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San Diego legal think tank creates awareness of intellectual property piracy in South America

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Now that Chile has free trade agreements with both the United States and Canada, it is getting tough on intellectual property (IP) piracy.

Chile recently introduced a bill before its Congress dealing with new penalties and sanctions for the production and sale of goods that violate intellectual property laws. According to the Chilean national police, intellectual property piracy has emerged as a major criminal problem across the thin Andean nation.

"Hundreds of millions of dollars in profits and reduced tax revenue are lost every year to pirated goods -- from illegally copied DVDs to machine parts to fake medicines," explained James Cooper, director of Proyecto ACCESO, a nonprofit legal think tank based at California Western School of Law in San Diego, that trains lawyers and educates the public in Latin America about legal reform and the rule of law.

"ACCESO is leading Intellectual Property Week in Chile (Sept. 27-Oct. 1) to facilitate a national dialogue on the issue of piracy," said Cooper, who is also an assistant dean at California Western. ACCESO has won a U.S. State Department grant and will be partnering with the music and motion picture industries, along with the U.S. Embassy in Chile and the National Prosecutors Office of Chile to address the rising problem of intellectual property piracy.

"Free trade means intellectual property protection, as well," explained Andrew Muroff, a Canadian lawyer who works with ACCESO. "Yet the goods are open for sale on the streets of Santiago. On any given day, vendors can be seen selling counterfeit CDs, books and DVDs on the streets, often in front of the very retail stores that sell the legitimate products."

The illegal and unregulated profits from IP piracy are problems that hit hard in the United States and Canada. Interpol Secretary General Ronald Noble has given testimony before a U.S. Congressional committee that international intellectual property theft and other criminal activities are financing terrorist networks that run from Iquique in Chile and Ciudad de Este in Paraguay to Ottawa, Canada.

"A U.S. Congressional report has confirmed that Hezbollah terrorists are using funds from piracy and other illicit activities to target religious institutions in Ottawa," Muroff said.

As the focus on terrorism in the Middle East continues, soft targets in North America are becoming more vulnerable.

"It is no secret that there have been groups practicing hate that could act on it. In an era of suicide bombings -- why not in North or South America?" Muroff continued.

Cooper and Muroff lead a group of lawyers, judges and law professors, which make up Proyecto ACCESO. They travel around Latin America helping to build modern legal systems and training people to work and live in them. ACCESO, a Spanish acronym for "creative lawyers collaborating to find optimal solutions," has trained over 2,000 public defenders, judges and prosecutors in the region over the last five years. From case management software and privatization of the prison system, to police sensitivity and oral trial skills training programs, legal innovations have been created for this reform process, some of it pioneered by Proyecto ACCESO to combat illegal activities.

As part of Intellectual Property Week in Chile, ACCESO will sponsor a number of events including: a training seminar for Chilean prosecutors in late September, conducted by an FBI agent and a U.S. prosecutor; a concert by Chilean hip-hop and electronica artists to promote the protection of authors' rights; a public roundtable discussion on piracy; as well as the release of a children's education curriculum that is being adopted in municipalities to combat this rising criminal problem.

A set of public service announcements for television and cinemas is also being produced to encourage consumers to buy only legitimate goods.