

IP ENFORCEMENT | portal

Questions & Answers

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1 Registration

1.1 What are the requirements to open an account?

To apply for an account in the IP Enforcement Portal (IPEP), you will need a valid IPR registered in the European Union (EU). The IPR selected in your account request is only used during the registration process to authenticate the requestor as an IP rights holder and to send him or her a letter to the registered company address.

If you already have a valid registered trade mark or design (national, EU or international) within the EU you can request an account through our online system at:

<https://www.ipenforcementportal.eu/exchange/new-user.html>

Should you not have a trade mark or design, please send an email to: ipenforcementportal@euipo.europa.eu.

Also, if you are a user of the European Commission - DG Taxud Traders Portal you can access IPEP using your UUM/DS credentials.

1.2 I have requested an IP Enforcement Portal account. What is the procedure to follow?

For security reasons, the IPR owner will receive a physical letter per courier service at the address indicated in the register (a reference can be indicated). This letter will contain a code that needs to be sent back to us via email to ipenforcementportal@euipo.europa.eu. We will then send you a link to a user account where you can set up a password. A second email will follow with a PIN SAFE for secure authentication. You will need the PIN SAFE once you are logged in, for entering product and AFA information.

1.3 Are there any costs involved?

Registration and use of IPEP are totally free of charge.

The EUIPO, through the EU Observatory, under [Regulation \(EU\) No 386/2012](#), creates and develops technical tools to prevent and tackle the infringement of IP rights and to distinguish genuine products from counterfeits.

1.4 I'm a legal representative; can I request an account in the name of my client?

An account can be requested by a legal representative. However, for security reasons, the IPR owner (rights holder) will receive a physical letter per courier at the address designated in the register (a reference can be indicated). This letter will contain a safety code that needs to be sent back to us via email.

Unless otherwise requested, the person remitting the safety code (either the rights holder or legal representative) will become a master user of the account. The master user has the administrative rights to manage the account for the creation of subaccounts and access

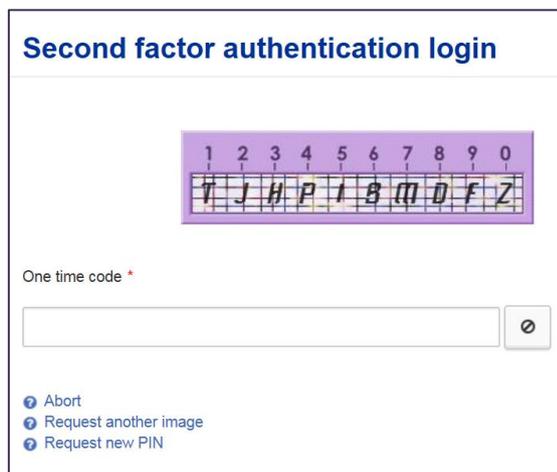
rights. For this reason, the master user account must be linked to a nominal email address and cannot be a general mailbox.

Once the client account has been created, the legal representative has to be appointed under Company Information/Company Details/Update/Add Legal Representative. See point 2.1 to 2.3

1.5 I have not received the link to activate my password. What should I do?

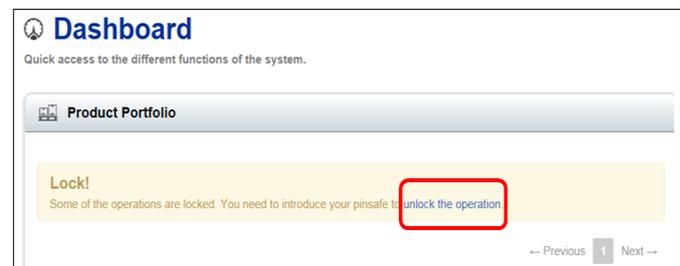
Please note that the email address to activate a password is: noreply@tmdn.org.

Sometimes emails with links go to the spam folder. It is recommended to check your spam folder before proceeding to the next step. If you do not find the abovementioned email, please contact us at: ipenforcementportal@euipo.europa.eu. We will reset your account and the link will be sent to you again.



