

Kluwer Patent Blog

IP challenges in North Macedonia

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The legal regime for IP in North Macedonia is generally in line with international standards. North Macedonia has ratified all major IP Conventions and the laws are harmonized with these acts. The most important laws governing IP are the law on industrial property and the law on copyright and related rights. However, IP matters are also part of other legal acts existing in the legal system.

Ana Pepeljugoska of [Law office Pepeljugoski](#), with 10 years' experience in the field of IP and having written several publications, was just the person to talk to about the developments and challenges in North Macedonia.

EU regulations and membership

Recently there have been some changes in the IP Laws in North Macedonia, what would you say are the most noticeable changes?

“Having started the process of negotiations for EU Membership we are faced with many changes that need to be implemented in the existing legislation. I must emphasize that North Macedonia was considered as leader in the Balkan region in the past, but now we have somehow fell behind.” We are faced with 10 year “sleeping” of competent ministries in harmonizing of our laws with EU regulations and directives, especially in the field of copyright. Ana continues “We sincerely hope that this will change by implementing the new laws (such as the law on trade secrets) and providing amendment in the existing laws (law on protection of the industrial property, law on copyright and related rights, law on audio, audiovisual and media services). The question of paleal import must be aligned between the law on industrial property and the law on customs measures for protection of the intellectual property rights. Finally, I believe that the adoption of the National IP Strategy should be priority of the Government in the next year, since the Strategy is aligned with the EU regulations and implements many changes such as modernization of the State IP Office, enlargement of its responsibilities, e-fillings, specialized IP courts and similar.”



Fighting IP infringement

IP has been a growing industry with many changes due to the technological advancement, which also caused people to change the way they execute tasks. What do you feel are IP challenges?

“In North Macedonia we face many IP challenges, starting from the implementation of the existing laws, interpretation of the courts in cases, fighting IP infringement (both physical and online via e-commerce platforms), prosecuting offenders.” Ana says, “However, in my personal view the biggest challenge is the lack of capacity in the institutions handling the IP matters and the deficiency of IP related knowledge, specialized trainings, and alignment with the EU case law practice.”

Ana continues about recent case law in North Macedonia, “As in every other jurisdiction the IP offenders become very creative. Recently we encountered many online infringement cases, cases with illegal IPTV broadcasters and finally the import of counterfeit goods is again in focus. I sincerely hope that the updates in the legislation will contribute to successfully overcoming the obstacles that the IP infringers put on the right`s holders”.

Artificial Intelligence

We have seen a lot of change throughout the world due to the ever-changing landscape of IP. North Macedonia must also feel the effects of these changes.

“I must note that North Macedonia will inevitably face the AI phenomenon, and this will be an additional challenge for us. Keeping in mind the world`s trends, we will very soon be confronted with cases that involve AI tools and a new field of IP enforcement will arise.” Ana continues, “Before that I believe that we will have to tackle and resolve the ‘easier’ issues that we currently have and for which I discussed above.”

Manual IP

You are author of the North Macedonian chapter for the Wolters Kluwer publication ‘Manual IP (also known as the Brown Book)’. Could you give an insight in what it is like to be involved in the publication?

Ana “Speaking from both authors Valentin Pepeljugoski, Ph.D. and myself, it is always a pleasure to be involved in the updating of the chapter and we are proud to be contributing each year. Working on such project is always great experience, especially when we see the summary results at the end. The task is not easy at all, but the end goal is something worth working for.”

The future

IP will keep changing and Ana has one last suggestion for all IP practitioners “I think it is always a good idea to organize some workshops or smaller conferences in order to share practical experiences with the colleagues from other jurisdictions on the IP enforcement and the challenges they face when handling IP cases in front of the administrative bodies and courts.”

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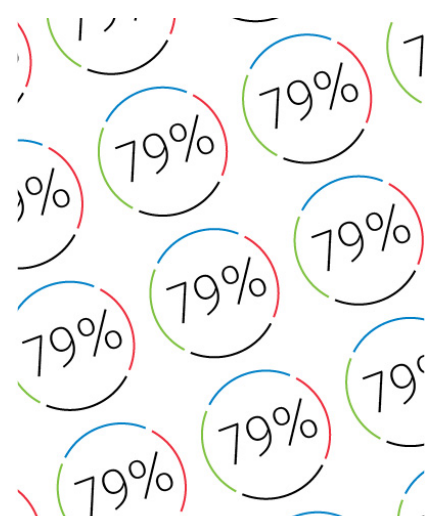
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