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THAILAND

1. Inventors to learn how to make money from their work
(from *The Nation Newspaper, Thailand, 2 August 2007*)

The Intellectual Property Department will educate inventors on how to reap commercial profits from their work, under a new programme aimed at boosting the commercialisation of Thai inventions. Deputy director-general Wiboonlasana Ruamraksa said the department wanted to increase the number of patents registered in Thailand 5 per cent this year and expected to achieve this by screening only the cream of new inventions. In previous years, the department has sought to increase registered patents 14-17 per cent.

"We're focusing more on quality than on quantity," she said. "A problem the world over - including in Thailand - is poor-quality innovations. In China, more than 1,200 patents have been registered, and around the world there are 55 million patents. However, only a few are ever commercialised. The commercialisation ratio of patents, sub-patents, trademarks and copyrighted items is terribly low, because most inventors do not know how to commercialise their work and or maximise their benefits."

Under the new programme, the department will provide comparative information to advise inventors about what kind of contracts they should strike; for example, whether they should sell their works outright or opt for fees from long-term contracts. The department will also offer advice on registration of inventors' works as patents, sub patents, trademarks or trade secrets, to maximise their benefits.

"Thai inventors have started coming up with commercial works, such as those concerning food, herbs and energy conservation. However, they do not know what to do with their inventions. While they'll be assisted in gaining from their work, the business world will know how to commercialise it. Personally, I prefer that inventors be left to work on their inventions without having to become investors. There are too few thinkers, and they should do what they're good at," Wiboonlasana said.

Last month, the department sponsored the fifth IP Fair. The three-day event received more than 17,000 visitors, and some patent-owners succeeded in signing commercial deals worth Bt120 million. Other projects worth about Bt500 million are still being negotiated.

Wiboonlasana said the department was also planning to spend between Bt2 million and Bt5 million to set up a centre where data on inventions around the world would be gathered for public use.

2. Pirated drugs targeted

(from The Nation Newspaper, Thailand, 9 August 2007)

The Intellectual Property Department and six other agencies will next month step up a crackdown on pirated medicines considered a public-health threat. Department agents discovered fake imported drugs for sale at many popular tourist spots.

The government is going on the offensive against knock-off pharmaceuticals, said director-general Puangrat Asavapisit. And a Food and Drug Administration report said 33 sellers of fake drugs were arrested and 340,900 items seized in the first half of the year. Last year saw 285 cases and the seizure of 74,500 items.

Pirated drugs are common and easily imported from neighbouring countries. They are sold freely in Pattaya, Koh Samui, Phuket and Bangkok's Patpong Night Market. Sales of bogus erectile-dysfunction treatment Viagra are widespread, the department said.

Also available are imitation versions of expensive medicines for heart disease, cholesterol problems and cancer. Painkillers are easily copied, too.

Puangrat said the government aggressively suppressed pirated medicines. The department is working together with other government divisions and private-sector associations, and this cooperation will be enhanced by the signing of an agreement between relevant parties on September 10.

US drug giant Pfizer has complained to the department that its investigations determined half of all Viagra sold in Thailand was imitation and violated its patent rights.

Puangrat said phoney medicines for sale here were not manufactured in the Kingdom. Nevertheless, the crackdown is necessary to protect the nation's image and consumers. The department is also looking for incidents of trademark violation, while the police are seeking to shut down importers of counterfeit pharmaceuticals to hobble the trade, she added.

3. Expert warns of risks of bogus medication

(from Bangkok Post Newspaper, Home News Section, Page 2, Thailand, 9 August 2007)

A health expert has warned of the dangers of counterfeit erectile dysfunction and malaria drugs that have flooded local markets and neighbouring countries.

Praphon Antrakul, a pharmacist at the Food and Drug Administration, said the fake drugs were undermining Thailand's efforts to promote good manufacturing practices among domestic pharmaceutical producers.

"This problem should be seriously addressed because it tarnishes the country's image and drug manufacturing standards, especially when Thailand is still under the Priority Watch List of the US Trade and Representatives in which intellectual property rights are very much involved," he said at a meeting on good manufacturing practices yesterday.

Fake pharmaceutical medicines can often contain dangerous or ineffective substances that can cause illness, injury and even death.

Mr Praphon said that in Thailand, most erectile dysfunction medication, malaria and tuberculosis drugs heavily marketed via the Internet are fakes. Some are sent through courier services, the general mail or are on shop shelves.

"Pharmaceutical sales in Thailand are worth about 80 billion baht [a year]. But the fake drugs trade can generate higher profits," he said.

The FDA official also said the World Health Organisation (WHO) recently inspected the Cambodian pharmaceuticals market and reported that most of the counterfeit drugs, including antibiotics, penicillin, paracetamol and vitamin Copyright tablets, were produced by illegal factories in Thailand that were already shut down.

The FDA is in the process of investigating if any registered pharmaceutical firms were involved in the production of fake drugs. However, it is not just Thailand that is suffering the effects of fake drugs. Reports of the problem are increasing rapidly around the world, especially among developing countries. In Asia and Latin America for example, counterfeit sales account for 30% of the market, according to the WHO.

FDA secretary-general Siritwat Thiptaradol said checkpoints have been set up along border provinces to try and stem the trafficking of fake drugs. But he conceded that counterfeit malaria, Aids, tuberculosis and bird flu drugs were a big problem, not only in Thailand but also in other developing countries.

Dr Siritwat said counterfeit drugs often had extremely varied compositions. Some contain totally inert substances like starch while others are made of cheap materials like paracetamol, he said.