1.6 How does PIN SAFE work?

The tool is built on two layers. The most sensitive information is protected under PIN SAFE. You will need the PIN SAFE once you are logged in for entering product information or access the Application for Action (AFA) information. In *Product Portfolio*, you should click on *unlock the operation*:



You can always use the same PIN SAFE. It is not necessary to request a new PIN SAFE each time you access the tool.

The PIN SAFE consists of four numbers. You need to enter the letters in the second row that correspond with the numbers of your PIN SAFE in the first row. Here is an example:

If the PIN SAFE was '1386', the code to enter would be 'THDB'.

Position 1 -> T
Position 3 -> H
Position 8 -> D
Position 6 -> B

Please note that the letters need to be written as CAPITALS.

1.7 What should I do if I have not received the email with the PIN SAFE?

If you entered the tool but you did not receive the PIN SAFE, you can request a new PIN SAFE under the image with numbers and letters by clicking on *Request new PIN*.

2 Company and Product Information

2.1 Where do I add the information about my Legal Representative?

The rights holder can add one or more legal representatives that will manage their IPEP account.

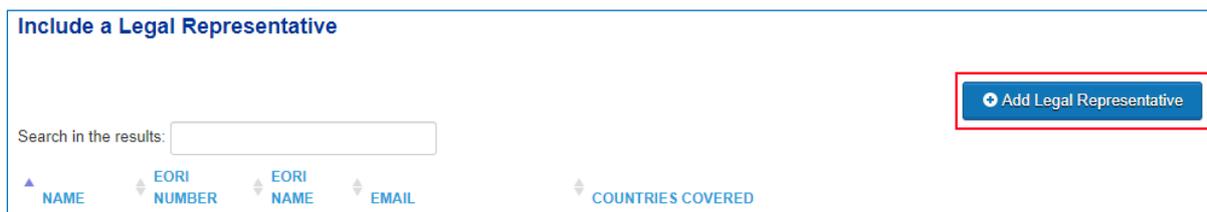
To do so, enter *Company Information* and then, *Company Details* and click on *Update*.

By clicking on *Add a Legal Representative*, a rights holder can include one or more legal representatives that will have access to their company portfolio and will be able to act on its behalf, for example, key-in information in IPEP or file a Customs Application for Action (AFA).

The legal representatives will be visible in the table under the title *Include a Legal Representative* with columns *Name*, *EORI number*, *EORI name*, *Email* and the *Countries* they will cover.

Name, *Email*, *Address* and at least one telephone/fax field are the only mandatory fields to be filled in. However, if your legal representative needs to file an AFA, the EORI number must also be provided.

 Warning: *EORI Number* on the *Add Legal Representative* page can only be completed if the rights holder company has filled in its own EORI number.



Include a Legal Representative

Search in the results:

NAME	EORI NUMBER	EORI NAME	EMAIL	COUNTRIES COVERED
------	-------------	-----------	-------	-------------------

The legal representative will receive credentials and the company account will be automatically linked to the 'representative account'.

2.2 Does the IP Enforcement Portal have 'representative accounts'?

The 'representative account' is automatically created the first time the representative is appointed as such in one of their client accounts.

The 'representative account' will allow the legal representative to access the accounts of their various clients with one password. They will have a *Company Portfolio* with their clients and they can enter various accounts. Once the legal representatives have a profile created in IPEP, any other rights holder can select their legal office/company and appoint them as their representative in the tool.

Company Information

Information about the company, contact points and IPR portfolio.

