on general issues of copyright</li> <li>- 33 people trained for 2 days on enforcement issues of copyright</li> <li>- 120 persons trained</li> <li>- 120 persons trained on how to coordinate activity between each</li> <li>- Action plan drafted</li> <li>- Info meeting organized in Tirana;</li> <li>- 32 persons trained</li> </ul>	<p>Database (register) of the right holders, contracts of right transfer, object of the activity (obligations deriving from the Albanian Copyright Law) registered in ACO.</p> <p>Database of the National Centre of Registrations (NCR) form which it results that 10.000 subjects (approximate number) are activities which includes use of intellectual product.</p> <p>Verifying from each of the regions how much is decreased the number of non-registered activities and how much respectively is increased the number of the registered ones.</p>	
<b>Activities</b>	<b>Means</b>	<b>Costs</b>	<b>Assumptions</b>
<p><b>Component 1:</b></p> <ul style="list-style-type: none"> <li>- 3 days training in Tirana with the staff of Albanian Copyright Office</li> <li>- 3 days training in Tirana with the staff Regional Copyright Office</li> <li>- 3 days training in Tirana with the experts of state institutions which are charged to deal with copyright</li> </ul> <p><b>Component 2:</b></p> <ul style="list-style-type: none"> <li>- Drafting an action plan with the activities that each institutions shall realize.</li> </ul>	Expert on copyright issues	<b>800.000 euro</b>	

Pre-conditions

**ANNEX II**  
**Amounts (in €) Contracted and disbursed by quarter for the project**

<b>Contracted</b>	<b>Q1 2009</b>	<b>Q2 2009</b>	<b>Q3 2009</b>	<b>Q4 2009</b>	<b>Q1 2010</b>	<b>Q2 2010</b>	<b>Q3 2010</b>	<b>Q4 2010</b>	<b>Q1 2011</b>	<b>Q2 2011</b>	<b>Q3 2011</b>	<b>Q4 2011</b>	<b>Q1 2012</b>	<b>Q2 2012</b>	<b>Q3 2012</b>	<b>TOTAL</b>
Contract 1.1		700,000														700,000
Contract 2.1			100,000													100,000
<b>Cumulated</b>		<b>700,000</b>	<b>800,000</b>													<b>800,000</b>
<b>Disbursed</b>																
Contract 1.1			80,000		120,000		150,000		150,000		120,000				80,000	700,000
Contract 2.1				100,000												100,000
<b>Cumulated</b>			<b>80,000</b>	<b>180,000</b>	<b>300,000</b>		<b>450,000</b>		<b>600,000</b>		<b>720,000</b>				<b>800,000</b>	<b>800,000</b>

### **ANNEX III**

#### **Description of Institutional Framework**

The implementation of the current legislation in the field of copyright protection is exercised through the following Institution:

**Albanian Copyright Office** – this Office is under the dependency of the Ministry of Tourism, Culture, Youth and Sports, and has the constitutional responsibility of state to implement the copyright law in Albania. This office has a staff that is composed of specialists and inspectors, who will be trained in the field of copyright.

The other institutions with which the Office cooperates are as follows:

- a) Ministry of Justice
- b) Ministry of Finance
- c) General Directorate of Taxation;
- d) General Directorate of Customs
- e) Ministry of Economy Trade and Energy
- f) National Council of Radio and Television
- g) Ministry of Education and Sciences
- h) Courts and Public Prosecution's Office

## ANNEX IV

### Reference to laws, regulations and strategic documents

#### Reference to relevant laws and regulations

The existing Albanian legislation in this area is as following:

- Law Nr 9380, date 28.04.2005 “On Copyright and Related Rights”;
- Law no. 8410, dated 30.09.1998, “On Public and Private Radio and Television Stations in the Republic of Albania” with the relevant amendments;
- DCM No. 120, dated 27.01.1997 “On the Reward of Scientific books, Scholastic texts and other materials of school documentation authors “;
- Law No. 8449, dated 27.01.1999 “On the Customs Code of the Republic of Albania” and DCM No. 205, dated 13.04.1999 “On implementing provisions of the Customs Code of the Republic of Albania”;
- Civil Code (Articles 608, 609, 617) and Criminal Code (Articles 147, 148, 149).