"The poor could become victims of fake drugs that lead to health risks and can eventually cause death," he said.

Most fake products found in developed countries include steroids, hormones and allergy drugs, he said. India and China are known to be major bases of counterfeit drug manufacturing and trafficking, he added.

The International Narcotics Control Board, the Vienna-based drugs watchdog, last March released a report on lethal fake drugs worldwide, urging the UN and WHO to help member states which may not have sufficient resources to tackle the problem.

4. EU's Mandelson warns Thailand against drugs pricing programme (from *Agence France Presse*, 10 August 2007)

European Union Trade Commissioner Peter Mandelson has warned the Thai government against moves that would force drugmakers to drop their prices on expensive medication.

In a letter seen by the business daily, Mandelson wrote that Thailand "may be taking a new approach to medicines," adding that the country's military government "stated that if drug companies wish to do business in Thailand, they should offer their drugs for no more than five percent above the generic cost."

"This approach is a matter of concern for the European Union and would be detrimental to the patent system, and so to innovation and the development of new medicines."

Thailand has clashed with Western governments in the past over threats to extend the use of compulsory licenses, which are allowed under World Trade Organisation (WTO) rules so that countries can temporarily suspend patent protections on medicines that safeguard public health.

Mandelson also reportedly wrote that Thailand's moves would be in breach of WTO regulations, and encouraged Bangkok to negotiate with drugmakers.

According to the FT, Thailand has yet to reply to the letter, which was written in July.

5. Award winning Thailand rescue robot patented
(from *The Nation Newspaper, Thailand, 13 August 2007*)

The world-champion Thailand Rescue Robot has been patented and will now go into commercial development, with the first real-world application to help the military in the Deep South. The student team from King Mongkut's University of Technology North Bangkok, which won this year's global RoboCup competition in the US, said the Army and the university were negotiating to prepare the robot for frontline use.

Team member Pinit Khueansuwong said the robot should soon go into mass production, which will increase its value. The robot costs Bt200,000 to Bt400,000 to make but when improved could fetch more than Bt5 million.

Adisak Duangkaew, another team member, said possible uses under consideration were rescuing people from water and detecting, collecting or destroying bombs.

Puangrat Asavapisit, director-general of the Intellectual Property Department, said the department had realized the importance of Thai youths' ingenuity. She said the patent would not only help protect the robot's technology when it goes commercial, but also increase the value of innovative Thai products in the world market.

6. Fake drugs flood into SE Asia
(from *Pharma Marketletter, 17 August 2007*)

Thailand's Food and Drug Administration has warned of the flood of fake drugs in the local and neighboring countries' markets, with check-points alerted along Thailand's borders to look out for imports, many of which allegedly originate in China and India. Prophon Angtrakul, an FDA spokesman said that "this problem should be seriously addressed because it tarnishes the country's image and drug manufacturing standards, especially when Thailand is still under the Priority Watch List of the US Trade Representatives in which intellectual property rights are very much involved."

Mr Prophon added that a World Health Organization inspection in nearby Cambodia found that most fake drugs there, including antibiotics, paracetamol and vitamin C tablets were manufactured in supposedly shut down illegal production sites in Thailand. An investigation is underway by the Thai FDA to establish if registered drugmakers are involved in the counterfeit trade.

7. US envoy asks PM to help solve patent row
(from *Bangkok Post Newspaper, Home News Section, Page 2, Thailand, 18 August 2007*)

The US ambassador to Thailand has asked Prime Minister Surayud Chulanont to intervene in the Public Health Ministry's compulsory licensing policy.

Ralph Boyce said in his letter dated July 20 he was afraid that the faded compulsory licensing issue might reemerge since "the Health Ministry was actively considering a list of additional drugs for compulsory licensing."

"The US government thinks it is important for all countries, including Thailand, to play a role in, and benefit fully from, the development of new and more advanced medical treatments. Strong protection of intellectual property rights, including patents, remains a vital part of that process," said Mr Boyce.

The ambassador noted that while all World Trade Organisation (WTO) members have the ability to make appropriate use of flexibilities to address urgent situations, these decisions should not be made lightly and only as a last resort.

Surapong Jayanama, secretary to the prime minister, early last month asked the Health Ministry's permanent secretary to consult with other agencies concerned, including the ministries of foreign affairs and commerce, to find common ground on the matter.

The Public Health Ministry will hold a meeting next week with other stakeholders, including HIV/Aids patients, networks of heart disease and cancer patients, as well as the Labour Ministry and Social Security Office.

The US envoy's concern followed a controversial letter from European Union trade commissioner Peter Mandelson to his counterpart Krirk-krai Jirapaet, as well as Foreign Minister Nitya Pibulsonggram and Health Minister Mongkol Na Songkhla, protesting against Thailand's consideration of the broad use of compulsory licensing.

8. Fight to control fake goods all uphill
(from *Thai News Service*, 20 August 2007)

To date he claims that he has hunted down Bt2 billion worth of goods that infringed on intellectual-property rights. And that includes everything that can be copied under the sun from pirated VCDs, DVDs and CDs to fake Levi's jeans, chestnuts and fugu fish. Wisut's five-month stint has made quite an impact.

Yongsak Ekprachyasa, managing director of sales and marketing at GMM Grammy, said that his staff actually reported seeing fewer pirated CD and DVD stalls on a recent reconnaissance trip.