Product Portfolio

Company Details

Contact Points

IPR Portfolio

Additional Webpages

Selling Strategy

Past cases overview

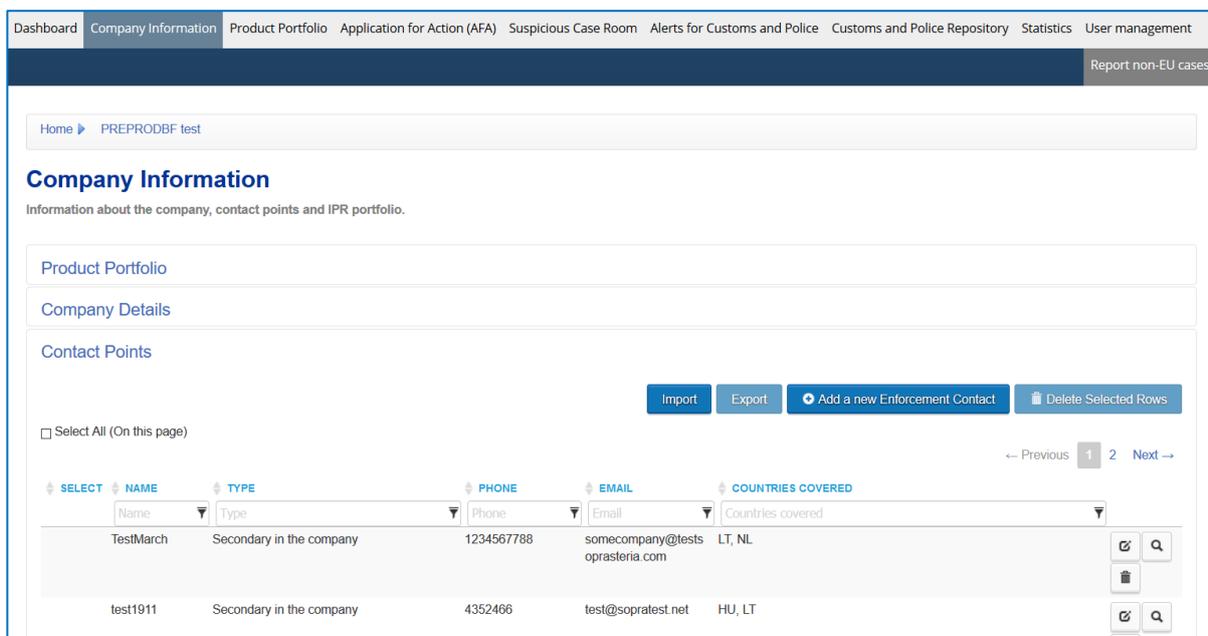
Document Portfolio

2.3 What is the difference between a Contact Point and a Legal Representative?

The Legal Representative in IPEP is the person managing the account for the rights holder and who will act on their behalf, for example, by keying in product information or by filing a customs Application for Action (AFA).

For enforcers, one of the main challenges is to find a rights holder as they need to get in contact with them in their own language in the context of a detention. In the IP Enforcement Portal, a *Contact Point* is the contact person of the rights holder for a given Member State. It can be a person dealing with either legal or technical matters that will be able to assist enforcers in the identification of counterfeited products in case they find suspicious goods relating to their intellectual property rights (IPRs).

Providing a Contact Point in each Member State is mandatory when filing an AFA applicable for a specific country. Due to the above, please make sure to fill out this information, being as detailed as possible, aligned with the enforcement contacts included in the AFA and update it on a regular basis.



The screenshot shows the 'Company Information' section of the IPEP interface. It includes a navigation menu at the top with options like 'Dashboard', 'Company Information', 'Product Portfolio', 'Application for Action (AFA)', 'Suspicious Case Room', 'Alerts for Customs and Police', 'Customs and Police Repository', 'Statistics', and 'User management'. Below the navigation, there is a breadcrumb trail 'Home > PREPRODBF test'. The main content area is titled 'Company Information' and contains sub-sections for 'Product Portfolio', 'Company Details', and 'Contact Points'. The 'Contact Points' section features a table with columns for 'SELECT', 'NAME', 'TYPE', 'PHONE', 'EMAIL', and 'COUNTRIES COVERED'. The table contains two rows of data. Above the table are buttons for 'Import', 'Export', 'Add a new Enforcement Contact', and 'Delete Selected Rows'. There is also a 'Select All (On this page)' checkbox and pagination controls.

