

PCC.I/ DEC. 205 (XXV-14) ¹

**DATA COLLECTION AREAS REGARDING SCOPE AND NATURE OF THE
COUNTERFEIT/SUBSTANDARD/UNAPPROVED DEVICES PROBLEM**

The XXV Meeting of the Permanent Consultative Committee I: Telecommunications/Information and Communication Technologies (PCC.I),

DECIDES:

1. To request the Member States and Associate Members to add and/or correct the contact information on the Participant List table on Annex 1 with their representative interested in participate in the Correspondence Group to Discuss Regional Measures to Combat the Spread of Counterfeit, Substandard and Unapproved Mobile Device, by August 15, 2014, to the coordinator of the Correspondence Group, Mr. João Zanon (zanon@anatel.gov.br).
2. To instruct the Coordinator of the Correspondence Group to invite the interest on the works of the Correspondence Group, based on the updated Participant List of Annex 1, to the first e-meeting that should be realized until the half of September 2014.
3. To request the Member States and Associate Members to gather the information listed on the Annex 2, by October 30, 2014, and submit to the coordinator of the Correspondence Group.
4. To instruct the CITEL Secretariat to inform the Member States and Associate Members about the deadline of the items above.

ANNEX 1 TO DECISION PCC.I/ DEC. 205 (XXV-14)

Please add and/or correct on the table below the contact information from your Member State or Associate Member that is interested in participating in the Correspondence Group to Discuss Regional Measures to Combat the Spread of Counterfeit, Substandard and Unapproved Mobile Devices.

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¹ CCP.I-TIC/doc. 3417/14

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ANNEX 2 TO DECISION PCC.I/ DEC. 205 (XXV-14)

Member States and Associate Members are asked to collect the following data:

1. Information on size of the counterfeit, substandard, and unapproved mobile devices problem including any studies conducted regarding the sale and distribution of such products, data/statistics

on how many phones are on networks that have invalid IMEI numbers, information on number of seizures by customs or other enforcement authorities, etc.

2. Data or statistics on the economic impact of this problem on society.
3. Any general data relating to source of counterfeit/substandard products.
4. Any data or information regarding cybersecurity threats posed by such products.
5. Any data regarding safety related, environmental concerns, or performance related problems related to the use of counterfeit including any studies conducted relating to these topics.
6. Data on existing legislation or regulation in your country specifically addressing the counterfeit/substandard devices problem.
7. Information on best practices from inside and outside the region including available technological solutions.
8. Information documenting results related to any legislative, regulatory, and technological solutions implemented including degree of effectiveness and flaws of such solutions.
9. Please evaluate and comment on the proposed definitions for counterfeit, substandard, and unapproved devices which are shown below.

A. Counterfeit Mobile Device

A **counterfeit mobile phone** is a product of inferior quality which explicitly infringes the trademark or design of an original or authentic product. In other words, the counterfeit product copies the trademark (brand) of an original well-recognized brand, copies the form factor of the original product, and/or copies the packaging of the original product.

B. Substandard

Substandard is a category of ICT equipment that is sold in contravention of applicable national and international technical standards, conformity processes, as well as national regulatory requirements or other applicable legal requirements. In some cases the manufacturer may intend to deceive the purchaser into believing that he/she is buying conformant products. The product may or may not resemble an original brand.

C. Unapproved

An **unapproved mobile phone** is a cell phone that is being sold and distributed in country in contravention of applicable national and international technical standards, conformity processes, as well as national regulatory requirements or other applicable legal requirements and, therefore is unapproved for sale and/or activation on telecommunications networks of that country. It's also important to notice that an unapproved device in most cases is a counterfeit or substandard device but not necessarily.