The problem is exacerbated by the advent of the Internet, said Edward Neubronner, director of operations for the Asia-Pacific region of the Motion Picture Association, a pressure group for the Big Seven Hollywood studios. Despite the trend of opening movies on the same day globally, pirates still operate.

In Thailand, offenders download movies from the Internet and then record the Thai-dubbed audio in the cinema with an MP3 recorder. The synched products can hit the market the very next day.

Thai-dubbed foreign movies have now become a grass-roots problem, said Henry Tran, general manager of Warner Bros and Twentieth Century Fox Thailand. Despite 15-per-cent growth industry-wide, pirated movies handicap a film's revenue window. A movie that could stay for two weeks at the box office will have to be pulled out in a week due to poor attendance, said Tran.

Rubbing salt in the wound, local cable television broadcasts the pirated version of the film. But this kind of blatant crime can only survive if law-enforcers themselves are complicit. Wisut said that politicians and civil servants of all stripes are involved. The only way to eradicate such all-pervasive crime is through severe punishment and removal from office - which doesn't happen often.

9. Ministries firm on compulsory licensing
(from *Bangkok Post Newspaper*, Home News Section, Page 2, Thailand, 22 August 2007)

The Commerce and Public Health ministries have stood firm on Thailand's decision to override drug patents after the European Commission warned Bangkok about negative repercussions from the broad use of compulsory licences.

In a letter sent to EC trade commissioner Peter Mandelson, Public Health Minister Mongkol na Songkhla explained that the Thai government's use of compulsory licences was only for selected medicines. If any patented drug cost no more than 5% above the generic version, the ministry would purchase the patented medicines instead of breaking the drug patents, he said.

Commerce Minister Krirkkrai Jirapaet also sent a letter of explanation to the EC two weeks ago, trying to play down the trade commissioner's concern over Thailand's drug policy. He said Mr Mandelson should ease "concerns on the transparency of the process of issuing CL and be ensured of the Thai government's openness to negotiating with patent holders".

"I would like to assure you that action taken by the Thai government in compulsory licences of patented drugs has been consistent with the country's obligations, the World Trade Organisation, and the agreement on Trade-Related Aspects of Intellectual Property (Trips)," Mr Krirkkrai said in the letter.

He also said the Public Health Ministry was the responsible agency empowered to issue compulsory licensing on patented drugs it deems appropriate.

At present, the committee negotiating for increasing access to essential patented drugs has made admirable progress in price talks with drug firms, put forward by both the Public Health Ministry and the companies, and satisfactory outcomes would be reached in the near future, he said in the letter.

Meanwhile, local and foreign advocacy groups including the Thai Network of People Living with HIV/Aids, Aids Access Foundation, Oxfam and Medecins Sans Frontieres will announce their stance on Thailand's compulsory licensing policy today in response to mounting pressure from the EC and the United States.

The US ambassador to Thailand has recently expressed concern about the possible broad use of compulsory licensing to Prime Minister Surayud Chulanont.

10. Compulsory licensing praised at UN forum

(from Bangkok Post Newspaper, Prime News Section, Page 1, Thailand, 23 August 2007)

The Public Health Ministry has decided to import a generic version of the heart drug Plavix from India under compulsory licensing, a policy praised by a United Nations agency and health advocacy groups as an example for other countries to follow.

The first shipment of two million tablets of clopidogrel is expected in two months, Government Pharmaceutical Organisation (GPO) board chairman Vichai Chokvivat said. The heart drug will be supplied by the Indian company M-cure, which entered the lowest of four bids, at 1.01 baht per tablet. The price compares with 70 baht a tablet for the patented drug available on the market.

11. Thailand a pioneer in compulsory licensing

(from Bangkok Post Newspaper, Business Section, Page B1, Thailand, 24 August 2007)

The use of compulsory licences for drugs is a practical step developing countries can take to exercise their rights under the World Trade Organisation's intellectual property rules, according to Supachai Panitchpakdi, the secretary-general of the United Nations Conference for Trade and Development (Unctad).

Dr Supachai said the WTO agreement on trade-related aspects of intellectual property rights (Trips) allowed members to invoke compulsory licences to manufacture drugs or import them from cheaper sources if necessary.

"There are two options in times of constraint or crisis," he said. "They can either manufacture drugs themselves or import them from other sources that are cheaper. Unctad has not opposed the idea."

Earlier this week the Thai government said it would import generic versions of the popular heart disease drug Plavix from India. Officials had already issued compulsory licences for the Aids drugs Efavirenz and Kaletra.

However, he said, the pharmaceutical industry should be more co-operative toward Thailand after it had invoked the compulsory licence.

Dr Supachai also said developing countries should better utilise intellectual property rights over their biodiversity. He said the outlook for the current WTO round was more positive on the issue of farm subsidies, although the US president's fast-track authority to negotiate trade deals has expired.

12. Swiss company will give drugs to Thais

(from Bangkok Post Newspaper, Home News Section, Page 3, Thailand, 25 August 2007)

The Public Health Ministry has cancelled its plan to issue a compulsory licence (CL) for the production of a leukaemia drug after the Switzerland-based manufacturer promised to donate the drug to meet the demands of all Thai patients.

However, it will not go back on compulsory licensing on other drugs, despite pressure from the US and the European Union. The government has insisted the licences will save lives and that all CL moves will be considered carefully.

Vichai Chokevivat, a public health specialist chairing a committee looking into the government's CL policy, said that Novartis International AG told Public Health Minister Mongkol Na Songkhla that it would donate imatinib, under the Glivec brand, to meet demands of patients with chronic myeloid leukaemia (CML).