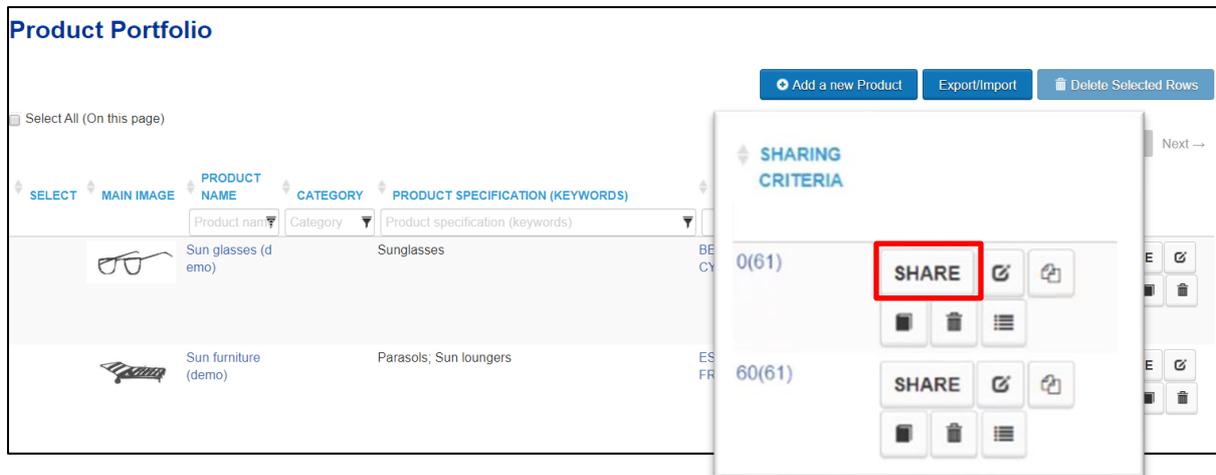
SELECT	NAME	TYPE	PHONE	EMAIL	COUNTRIES COVERED
<input type="checkbox"/>	TestMarch	Secondary in the company	1234567788	somecompany@testsoprasteria.com	LT, NL
<input type="checkbox"/>	test1911	Secondary in the company	4352466	test@sopratest.net	HU, LT

2.4 Who has access to my information?

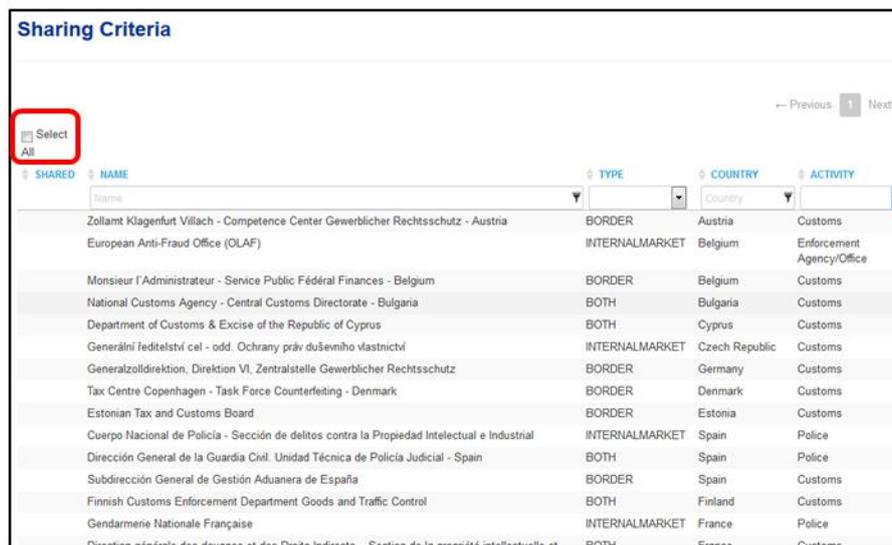
Currently, all EU customs and— over 30 police forces have access to IPEP, including the EU agencies Europol and the EU anti-fraud agency OLAF. The number of police forces accessing the tool is increasing continuously. Access is also given to market surveillance authorities.

Due to the importance of getting in contact with the rights holders, all enforcement authorities registered in IPEP have access to the *Company information* general data on the company as this part is open to them by default.

The *Product information level (Product Portfolio)* contains detailed and sensitive information on the products. It is protected by a PIN SAFE and needs to be explicitly SHARED with the enforcement authorities in order to become visible to them.



A window with a relation of all the enforcement authorities accessing the IPEP will open providing you with the possibility to decide specifically which enforcement authorities you want to share the uploaded information about your products with. If you would like to share it with all authorities acting in the IP Enforcement Portal, please tick the 'Select All' box.



