How customs fights the fakes

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Pravin Anand and Manish Biala explain how India's customs authorities enforce IP protection and major developments with regards to parallel imports. The growth of luxury goods in India has led to a symbiotic relationship between counterfeiters and India's grey market. China and Hong Kong-based suppliers, with the help of Indian importers have made cheap counterfeits easily available, thereby reducing the brand value of the original goods. The effects on brand owner reputation and the Indian economy were drastic, resulting in calls for a serious response from the government. The Customs Act, 1962, prohibits the import and export of any goods in India which violate Indian laws. The Indian customs authorities are the first line of defence against all counterfeits and fakes entering the Indian market. To ensure vigilance against intellectual property (IP) infringement, the Indian government enacted the Intellectual Property Rights (Imported Goods) Enforcement Rules, 2007, (referred to below as the Customs Rules). *This article was published in India Business Law Journal.* Read more about the government efforts to inculcate practical know-how about protecting IPRs at the country's borders. Indian customs authorities have also been vigilant of imputing liability for imported goods in case of parallel import.

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