

## CLIENT ALERT

### DOJ Appoints New Prosecutors and FBI Agents to Fight IP Crime

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On April 26, 2010, the United States Department of Justice ("DOJ") announced the appointment of 15 new Assistant United States Attorneys and 20 FBI Special Agents to "aggressively" pursue domestic and international intellectual property crimes. The announcement reflects the DOJ's continued focus on IP crimes, following the establishment earlier this year of the DOJ's Task Force on Intellectual Property, after Vice President Biden's summit on intellectual property rights. In short, the DOJ is not simply declaring that IP crimes are a priority – it is devoting significant time and resources to the prosecution of IP crimes such as trade secrets theft, computer hacking, piracy and counterfeiting.

In making the announcement, Acting Deputy Attorney General Gary G. Grindler, chair of the DOJ's Task Force on Intellectual Property, reassured companies and intellectual property rights holders in the United States that the increase in enforcement personnel is part of the government's commitment to "remain ever vigilant . . . as American entrepreneurs and businesses continue to develop, innovate and create." This reassurance comes at a time when businesses must be increasingly vigilant in thwarting attempts to compromise their intellectual property by means of sophisticated schemes and high-tech tools, and must be prepared to aggressively assert their rights when victimized. The DOJ consistently encourages companies and other IP rights holders to refer cases of suspected IP crimes to the government, which can be an effective complement to civil litigation. By the same token, in this heightened enforcement environment, companies must work with counsel to ensure that they themselves do not become unwitting perpetrators of IP crimes while conducting otherwise routine business affairs, such as hiring new employees from a competitor or gathering competitive intelligence.

The new Assistant U.S. Attorney positions are located within districts across the country, including California, New York, and Washington, D.C. In addition, the new FBI Special Agents are assigned to four intellectual property squads, also located in California, New York and Washington, D.C. Crowell & Moring's offices in Los Angeles, San Francisco, New York and Washington, D.C., along with its deep benches of Intellectual Property and White Collar and Regulatory Enforcement attorneys, are well placed to assist clients in both the defensive and offensive aspects of the evolving IP enforcement landscape.

For the DOJ release, go to:

<http://www.justice.gov/opa/pr/2010/April/10-dag-480.html>

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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