You can also share the information of a given product with the EUIPO IPEP team. This allows the team to show enforcers real cases in trainings.

2.5 Can I group my products? What criteria should I follow?

It is not necessary to upload every single product of your company. In IPEP a 'Product' can cover a range of products with similar characteristics protected under the same IPR and that share similar logistics and distribution channels (here you cover 'families of products', sizes, colour differences, similar looks, etc.). You can add different photographs under the same product name.

Furthermore, you can classify your products using the field *Category*. The categorisation may help you to relate similar products and to filter them in the Product Portfolio table. This categorisation is also useful for the multiple edition functionality, as it is possible to update all the products with a given category.

2.6 What is the maximum size of documents and images/videos I can upload?

The maximum size of documents and images/videos is 1.5 MB and the name of the file cannot exceed 100 characters. If you copy-paste your images in Windows Paint, the weight drops significantly without losing any quality.

2.7 How to assign my IPRs to the products created?

It is very important to associate your products from the *Product Portfolio* with your IPRs included in the *IPR Portfolio* under *Company Information* (mandatory for the customs Application for Action).

To do so, enter the *Product Portfolio* and choose the corresponding product. Next, click on *View IPR related to this Product* and then *Add new Intellectual Property Rights to the Product*.

View IPR related to this Product

[Add new Intellectual Property Rights to the Product](#)

Select All (On this page)

SELECT	NAME	REFERENCE	TYPE	STATUS	OFFICE	GRAPHIC	PreAFA ID
<input type="checkbox"/>	Copyright test 1	AF 2356989	Copyright	Registered			CY20170913 S201803021
<input type="checkbox"/>	Copyright B	AG 132165465	Copyright	Registered			CY20190608
<input type="checkbox"/>	Patent example 3	PT 1234867654	Patent	Registered			CY20190608

Select the related IPRs from your IPR Portfolio (that you have previously uploaded into the IPEP from TMview and DesignView for your trade marks and designs) or keyed in for other IP rights (patents, geographical indications, copyrights, etc.).

3 Application for Action

3.1 What do I need an Application for Action (AFA) for?

According to Customs [Regulation \(EU\) No 608/2013](#), a customs Application for Action (AFA) must be submitted to a competent customs department designated by the Member State for customs to act at the borders on behalf of the right holder. The main purpose of AFA is to request customs to detain goods found to be suspected of infringing your intellectual property rights (IPR).

It may happen that customs detain suspected goods that are not covered by a valid AFA. In this case, the rights holder, once identified, is entitled to submit an ex-officio AFA within four working days of notification. The ex-officio AFA is a shorter version of the AFA (information regarding the product identification, such as images, is not needed), it is a national only and addressed to the customs authority that has stopped the goods.

3.2 What are the advantages of filing an AFA in the IP Enforcement Portal?

IPEP helps you to prepare the customs AFA in four steps, using the contact, IPR and product information previously entered in the tool. IPEP only allows submitting the AFA once all the mandatory fields of the AFA are completed. The mandatory fields in the IP Enforcement Portal are defined by the Customs Regulation (EU) No 608/2013 and the related Implementing Regulation (EU) No 1352/2013.

Since 13/12/2021 new AFAs and AFA request should be filed electronically. IPEP is the official AFA e-filing tool for 24 Member States and the alternative for 3 Member States (Germany, Italy and Spain).

The main advantage of filing the AFAs electronically is that the information contained arrives in the customs COPIS database in a structured manner rather than in the form of attachments, it is searchable and, in this way, can be fed into the different risk analysis systems used by customs.

If mandatory information is missing when generating an AFA, the tool automatically displays a link to the corresponding field in the system to complete the missing information, thus helping the user in the process.

Independently of the language in which the rights holder or their representative drafts the AFA, the document is generated in all the languages of the Member States where the AFA will be applicable and send to customs in the language of the customs receiving it.

3.3 What is the difference between a national AFA and a Union AFA?

A Union AFA covers more than one Member State and the national AFA covers only the Member State where it is filed.

For the Union AFA, the rights holder decides in which Member States they want the AFA to be applicable in. The IPRs used for this type of AFAs can only be EU rights or international IPRs designating the EU.

