



American Chamber of Commerce
North Macedonia

Intellectual Property Rights: Policy Actions

Recommendation

Strengthen the legal and institutional framework for IPR protection

Adopting and implementing a relevant and updated IPR legal framework is crucial for fostering innovation and attracting investments, thereby promoting economic growth. This framework should align national regulations with EU standards and international norms, which is particularly important for North Macedonia given its commitments to EU integration. However, the latest EU country report for North Macedonia notes that the country remains moderately prepared in the area of intellectual property law. According to the report, "No progress was made over the reporting period [in the area of IPR]." The report also highlights the shift in the advertising market towards digital platforms, noting the growing threats of IPR breaches (European Commission, "North Macedonia 2023 Report", 2023). Additionally, the US International Trade Administration notes that inconsistent enforcement of intellectual property rights in North Macedonia can cause operational issues for the potential investors (ITA, North Macedonia - Country Commercial Guide, 2024).

Actions:

- Modernize existing regulations to enhance IPR protection in the digital era. This involves transposing and effectively implementing regulations related to digital environment, intellectual property, social networks, influencers i.e. modification of the Law on Audio and Audiovisual Media Services, the Law on Copyright and related rights, and Industrial Property Law. Key directives to address include EU regulations on collective rights management, orphan works, enforcement of intellectual property rights, trade secrets, and others.
- Adoption of the National IPR strategy and ensuring its implementation in adherence to set timeframe and indicators for success.
- Invest in capacity building for all institutions responsible for implementing and enforcing IPR, such as the State Industrial Property Office, customs offices, and relevant inspectorates, to enhance their capability in identifying and processing IPR violations. This includes procuring and implementing digital tools for detecting IPR infringements, facilitating digital registration of IPR, and maintaining full functionality and regular updates of all relevant institutional webpages. Additionally, it is crucial to prioritize continuous

education and capacity-building activities for personnel in these institutions.

- Establish specific departments within all relevant authorities exclusively dedicated to managing IPR-related matters.
- Introduce the practice of assigning IPR-related cases to specialized councils within existing courts or establish a specific court authorized to resolve disputes in the field of IPR.
- Develop, adopt and implement regulation on Artificial intelligence and IPR and online trade and IPR
- Establish a practice of regular monitoring and reporting by the competent authorities, with the aim of ensuring better visibility of the status of IPR protection, the application of the regulation and the most frequent violations in this area.
- Advance the international cooperation in IPR, for the purposes of overcoming the existing cross-national challenges.

Raise awareness of the businesses and the public about the importance of IPR

Creating a robust IPR system cannot be the responsibility of a single actor. Instead, it requires a multi-stakeholder approach involving consumers, rights holders, institutions, academia, the judiciary, and others. To ensure meaningful engagement of all relevant stakeholders, it is essential to raise awareness of IPR-related issues among them. Evidence from the US International Trade Administration show that “Many local consumers have low levels of digital literacy and purchase cheap fakes online believing they are genuine”, urging the need for advancements in this area (ITA, North Macedonia - Country Commercial Guide, 2024).

Actions:

- Providing support for educational campaigns and programs on IPR in schools and among the business community.