Earlier, Dr Vichai said the Public Health Ministry had planned to impose CL for the drug because most CML patients could not afford the treatment. He also met representatives of the Food and Drug Administration, the ministries of foreign affairs, labour, commerce and sciences as well as Aids activists to discuss a recent written request from the US for Thailand to stop issuing compulsory licences.

The letter, dated July 20, was submitted to Prime Minister Surayud Chulanont by US ambassador Ralph Boyce. According to Dr Vichai, the meeting resolved that the CL policy would continue because the government has a duty to ensure people have affordable access to medicine for treatment of serious diseases.

He said the government was studying a proposal by Gilead Sciences Co that offered to charge a low royalty fee for production of the tenofovir antiretroviral drug for HIV-infected people who were also narcotic drug users and had hepatitis C. He would pass on the meeting's conclusions to the public health minister and the prime minister.

13. US patent eyed for herbal flu cure

(from The Nation Newspaper, Prime News Section, Page 1A, Thailand, 28 August 2007)

The Department of Medical Sciences has found an herbal extract believed to cure influenza and hopes to get it patented in the United States. Deputy director-general Dr pongpan Wongmanee said a team of legal advisers was now looking into the patenting details.

He said participants in a lab experiment were given a 3,000mg extract from maenglak kha (*hypis suaveolens*) and the study showed that the extract could kill about 50 per cent of the influenza virus. Deputy Health Minister, Dr Wallop Thaineua said the ministry expected to produce this medicine based on the terpenoid extracted from the herb, and that it should be ready for patients within two years.

14. Group calls for compulsory licensing policy

(from The Nation Newspaper, Local News Section, Page 2A, Thailand, 29 August 2007)

A Local Health advocacy group has urged political parties to make compulsory licensing part of national policy to ensure that people can access cheap drugs. Jiraporn Limpananont of the Faculty of Pharmaceutical Sciences, Chulalongkorn University, expressed concern about the new government and the future of compulsory licensing in Thailand after the next general election.

Achara Eksaengsri, deputy director at the Research and Development Institute, Government pharmaceutical Organisation, said it would be easy for the new government to issue compulsory licensing for the new drugs because the ministry had succeeded in using compulsory licensing for heart disease drugs and could import cheaper versions.

Montri Chulavatnatol, chairmand of Chemical and Pharmaceutical Science research group, National Research Council of Thailand (NRCT), said the government has to consider the future of both drugs and the health care system after compulsory licensing expires.

MALAYSIA

1. Recent anti-piracy and IP enforcement activities

(from Mondaq Business Briefing, 19 August 2007)

Anti Piracy Activities As part of the government's anti piracy activities more raids are being conducted to nab software pirates. MDTCA deputy director general (development) Iskandar Halim expressed surprise the piracy rate was still at 60% despite increased enforcement efforts last year but vowed the Ministry would be more vigilant against piracy this year. "This goes to show we cannot afford to rest despite our successes," he said.

According to anti piracy watchdog Business Software Alliance software vendors lost nearly RM1bil to piracy in 2006. The 4th Global Software piracy study found that financial loses from software piracy doubled to US\$289mil (RM983.2mil) from last year when the loss was US\$149mil (RM521.5mil). The study also found the local software piracy rate was not changed from last year remaining at the 60% mark for the second year and was 5% above the average mark for the Asian region.

The increases in loss was attributed to the expansion of the Malaysian PC market, more people are using PCs than ever before said BSA anti piracy director Tarun Sawney. "Businesses are moving up the value chain and need more sophisticated software such as Autodesk's CAD, as such increasing the market value for such programmes," he pointed out, adding such an environment was lucrative for software pirates. The BSA was encouraged the local piracy rate which used to be 70% six years ago fell 10 points over the years, which is good said Sawney.

Another incident showed cooperation between MDTCA and private investigators. Following two trademark owners who made a complaint after being suspicious of offers on the Internet by two locals imitation printer cartridges worth RM500, 000 was seized. On 17 May 3 investigators from London supported by 13 enforcement officers raided 2 shoplots in Taman Cheras Baru seizing some 11,500 Canon, HP and Epson cartridges.

Under the Trade Description Act 1972 anyone found manufacturing and selling counterfeit products could be fined up to RM100,000 or 3 years jail or both while repeat offenders can be fined up to RM200,000 or five years jail or both.

Enforcement Division deputy director-general Ahmad Dahuri Mahmud said the 3 trademark owners became suspicious when they saw the offers to supply cartridges on the Internet and played along by taking up the offer.

"The investigators contacted our division a month ago saying they received offers from Malaysian exporters of original printer cartridges early this year," said Ahmad Dahuri. The division suspected the distributors sold imitation products. The investigators confirmed the cartridges found during the raid were imitation products.

Although no one was apprehended at the shoplots during the raid, Ahmad Dahuri said the division knew the culprits and would track them down. "We have two suspects who probably have more imitation printer cartridges stashed elsewhere."

Finally, copyright infringement got a new reason when a photocopy shop operator appealed in mitigation that the 55 photocopies of college textbooks were to benefit students. Forty one year old Thin Wei Hang pled guilty to Section 41(1)(d) Copyright Act 1987 which makes it an offence for anyone to possess any infringing copy other than for private and domestic use. There was not much profit from the sale of photocopied books he said. Among the titles of copies in his possession were AS Level and A Level Business Studies, Biology 2 and a series of A Level Mathematics textbooks, copyright owner being the Cambridge University Press.