The relevant EU Directives that do exist in this field:

- Directive 92/100/EC , 19 november 1992, on rental right and lending right and on certain rights related to copyright in the field of intellectual property
- Directive 93/98/EC , 29 October 1993, on harmonizing the term of protection of copyright and certain related rights
- Directive 91/250/ EC, 14 May 1991, on legal protection of computer programs
- Directive 2001/29/EC, 22 May 2001 on the harmonization of certain aspects of copyright and related rights in the information society
- Directive 96/9/EC 11 march 1996, on the legal protection of databases
- Directive 93/83/ EEC 27 September 1993 on the coordination of certain rules concerning copyright and rights related to copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission
- Directive 2001/84 EC, 27 September 2001 on the resale right for the benefit of the author of an original work of art

#### Reference to Stabilization and Association Agreement

The Stabilisation and Association Agreement (SAA) between the Government of Albania and the European Community was signed in June 2006. This project’s intervention field is in line with the objectives set out by this Agreement, in particular Article 73 and Article 39 of the Interim Agreement (Intellectual, industrial and commercial property).

#### Article 73

#### Intellectual, industrial and commercial property

- 1) Pursuant to the provisions of this Article and Annex V, the Parties confirm the importance that they attach to ensuring adequate and effective protection and enforcement of intellectual, industrial and commercial property rights.
- 2) Albania shall take all the necessary measures in order to guarantee no later than four years after the date of entry into force of this Agreement a level of protection of intellectual, industrial and commercial property rights similar to that existing in the Community, including effective means of enforcing such rights.



- 3) Albania undertakes to accede, within four years after the date of entry into force of this Agreement, to the multilateral Conventions on intellectual, industrial and commercial property rights referred to in paragraph 1 of Annex V. The Stabilisation and Association Council may decide to oblige Albania to accede to specific multilateral Conventions in this area.
- 4) If problems in the area of intellectual, industrial and commercial property affecting trading conditions occur, they shall be referred urgently to the Stabilisation and Association Council, at the request of either Party, with a view to reaching mutually satisfactory solutions.

### Reference to European Partnership

The short and medium term priorities for Albania in the process of European Integration are outlined in the European Partnership document, and for the Copy Right Office this project should take in consideration the following short and medium term priorities:

#### *Short – term priorities:*

- Prepare a national strategy and an action plan for further legislative developments and strengthening of intellectual property rights
- Strengthen the administrative capacity for protection of IPR. Intensify enforcement against piracy and counterfeiting.
- Further increase awareness of IPR issues amongst the business community and law enforcement bodies, including the judiciary.

#### *Medium – term priorities:*

- Fully implement international conventions ratified in the field of intellectual, commercial and industrial property rights
- Implement intellectual property rights legislation properly and achieve improved results in the fight against piracy and counterfeiting
- Guarantee sufficient administrative capacity to comply with SAA requirements in this area

### Reference to National Plan for the Implementation of the SAA

The main goal of the Copy Right Office is to guarantee copyright protection through the establishment and functioning of Albanian Copyright Office as a leading Institution responsible for the protection of these rights. These obligations are addressed in the National Plan for the Implementation of the Stabilization and Association Agreement. In this document legislative initiatives and implementing activities to fulfil these obligations are foreseen as following:

#### *Short-term Legislative Initiatives*

The following legislative initiatives will be undertaken so as to address short-term priorities:

- Approving the application forms for the registration procedures, to be carried out by the ACO;
- Signing memorandum of understanding with the NCRT, General Directorate of Taxation and the General Directorate of Customs;
- Establishing regional copyright offices;
- Establishing a register on copyrights (paper and electronic form);

- Approving the National Strategy on Culture, part of which will be the strategy for intellectual property protection.

