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## **AGMA Members Continue to Address Intellectual Property Rights Protection**

### **Channel Operations, Compliance Programs and Halting Flow of Counterfeit Parts Discussed by High Tech Leaders**

**LOS GATOS, Calif., August 24, 2011** – The [Alliance for Gray Market and Counterfeit Abatement](#) (AGMA), a non-profit organization dedicated to addressing the [gray marketing](#), [counterfeiting](#), software piracy, and warranty and [service abuse](#) of branded goods around the globe, recently held their quarterly industry forum to discuss various topics related to brand protection issues. Hosted by APC by Schneider Electric in Newport, R.I., examples of real-life scenarios involving the defense of intellectual property rights were provided by representatives from AGMA member companies and members of law enforcement.

Ben Smith, vice president of global sales and channel operations for host company and AGMA member APC by Schneider Electric, started off the conference with a presentation that detailed his company's Channel Insight program. Noting that "Channel sales and inventory visibility is critical to the management of a channel business," Smith explained how APC by Schneider Electric has centralized all point of sale and inventory data from its reporting partners. The Channel Insight program has helped the company detect and prevent gray market activity through fast serial number validation, sales tracking, and proactive mining for irregular behavior and daily EDI reporting.

U.S. General Services Administration (GSA) Inspector General Brian D. Miller discussed his office's initiative to stop counterfeit parts from entering the Federal government's marketplace and infrastructure. He also discussed his office's wide range of activities and his role in the U.S. Attorney General's Financial Fraud Enforcement Task Force. GSA, as the procurement arm of the Federal government, is heavily involved in purchasing information technology and other products for use across the government. IG Miller established within his office the Government Infrastructure Protection Investigations initiative by partnering with U.S. Immigration and Customs Enforcement's (ICE) Intellectual Property Rights Center to more effectively identify counterfeit suppliers through joint investigations. Just recently, IG Miller's office concluded a joint investigation with ICE that resulted in the conviction of two Chinese nationals who were responsible for supplying counterfeit computer networking equipment to the government. The investigation also resulted in the seizure and forfeiture of over \$4 million in real property and proceeds.

AGMA member company EMC, working with the District of Massachusetts Attorney's office, also prevailed in a recent case involving IP theft. Scott Garland, Assistant United States Attorney in the District of Massachusetts, reviewed the case, in which EMC had been a victim of equipment theft by employees. A deferred prosecution agreement was reached with a company that had purchased the stolen equipment from the employees and resold it over the Internet. The deferred prosecution agreement requires the company to pay EMC restitution, to implement a compliance program to identify the true identity of the people who sell the equipment, and to cooperate with the government if any suspicious sales of equipment are identified.

Therese Randazzo, Director of IPR Policy and Programs for the U.S. Customs and Border Protection, spoke to AGMA members about establishing more effective border enforcement. Randazzo reviewed the daunting challenges that face the CBP, then revealed the impressive results they've been able to achieve in increased seizures over the last 10 years. A multi-layered IPR strategy of facilitation, enforcement and deterrence as well as improved processes and technology, and cooperation with rights holders and international organizations, is expected to yield continued success.

According to AGMA president emeritus Ram Manchi, "At AGMA, we are focused on presenting members with strategic ideas and examples for addressing key brand protection issues. Introducing AGMA members to vendors and law enforcement officials and their ideas for mitigating threats to their intellectual property rights fosters the type of collaborative, sharing environment that can benefit all of us on this quest."

AGMA's next quarterly meeting will be held on October 19th & 20th at Avaya in Denver, Colorado. To learn more about AGMA's initiative or to become a member, please visit [www.agmaglobal.org](http://www.agmaglobal.org).

### **About AGMA**

AGMA is a non-profit organization comprised of influential companies in the technology sector. Incorporated in 2001, AGMA's mission is to address gray market fraud, parallel imports, counterfeiting, software piracy, and service abuse of technology products around the globe. The organization's goals are to protect intellectual property and authorized distribution channels, improve customer satisfaction and preserve brand integrity.

AGMA welcomes any technology manufacturer, as well as persons or entities that own or hold intellectual property rights to finished goods outside the technology industry; product and service providers; government and law enforcement officials who provide goods and/or services to combat gray market fraud, counterfeiting and warranty and service abuse threats. AGMA uses a variety of avenues to cultivate change in the marketplace, including event speaking, educational initiatives, benchmark studies, industry guidelines, and, where appropriate, public policy advocacy. To learn more about AGMA's initiatives or to become a member, please visit [www.agmaglobal.org](http://www.agmaglobal.org).

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