MDTCA enforcement officers receiving a tip off found the copies in the shop. Prosecuting officer Muhamad Aizudin Mohd Said urged the court to impose an appropriate sentence. Judge Nurmala Salim fined Thin RM300 for each copy, totalling RM16, 500, which he promptly paid.

2. Dogs honoured for sniffing out pirate DVDs

(from Bangkok Post Newspaper, Prime News Section, Page 1 & 5, Thailand, 21 August 2007)

Two dogs trained to sniff out DVDs received medals from the Malaysian government for a five-month campaign that apparently crippled movie pirates. Lucky and Flo, black Labradors trained to detect chemicals used in making DVDs, were the first animals to receive the outstanding service awards for finding discs stockpiled by pirates, the Motion Picture Association said in a statement.

The canine campaign led to 26 arrests and seizures of illegal discs worth over US\$6 million. Malaysia, which is on a US watchlist on piracy, has dramatically stepped up efforts to rein in pirates as it negotiates a free-trade pact with Washington.

Movie pirates even put a bounty of 100,000 ringgit on Lucky and Flo after they busted a fake DVD ring in southern Johor state in March, the MPA said. Since then, the dogs have been closely guarded.

3. Aussino unit fined for using pirated software

(from Business Times Singapore, 23 August 2007)

The Malaysian subsidiary of Singapore Exchange-listed Aussino Group was convicted earlier this month in Malaysia for using unlicensed software. Following a tip-off received through a hotline managed by anti-piracy group Business Software Alliance (BSA), Malaysian authorities raided the premises of Aussino Malaysia Sdn Bhd and found eight illegal copies of Adobe software on its computers.

The home and bedding furnishing retailer was subsequently convicted on Aug 8 and fined RM80,000 (S\$34,996). Malaysia's Copyright Act allows authorities there to impose a fine of between RM2,000 and RM20,000 for each copy of illegal software, and/or a jail term of up to five years.

Aussino Malaysia Sdn Bhd also made history as the first company to be convicted under Malaysia's newly established Intellectual Property (IP) Courts and its per copy fine of RM10,000 is the highest fine imposed for violating the country's copyright law.

Malaysian authorities have stepped up enforcement action against intellectual property violations, having conducted 22 raids for suspected software licensing violations this year. The raids have resulted in the authorities seizing computers and peripherals worth RM411,000 and illegal software worth RM2.8 million to date.

Earlier this year in Singapore, two companies have also been raided by the police this year for suspected violations of software copyright.

SINGAPORE

Games developer charged with copyright violation
(from *Business Times Singapore*, 15 August 2007)

Video games developer Boonty Asia was yesterday charged in court for using bootleg software, making it the second company to face legal action under Singapore's revised Copyright Act.

Boonty, the local subsidiary of a multinational firm with offices in over 25 countries, was accused of five counts of violating software copyright.

According to the charges detailed by the police, the company installed 42 copies of illegal software programs on its computer systems. These included image editing tools like Adobe Photoshop, Macromedia's Dreamweaver Web-authoring application, Microsoft Office and Symantec's anti-virus tools.

The charges follow a police raid on Boonty's office off Claymore Road in February this year. Two servers, eight desktop computers, 14 notebooks and several CD-ROMs were seized for investigation.

Officers were acting on a tip-off from the Business Software Alliance (BSA), an anti-piracy trade group supported by companies including Microsoft and Adobe.

If convicted, the company personnel responsible face a maximum jail sentence of six months or fines of up to \$20,000, or both. In addition, Boonty could face separate civil lawsuits from software producers.

PHILIPPINES

1. NBI seizes P1.3-March worth fake Lee jeans
(from *Philippines News Agency*, 4 August 2007)

Agents of the National Bureau of Investigation (NBI) seized some P1.3 million worth of fake Lee jeans following a series of raids in Pasay City early this week.

Investigation conducted by NBI-Intellectual Property Rights Division (IPRD) under Regional Director lawyer Elfren Meneses Jr. showed that law enforcers seized the fake jeans from the sales outlet and two stockrooms of Signal Way General Merchandise and Uso-Uso Style Fashion.

Also raided were the Loida Briones Fashion Haus owned by Chen Mei Shan and/or Loida Briones, at Stall I E 7-8, Ground Floor, Galleria Baclaran Shopping Mall, Taft Avenue Extension, Pasay City.

NBI agents seized from the three establishments 1,106 pair counterfeit Lee jeans. Authorities placed the establishments under surveillances and conducted test buys to confirm data gathered by market research firm Orion Support Inc. Charges of trademark infringement are being prepared against the owners of the raided establishments.

2. NBI seizes computer with unlicensed software in Paranaque
(from Philippines News Agency, 8 August 2007)

Agents of the National Bureau of Investigation (NBI) seized thousands of pesos worth of computers found to have unlicensed software from a company in Paranaque.

The NBI- Intellectual Property Rights Division (IPRD) headed by the lawyer Elfren L. Meneses Jr. conducted an operation against the Manila International Freight Forwarders Inc on Tuesday at 11:30 a.m.

Manila Judge Reynaldo G. Ros, of RTC Branch 33, ordered the raid of the office at the ground and second floor, Unit C. Oyster Plaza corner Kabihasanan Road, Barangay San Dionisio, Paranaque City.

