

**GOVERNMENT OF PAKISTAN
(REVENUE DIVISION)
CENTRAL BOARD OF REVENUE**

Islamabad, the 18th June, 2001

**NOTIFICATION
(CUSTOMS)**

S.R.O. 450(I)/2001.-¹[In exercise of the powers conferred by section 219 of the Customs Act, 1969 (IV of 1969), section 50 of the Sales Tax Act, 1990, section 40 of the Federal Excise Act, 2005 and section 237 of the Income Tax Ordinance, 2001 (XLIX of 2001), the Federal Board of Revenue is pleased to make the following rules, namely:-]

.
.

²[**CHAPTER XXVIII**
Enforcement of Intellectual Property Rights

.
.

679. Definitions.-(1) In this Chapter, unless there is anything repugnant in the subject or context,-

- (i) “Act” means the “Customs Act, 1969 (IV of 1969);
- (ii) “applicant” means a person, including his duly authorized representative making an application on the form prescribed under these rules;
- (iii) “de-minimis” imports” means and refer to small quantities of goods of noncommercial nature contained in the travelers personal baggage or sent through post or any other means of transmission;
- (iv) “infringing goods” means any goods that are brought into the country in violation of the Copyright Ordinance, 1962 (XXXIV of 1962), the Trade Marks Ordinance, 2001 (XIX of 2001), the Patents Ordinance, 2000 (LXI of 2000), Registered Designs Ordinance, 2000 (XLV of 2000), Registered Layout-Designs of Integrated Circuits Ordinance, 2000 (XLIX of 2000) and section 15 of the Act;
- (v) “intellectual property rights” means the rights protected under the Copyright Ordinance, 1962 (XXXIV of 1962), the Trade Marks Ordinance, 2001 (XIX of 2001), the Patents Ordinance, 2000 (LXI of 2000), Registered Designs Ordinance, 2000 (XLV of 2000), Registered Layout-Designs of Integrated Circuits Ordinance, 2000 (XLIX of 2000) and section 15 of the Act;
- (vi) “intellectual property laws” means the laws specified in the schedule to the intellectual property organization of Pakistan Act, 2012 (XXII of 2012);
- (vi) “Intellectual property organization of Pakistan” (IPO-Pakistan) means the intellectual property organization of Pakistan established under section 3 of the intellectual property organization of Pakistan Act, 2012 (XXI of 2012);
- (vii) “owner of goods” means an importer, including consignee or his duly authorized representative, who has imported infringing goods;

1 Existing preamble substituted and shall be deemed always to have been so substituted vide SRO 831(I)/2018 dated 2nd July, 2018. At the time of substitution was as under:-
“In exercise of the powers conferred by section 219 of the Customs Act, 1969 (IV of 1969), the Central Board of Revenue is pleased to make the following rules, namely:--”

2 Added vide SRO 170(I)/2017 dated 16th March, 2017

- (vii) “parallel or grey market imports” are non-counterfeit goods which carry genuine trademarks and are imported into the country without the permission and consent of the right holder or outside his specified distribution system, provided that all other conditions for importation have been complied with under the Act and other relevant laws;
 - (viii) “person” means any natural or legal person and includes any association or body of individuals, whether incorporated or not;
 - (ix) “recordation database” means the database maintained by the IPO-Pakistan, in respect of the right holders registered with them and is shared with the Directorate General of IPR (Enforcement) in real time; and
 - (x) “right holder” means a natural or a legal person, including his successor in title, or duly authorized exclusive licensee as well as an individual, a corporation or an association authorized by any of the said persons to protect their Intellectual property rights.
- (2) All other words and expressions used but not defined herein shall have the same meaning as defined in the Act and the intellectual property laws.