For the national AFA, the rights holder can only use a national IP right.

Both types of AFA can be filed through the IP Enforcement Portal.

3.4 When lodging a Union AFA as a legal representative, what kind of power of attorney document must be attached? Are there any templates/formats available?

The power of attorney is a document authorising the legal representative of the rights holder to legally represent the company in countries where the AFA has been sent. The document must be signed by both parties: the grantor (rights holder) and the legal representative.

Currently, there is no specific template or format of the power of attorney applicable at EU level for AFAs. It should be in accordance with the legislation of the submission country.

3.5 In case we have already filed a Union AFA (not via the IP Enforcement Portal) do you suggest filing a new one in IPEP?

If you have filed a Union AFA outside IPEP, it is not necessary to file it again through the tool, as long as it was filed electronically. If it was filed in paper form, we strongly recommend to file it again in an electronic format, to ensure that all the intelligence contained in the AFA is correctly stored in COPIS (the database used by customs), to ensure it can later be reused in risk analysis and profiling.

If you have all the product information in the IP Enforcement Portal, you can generate a new AFA once the AFA you have already filed expires.

Also, for internal market forces, such as police and market surveillance authorities, it is important to fill in the information about your company, products and IPR(s) and share it with police authorities accessing IPEP. Where customs receive extensive information from the rights holders in the AFA, the internal market forces do not receive this intelligence. This can be sent to them via the *Alerts* functionality of IPEP. The alerts created through IPEP can contain the same information about products, IPRs and contact information that can be found in an AFA.

Make sure you fill out as many fields as possible. The more details you provide, the more chance there is that the enforcement authorities will be able to use the information.

3.6 Is it possible to modify the application after submission, for example, adding a subsequent trade mark?

Yes, you can request modification of your AFA. Regulation (EU) No 608/2013 allows for this possibility and for AFAs that were filed through IPEP this can be done in IPEP and submitted electronically. For AFAs not created in IPEP this option should be available in Summer 2022. In the meantime, for AFAs not created in IPEP you can send the amendment request to the submission country. No specific form is foreseen.

[Click here to find the EU customs contact details.](#)

You will also find the contact details of Customs and Police Officers under the tab *Customs and Police Repository* in IPEP:

IP ENFORCEMENT portal *Step into your IP Enforcement Community* Log out

Dashboard Company Information Product Portfolio Application for Action (AFA) Suspicious Case Room Alerts for Customs and Police Company Portfolio **Customs and Police Repository** Statistics User management Report non-EU cases

Customs and Police Repository

Find those authorities with competence in IPR enforcement in the different countries.

← Previous 1 2 3 4 Next →

NAME	TYPE	COUNTRY	ACTIVITY
Zollamt Klagenfurt Villach - Competence Center Gewerblicher Rechtsschutz - Austria	Border	Austria	Customs
Monsieur l'Administrateur - Service Public Fédéral Finances - Belgium	Border	Belgium	Customs
FPS Economy - Belgium	Internal Market	Belgium	Police

3.7 What is the difference between the submission country and applicable countries?

The country where the AFA is filed is called the '*Submission country*'. It is the Member State where the application is submitted and then granted by the national customs authority.

In a Union AFA, all the other Member States that should be covered by the AFA, become the '*Applicable countries*'.

Once an AFA has been granted by the submission country, the AFA is also valid in all the selected applicable Member States, in which customs action is requested by the applicant. The only exception being that the Applicable country can request the translation of the AFA, if it has not been provided. The AFAs filed in IPEP are generated in all the languages of the Member States where the AFA is applicable in. However, any type of annex/document that has been uploaded in IPEP and it then attached to the AFA, is not automatically translated. Should you attach a document, make sure that you include the different language versions.

3.8 Which companies are involved in infringement?

The companies involved in infringement are those that have been identified in the past as infringers or suspected of being implicated in the process of IPR infringement. Their functions can be the following: import, manufacture, carry, consign, export, 'Intermediar' (Intermediary), Consignor, Distributor, Supplier and Trader. This information complies with Customs Regulation (EU) No 608/2013, but is not stored in IPEP for reasons of data protection.