The operation was in response to complaints of the Microsoft Corporation, Adobe Systems Inc. and Symantec Corporation represented by Federis and Associates Law office. In an operation report, NBI Special Investigator Adjutor N. Larosa said the agents found and seized five sets of personal computers with unlicensed Adobe Software and a disc installer of Symantec Software.

The estimated value of the seized items is placed at P310,000. The owners and operators of the raided companies are facing charges of Violation of RA 8293 (Copyright Infringement).

3. Overhaul of patent laws via cheaper drugs bill sought
(from Philippine Daily Inquirer, 9 August 2007)

The Intellectual Property Office called for modernization of patent laws through passage of a bill for cheaper medicines. IP Philippines Director General Adrian Cristobal Jr. said the bill sought to amend some provisions of the Intellectual Property Code that pertain to non-patentable inventions; limitation of patent rights; use of invention by government; and limitations on rights conferred to trademark owners in cases of importation of medicines.

“By clarifying particular patent provisions in the IP Code, the bill balances the health interest of the Filipinos on one hand and the rights of patent owners on the other hand,” Cristobal said.

“These proposed amendments modernize our 60-year-old patent system to make the law more responsive to the healthcare needs of our people in the 21st century,” he added.

Cristobal said a provision of the proposed law would provide access to medicines from abroad that are priced lower than their counterparts in the Philippines.

“This is consistent with the Agreement on Trade-Related Aspects of Intellectual Property administered by the World Trade Organization and to which the country acceded,” he said.

IP Philippines, through its Bureau of Patents, provides the registration and grant of patent for inventions. A patent, which cannot be renewed, gives the owner the legal right to exclude others from using the patented item for a specified period of time in exchange for patentable information and disclosure.

4. Medicine Bill could be fast-tracked in Philippines
(from *Asia Pulse*, 13 August 2007)

Senator Mar Roxas on Sunday said the approval of the proposed cheaper medicines bill could be fast-tracked once the composition of the Senate Committees on Trade and on Health is completed, which he predicted to happen this week.

Roxas, chairman of the Senate Committee on Trade and Commerce in both the 13th and 14th Congresses, said the proposed bill had already been approved on 3rd reading in the last Congress after being subjected to intense consultations and deliberations.

Roxas filed Senate Bill No. 101, which is identical to the bill passed by the Senate on 3rd reading in the last Congress. The bill was actively co-sponsored by Senator Pia Cayetano, who retained leadership of the Committee on Health.

Like in the previous Congress, he expects the bill to be supported unanimously by his colleagues and approved on third reading once more in the Senate.

Roxas is also hoping that the Lower House will pass the bill this time as House Speaker Jose de Venecia himself promised to have the bill passed immediately. He also noted that President Arroyo even cited the bill in her State of the Nation Address as a priority measure to be pursued in the present Congress.

Roxas said that the battle for flexibilities in patent laws on medicines is an international battle, which is winning in various fronts across the globe.

"In the international front, steps are being taken to make life-saving medicines affordable and available to all. We must not be left behind," he noted.

Roxas said he was buoyed by an Indian courts recent decision to reject patent infringement claims by Novartis AG for its cancer medicine Glivec. The Swiss drug firm had filed its case last year assailing an Indian law banning patents for mere modifications to already existing drugs developed after 1995.

Aside from this, the bill provides a legal mechanism for the importation of cheaper drugs whose patents have not expired locally, otherwise known as parallel importation, already practiced among European Union nations, as well as Japan, Argentina, Cambodia, Thailand and Vietnam .

The attempts to do such in the United States, a known bailiwick of multinational pharmaceutical interests, are gaining ground, with the recent approval by the US House of Representatives of a bill effectively allowing the importation of cheaper medicines from abroad.

The bill also provides an "early working doctrine" where generic drug manufacturers are allowed to experiment, produce and register patented drugs even prior to expiration of their patents. This doctrine, he noted, has already led to significant price reductions in the US, Japan, Canada , Israel and Thailand.

Lastly, the bill seeks to give government discretion in use of patents when public health is at stake, providing for a framework for the just compensation of the patent holder.

Supporters of the bill include: various stakeholder groups such as the Ayos na Gamot sa Abot-Kayang Presyo (AGAP), the Cut the Cost, Cut the Pain Network (3CPNet), the Third World Network, among other civil society and people's groups; international organizations such as the World Health Organization and OXFAM International; The local pharmaceutical industry, through the Philippine Chamber of Pharmaceutical Industry (PCPI) and the Drugstores Association of the Philippines (DSAP); as well as government agencies such as the Department of Health and the Department of Trade and Industry, the Intellectual Property Office, the Philippine International Trading Corp., among others.

INDONESIA

1. Indonesia, US to set up working group on IPR

(from Asia Pulse, 9 August 2007)

The U.S. and Indonesian governments have agreed to set up a working group to discuss actual issues of intellectual property rights in the country, an official said.

Director General of Intellectual Property Rights Abdul Bari Azed said the working group would hold regular meetings between officials of the U.S. Trade Representatives (USTR) and the Indonesian government to exchange information.

Any violation of the rights will be discussed by the working group so that both sides will have full information, Azed said.

He said the United States has changed its views of law enforcement in the sector of intellectual property rights in Indonesia, adding Indonesia is no longer seen as the worst violator of intellectual rights.

2. Police told to target malls selling fake goods

(from The Jakarta Post Newspaper, Indonesia, 30 August 2007)

The Indonesian Anti-Counterfeiting Society urged police to question the operators of shopping centers where counterfeit products were widely sold.

