



KYRIAKIDES  
GEORGOPOULOS  
LAW FIRM



## INTELLECTUAL PROPERTY

INTELLECTUAL PROPERTY PRACTICE

# Greece's Removal from the Watch List of the "Special 301 Report"

---

May 5, 2020

# Greece's Removal from the Watch List of the "Special 301 Report"

BY IRENE KYRIAKIDES, MARIA SPANOU

Having progressed in matters of Intellectual Property protection and enforcement, specifically with regards to unlicensed software, Greece is no longer included in the Watch List of the Special 301 Report issued since 1989 by the [Office of the United States Trade Representative](#) (USTR).

## THE SPECIAL 301 REPORT (THE "REPORT"), IN BRIEF

The Report is issued annually and identifies foreign countries around the world which are deemed of concern in matters of market access and IP rights protection and enforcement, thus impeding US IP rights owners (e.g. creators, manufacturers, inventors, service providers etc.) to fairly and equitably access the identified foreign markets, to successfully maintain their IP rights and, if the case, effectively defend them upon infringement thereof.

Drafting of the Report entails monitoring of the progress and adequacy of IP rights and related market access legislations and regulations in foreign countries and to that end, information is solicited from and

collaboration takes place with, as mentioned in the Report, US embassies around the world, US Government agencies and interested stakeholders.

The Report's yearly assessments lead to the following categorizations, depending on the level of concern reported for each foreign country:

- Priority Foreign Countries, the level of IP protection of which is deemed inadequate; sanctions may also apply in relation to such countries and their IP regimes.
- Priority Watch List, which includes foreign countries with severe deficiencies in matters of IP rights protection and enforcement
- Watch List, which includes foreign countries with serious deficiencies in matters of IP rights protection and enforcement.

Countries may be moved from category to category, depending on their positive or negative development.

## THE CASE OF GREECE

### Previous Reports

For the last 10 years, Greece was included in the Watch List, considered - along with other countries - not to have in place effective policies and procedures to ensure its own government agencies do not use unlicensed software and presenting high levels of online piracy and lack effective enforcement.

Though Greece's efforts in matters of IP protection were recognized in the respective 2019 Report and despite the amendments introduced in Greek Law 2121/1993, important IP challenges such as online piracy and the use of unlicensed software remained of concern.

Enhancing efforts for the establishment of proper procurement requirements, implementing management policies and public tender proceedings for licensed software in the public sector, as well as intensifying and timely and efficiently undertaking enforcement, prosecution, investigation and other related to the IP protection actions and proceedings (e.g. criminal investigations, customs seizures etc.) were therefore deemed of significance.

### The 2020 Report

Greece is now removed from the Watch List, taking into consideration, mainly, the allocation of over 39 million Euros for the purchase of software licenses in the public sector, the invitation for respective public tenders and the establishment and imposition of fines for possessing counterfeit products through the adoption of new respective legislative provisions.

This has been a long awaited positive result, towards which many institutions were focusing their efforts for many years (the American-Hellenic Chambers of Commerce and its IPR Committee <https://www.amcham.gr/committees/#1551879778935-71c25286-4724> has been working intensively on this matter).

Now entering a new US trade related era, Greece is expected to intensify its efforts in order to maintain and further improve its IP rights protection and enforcement status.

The complete Special 301 Report for 2020 can be found here [https://ustr.gov/sites/default/files/2020\\_Special\\_301\\_Report.pdf](https://ustr.gov/sites/default/files/2020_Special_301_Report.pdf)

## Contact Us

---



**Irene Kyriakides**

**PARTNER**

[i.kyriakides@kglawfirm.gr](mailto:i.kyriakides@kglawfirm.gr)



**Maria Spanou**

**SENIOR ASSOCIATE**

[m.spanou@kglawfirm.gr](mailto:m.spanou@kglawfirm.gr)

---



*Follow Us*

### **ATHENS OFFICE**

28, Dimitriou Soutsou Str.,  
115 21 Athens

T +30 210 817 1500

F +30 210 685 6657-8

E [kg.law@kglawfirm.gr](mailto:kg.law@kglawfirm.gr)

### **THESSALONIKI OFFICE**

17, Ethnikis Antistasseos Str.,  
551 34 Thessaloniki

T +30 2310 441 552

E [kg.law@kglawfirm.gr](mailto:kg.law@kglawfirm.gr)

[www.kglawfirm.gr](http://www.kglawfirm.gr)

---

**Disclaimer:** This newsletter contains general information only and is not intended to provide specific legal, or other professional advice or services, nor is it suitable for such professional advice, and should not be used as a basis for any decision or action that may affect you or your business. Before making any decision or taking any action that may affect you or your business, you should consult a qualified professional advisor. We remain at your disposal should you require any further information or clarification in this regard.