3.9 Can you only add companies involved in infringement when filing an AFA?

Yes, companies involved in infringement can only be added in the third step, 'Select your products', when filing an AFA. The information included in the table, 'Add Company Involved Infringements', will not be stored in the tool for reasons of data protection. However, this information will be included in the preAFA and will be sent electronically to customs.

Companies involved in infringements

Here you can include companies involved in infringing goods. This information will be sent to customs but it will not be stored in the database

-- Previous Next --

NAME	FUNCTION	COUNTRY	PRODUCTS
Name	Function	Country	Products

3.10 Who are the Contact Points for legal and technical matters?

A *Contact Point* is the contact person in your company for enforcers to get in touch with in the event that they find suspicious goods relating to their intellectual property rights (IPRs) and want to notify a detention.

Important: according to Customs Regulation (EU) No 608/2013, for the AFAs, it is mandatory to indicate an enforcement contact, both for legal and for technical matters in all the Member States where the AFA will be applicable. The *Contact Point* for legal and technical matters may be the same person. In such a case, the option for *legal and technical matters* has to be selected.

When suspicious goods are detained, the customs authorities will contact the *Contact Point* for legal matters concerning the legal obligations and rights of the holder of the decision granting the application and, in particular, concerning the legal aspects of the administrative procedures for the detention of suspected goods.

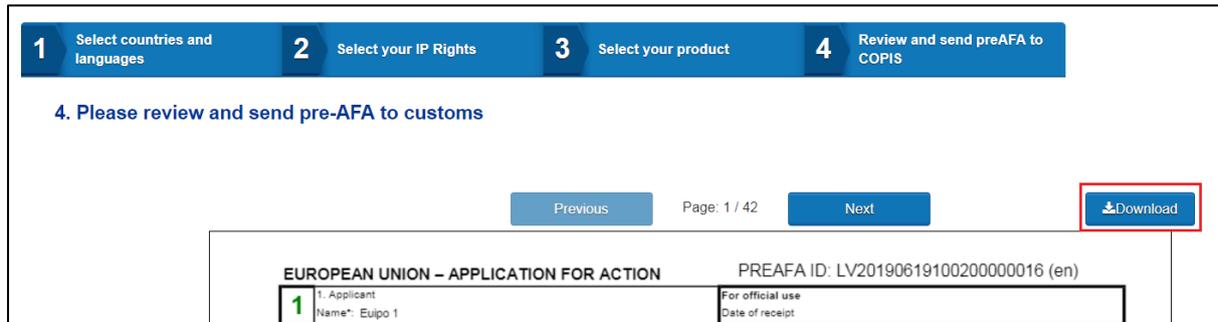
When goods are subjected to customs control for the purpose of IPR enforcement, the customs authorities may contact the *Contact Point* for technical matters concerning information on specific and technical data on the authentic goods, information needed to enable the customs authorities to identify infringing goods and information relevant to the customs authorities analysis and assessment of the risk of infringement of the intellectual property right or the intellectual property rights concerned.

3.11 As a legal representative, can I submit an AFA in the name of the applicant (rights holder) in a Member State other than the one where I am located?

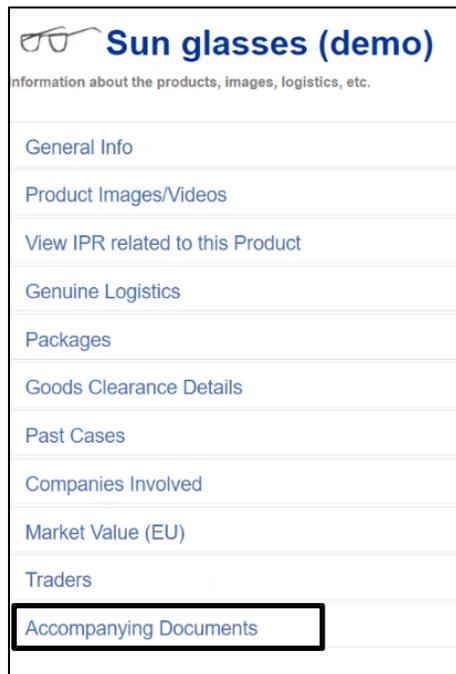
An AFA can be submitted in any of the EU Member States, but the power of attorney of the legal representative needs to be valid in the submitting country. Furthermore, legal representatives need to be based in one of the EU Member States to be able to file an AFA on behalf of the rights holder.