"Police should be progressive in investigating the distribution of counterfeit products by questioning the shopping centers' operators," the association's legal representative, Ibrahim Senen, said in a panel discussion about the liability of shopping center operators in counterfeiting cases.

He said that under the Intellectual Property Rights Law only the producers, distributors and consumers of counterfeit products could be held accountable.

"However, the police can take action against the shopping centers' operators based on Article 56 of the Criminal Code, which says they may be held responsible for facilitating crimes," he said.

Indonesia has become a safe market for counterfeiters, showcasing their products from pirated compact discs to fake designer goods. Counterfeit merchandise, such as electrical appliances, designer clothes and auto spare parts, is not only bought by people in the low-income bracket but also by the wealthy.

"It is mostly imported from China," Ibrahim said.

Adj. Sr. Comr. Jan De Fretes, an investigator at National Police Headquarters, said in the discussion that police could question shopping center operators only if the suspects mentioned that the operators were involved.

"The investigation will not include shopping center operators if there is no indication of their involvement," he said.

Another speaker in the discussion, Association of Indonesian Shopping Center Management chairman Stefanus Ridwan, said questioning shopping mall operators might not have much of an impact.

"It would not be effective because most counterfeit products are sold in trade centers, where most of the operators are not owners but hired by an association of shop owners to manage the trade centers," he said.

Trade centers are usually not leased but sold by developers to shop owners, who later form associations. The associations then hire operators to manage the trade center buildings and their activities.

Jan added that it was difficult to implement the idea because the definition of an operator was not yet clear -- whether the operator was the hired management as in trade centers or the building owner as in malls.

VIETNAM

2 Japan fuels intellectual property e-system

(from Vietnam News Agency Bulletin, 8 August 2007)

The Japan International Cooperation Agency (JICA) is backing an initiative to build an on-line intellectual property registration system in Viet Nam.

At a seminar on August 7, the Viet Nam National Office of Intellectual Property (NOIP) reported that the Japanese Government plans to pump 530 million JPY in ODA into the project which will also set up an electronic IP library for public use.

Businesses will be able to access information on trademarks, patents and industrial designs via the website [www. noip.gov.vn](http://www.noip.gov.vn) [<http://www.noip.gov.vn>] , and register for IP protection in Viet Nam. The project is scheduled to wrap up in March 2009.

LAO P.D.R.

9.6 million kip of counterfeit products burned

(from Organisation of Asia-Pacific News Agencies, 3 August 2007)

The Science Technology and Environment Office of Vientiane in cooperation with relevant authorities has disposed counterfeit products infringing UNICHARM's products of Japan. Burned at a ceremony held, the products worth 9.6 million kip had been seized from sellers in retail shops and markets in the Capital between 11 and 16 July.

The fake products infringe the intellectual property rights of UNICHARM Co., Ltd Japan that has its trademark registered in the Lao PDR. In addition, these products may be harmful to consumers' safety and damage

UNICHARM's reputation, said Director of the Intellectual Property Standardisation and Metrology Department, Prime Minister's Office, Mr Yiun Sysavath.

The disposal demonstrates the observance of the Lao PDR's commitment in the International Property Conference and the promotion of production and trade competition in the Lao PDR. This is the second destruction of imitation products conducted by Vientiane Capital authorities. The first one took place in Saythany district a few years ago when millions of kip worth of counterfeits were destroyed. It is believed that officials concerned will further dispose other seized copied consumer goods in mid-2008, said the Deputy-Director of Vientiane Science Technology and Environment.

INDIA

1. Apne beats piracy (from *The times of India*, 2 August 2007)

According to sources, there has not been a single pirated version of the film Apne thanks to the efforts of producer Sangeeta Ahir, wife of NCP President, MLA Sachin Ahir.

Apparently, she led the crusade against piracy straight to the assembly where this issue was addressed. Says Sangeeta Ahir, "Piracy is a criminal offence. It is a serious crime and results in huge losses for the industry.

The pirates are not only damaging the industry, which is growing but are not paying taxes too, which affects the country and society. It is an ethical and aesthetical (sic) issue as well.

The intellectual property rights are being hijacked by the pirates. We have got a positive response from the assembly and we will not stop fighting against this menace till it is sorted out." Looks like there's hope for filmmakers after all.

2. India, Pakistan to jointly prevent patenting of Basmati rice (from *Organisation of Asia-Pacific News Agencies*, 2 August 2007)

India and Pakistan decided to jointly work for preventing any third country from patenting Basmati rice and agreed to allow two of their banks to operate across the border by the end of this year. India will also expedite the process of import of cement from Pakistan as the two countries agreed on a slew of measures to enhance commercial ties to raise bilateral trade by five times to USD 10 billion by 2010.

At the two-day Commerce Secretary-level talks that concluded here, the two sides discussed a proposal to launch a truck service via Wagah border, with New Delhi suggesting launch of freight service on the Munnabao-Khokhrapar route. Pakistan agreed to allow import of Indian tea through the rail route as New Delhi promised to address the issue of non-tariff barriers through a Task Force that will be set up.

The two countries decided they would jointly work for protection of Basmati Rice from unauthorised patenting using the Geographical Indication (GI) tool. Pakistan claims the variety of rice has been developed by it and India has no right to export it under that brand. "India has agreed to look into the issue," a joint statement issued after the meeting said.

India and Pakistan agreed to allow two of their banks to open branches across the border by December 31, 2007. India also promised to "fast track" completion of certification formalities for allowing import of Pakistani cement. New Delhi will also make policy changes for allowing third party certification, the statement said.