#### *Short-term Implementing Activities*

The following implementing activities will be undertaken so as to address short-term priorities:

- Strengthening the capacities of the judiciary that deals with intellectual property rights;
- Organizing seminars in order to train the employees from other state institutions, which have their part of obligation in implementing the law on copyright;
- Establishment of the website of the Albanian Copyright Office to reflect its activity, to be transparent, and to provide access to the public;
- Awareness media campaigns and TV spots, aiming at the awareness of the operators and community, as regards the obligations, responsibilities and rights, in line with law on copyright;
- Publishing different materials, in order to make different categories of the community aware of the rights and obligations, as per the law on copyright;
- Accomplishment of network connection of the Albanian Copyright Office with counterpart institutions of the EC, for purposes of information exchange and cooperation increase;
- Strengthening the agencies of collective management of copyright;
- Training and qualifying the ACO staff;
- Designing and producing the stamp of the ACO.

#### *Medium-term Legislative Initiatives*

The following legislative initiatives will be undertaken so as to address medium-term priorities:

- Revising the law no. 9380, dated 28.04.2005, “On the Copyright and the rights related to it”, in the function of implementing the new directives. The amendment of the existing law on copyright (Implementing Directive 2004/28/EC, dated April 29, 2004, “On the rights deriving from intellectual property”);
- Establishing regional copyright offices

#### *Mid-term implementing activities*

- Strengthening cooperation with other institutions, in order to implement the National Strategy on Intellectual Property;
- Conducting Awareness Campaigns;
- Organizing training for a better knowledge of the law “On Copyright and the rights related to it”, for the state structures that are involved in the process of protecting and respecting the copyright;
- Organizing informing seminars with the various categories of economic operators;
- Designing and producing the stamp of the ACO;

#### Reference to MIPD

According to the MIPD Document, under section 2.2.3.3 “Programmes to be implemented” capacity building for the Directorate of Patents and Trademarks and Intellectual Property Rights implementation and enforcement agencies and strengthening of the IP legal environment. Capacity building to the establishment and functioning of the Albanian Office for Copyrights and related legislation is foreseen. Such support would help the improving of

the institutional set-up of key market actors, among them the Office for Copy Rights, as foreseen under point 2.2.3.2 “Expected results”

#### Reference to National Development Plan

Significant part of the National Plan for Development and Integration is the National Strategy of Culture. In this strategy the Copyright field is divided in short, medium and long term measures. ACO has decided to introduce as a priority, in the National Strategy of Culture of Republic of Albania the following measures:

- Control and strict observation of market for civil exchange and circulation of intellectual product, in whole territory of Albania.
- Registration and certification of any right of intellectual product home-brew or stranger.
- Emphasis of Administrative Solution` authority at a brief time, as administrative juridical process, enjoyed the qualities that recognize the law, to decision of ACO.
- Emphasis of authority of law` force through the administrative counterfeit ascertainment, penalty, and prevent of its iterance.

To coordinate, according to an organization in consonance with the legislation into force to all the national executive institutions of law, as are NCRT, taxation and customs bodies, accusation organ, etc of economic operators as producer and user, which enjoyed the exploitation right, of benefit operators of protection of intellectual product.

## ANNEX V

### Details per EU funded contract (\*) where applicable:

Details per EU funded contract (\*) where applicable:

For *TA contracts*: account of tasks expected from the contractor

N/A

For *twinning covenants*: account of tasks expected from the team leader, resident twinning advisor and short term experts

The project shall be implemented through a *twinning light contract*

For *grants schemes*: account of components of the schemes

For *investment contracts*: reference list of feasibility study as well as technical specifications and cost price schedule + section to be filled in on investment criteria (\*\*) N/A

For *works contracts*: reference list of feasibility study for the *constructing works* part of the contract as well as a section on investment criteria (\*\*); account of services to be carried out for the *service part* of the contract – N/A

(\*) non standard aspects (in case of derogation to PRAG) also to be specified

(\*\*) section on investment criteria (applicable to all infrastructure contracts and constructing works):

- Rate of return
- Co financing
- compliance with state aids provisions
- Ownership of assets (current and after project completion)