3.12 Can I print the draft AFA before actually clicking ‘submit’?

The printed version of the preAFA is available in the fourth step of the AFA process. You can view or download your application before submitting it to customs.



1. Applicant Name	For official use Date of receipt
Eulpo 1	



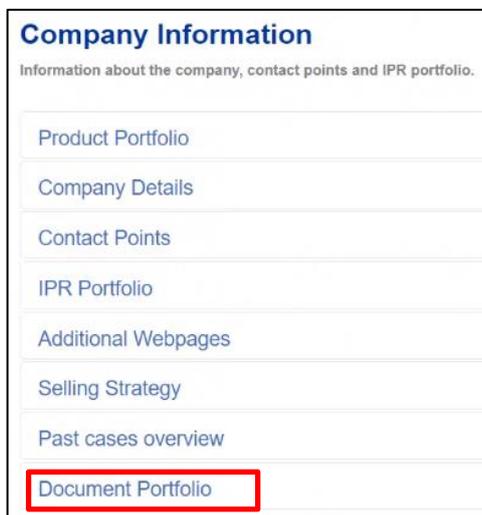
- General Info
- Product Images/Videos
- View IPR related to this Product
- Genuine Logistics
- Packages
- Goods Clearance Details
- Past Cases
- Companies Involved
- Market Value (EU)
- Traders
- Accompanying Documents

3.13 Can I attach separate documents to my application for action?

You may upload any number of separate documents with additional information either under *Company Information/Document Portfolio* or under *Product Information/ Accompanying Documents*.

However, it is not recommended to add an excessive number of separate documents, as the information uploaded here is neither translated for the enforcement authorities nor searchable.

Any attached document included in the AFA, is not previously viewed in the preAFA document in the tool in order not to overload the system. Therefore, please print any attached documents in Product Document Portfolio and send them together with a printed copy of the AFA.



- Product Portfolio
- Company Details
- Contact Points
- IPR Portfolio
- Additional Webpages
- Selling Strategy
- Past cases overview
- Document Portfolio

Please note that the attachments will not be translated. Customs of the Member States can ask for a translation of these attachments.

3.14 We filed the preAFA in IPEP, printed all our papers and sent them to the respective authority. They processed our documents and the AFA was duly granted. When will the status of the AFA be changed?

Yes, the status will be changed automatically and you will receive an email notification with the AFA ID. *Granted* is the final status for a preAFA and it means that the AFA has been successfully granted and created in the customs system. It is also available to all the requested countries.

3.15 What should I do after sending my preAFA to customs through the IPEP?

Following Customs Regulation (EU) No. 608/2013, it is mandatory to send the signed version (paper) of the preAFA to the customs authority of the submission country.

When you submit your preAFA to customs through IPEP, you will receive an email notification with a link to the PDF of your AFA and a second link to the customs contact details of the Member States for AFAs. Please print the PDF, sign it and send it to the customs authority of the submission country.

Legal representatives should also send the *Power of Attorney* together with the paper version.

3.16 How do I proceed when I send an AFA to Italy? How can I access a preAFA in the Italian system?

If your submission country is Italy, a signed paper version of the preAFA has to be sent to the Italian customs.

In Italy, when a preAFA is sent to customs, it is loaded into the Italian system (Falstaff) and a one-time password (OTP) is sent by email to the *Contact Point* indicated in the preAFA (the Contact Point defined in the IP Enforcement Portal). Then, it will be possible to access the preAFA in Falstaff by entering the preAFA ID and the OTP received by email, to insert the electronic signature.

In the same screen there is also the option to re-generate this OTP. You can find detailed information on the Italian system in the following link in the video '02 — *Come recuperare il codice della PreAFA- scarica il video*':

<https://www.agenziadoganemonopoli.gov.it/portale/-/new-national-and-unional-tools-for-enforcement-of-ipri>

4 How to Contact Us?

If you have any further questions, please contact us at: ipenforcementportal@euipo.europa.eu.