3. Indo-Swiss pact on IPRs on anvil

(from The Press Trust of India Limited, 5 August 2007)

India is likely to sign an agreement with Switzerland on intellectual property rights (IPRs) to improve the bilateral economic cooperation with Switzerland.

"A memorandum of understanding between India and Switzerland on Intellectual Property Rights is on the anvil during the forthcoming visit of Swiss Federal Counsellor and Minister of Economic Affairs, Doris Leuthard to India", an official statement said today.

The visiting Minister is also expected to discuss on the framework conditions for Swiss business in India with Commerce and Industry Minister Kamal Nath.

The proposed MoU is on the backdrop of increasing Indo-Swiss trade where it has increased by about 30 per cent during 2006-07 over the previous year. Switzerland ranks 16th in the comparative list of countries for FDI approvals and 10th in the cumulative FDI inflows.

India exports gems and jewellery, drugs, pharmaceuticals, machinery and instruments to Switzerland while the imports consist of gold, machinery and medicinal products.

The foreign direct investment (FDI) is crossing more than USD 1.11 billion during 1991 to 2006, release added. Fuels, telecommunications, chemicals and metallurgical industries are the sectors which attracts FDI from Switzerland.

4. Court rejects challenge to Indian patent laws by Swiss pharmaceutical giant Novartis

(from Associated Press Newswires, 6 August 2007)

An Indian court rejected a challenge to the country's patent laws by Swiss pharmaceutical giant Novartis, a decision hailed by medical aid groups as a victory for millions of poor patients in developing countries.

Novartis said the court ruling -- over the definition of a new or improved drug -- was a blow to the idea of intellectual property rights and would have long-term negative effects on research into new drugs. However, the company said it was unlikely to appeal the ruling.

Novartis had challenged India's patent laws, which disallowed a patent application for what it says is a new version of its leukemia drug Gleevec, known in Europe and India as Glivec.

India's patent laws, which came into effect Jan. 1, 2005, allow patents for products that represent new inventions after 1995 -- the year India joined the World Trade Organization -- or for an updated drug that shows greater efficacy.

Novartis insists that its improved Gleevec drug is more easily absorbed by the body. But Indian drug companies and aid groups say Gleevec is a new form of an old drug invented before 1995, which is now made generically in India for a fraction of the cost.

Aid groups feared a Novartis victory would set a precedent for other pharmaceutical companies seeking patent protection for essential medicines -- including AIDS drugs -- currently made cheaply in several countries.

Indian companies make a host of other generic drugs, available at a fraction of the price of branded medicine -- and used throughout the developing world, where the need for affordable medicines is high.

Novartis said it regretted the decision of the court in the southern Indian city of Chennai. The court rejected the challenge to the patent laws but has not yet ruled on the specific case of Gleevec.

"We disagree with this ruling, however we likely will not appeal to the Supreme Court," said Ranjit Shahani, the managing director of Novartis India Limited. It is clear there are inadequacies in Indian patent law that will have negative consequences for patients and public health in India," said Paul Herrling, Novartis' head of corporate research.

"Medical progress occurs through incremental innovation. If Indian patent law does not recognize these important advances, patients will be denied new and better medicines."

Several Indian pharmaceutical companies make generic copies of Gleevec, but sell it at one-tenth of the \$2,600 (1,900 euros) charged by the Swiss company for one month's dosage. However, Novartis said it provides Gleevec free of charge to 99 percent of patients prescribed the drug in India under its international assistance program.

5. India seeks joint IPRs for contributions toward FutureGen
(from *The Press Trust of India Limited*, 7 August 2007)

India has sought joint ownership of intellectual property rights for technologies codeveloped with other nations for the USD 2-billion FutureGen project that aims at setting up a zero-emission thermal power plant.

The country has demanded restructuring of Annexure-I of the agreement on FutureGen project, which contains protection and allocation of IPRs arising out of cooperative activities.

"It is uneven and is mostly in favour of the US. Our position has been that IPRs generated through collaborating activities should be owned jointly and commercial benefits should be shared equitably," an official source said.

FutureGen project, proposed by the US, envisages to build a 275 MW near zero-emission coal-fired power plant by 2012.

The source said as per the Agreement on Science and Technology Cooperation between India and the US, IPRs created jointly by people employed or sponsored by the participating parties should be jointly owned by the two parties.

"Each party should have within its territory all rights to exploit or license IPRs created in the course of development of the project," he said.

This is in contrast to a US law which mandates that the US government would retain a non-exclusive license to use the patent throughout the world.

The Annex-I needs to be restructured for providing equal access to IPRs for all participants, he said, adding the power ministry may consider the agreement on technology cooperation with the US as a fall back option.

Oil and Natural Gas Corporation, NTPC Ltd and Coal India Ltd would form a special purpose vehicle for joining the FutureGen Industrial Alliance that includes some the world's biggest mining and energy firms such as BHP Billiton.

6. Govt may patent small changes
(from *The Economic Times*, 9 August 2007)

Even as the government waits for Dr RA Mashelkar committee to correct 'technical inaccuracies' in its report on patent issues, it seems to have accepted the panel's key recommendation to encourage incremental innovation.

Government officials say they are convinced that encouraging incremental innovation will benefit Indian pharma companies as well as patients.

"It may not be prudent to award patent only for a new molecule discovery, something which requires billion dollars of R&D investment. No Indian companies can afford it. So we are looking for ways to award patent for discovery of a new form of a known substance which results in the enhancement of the known efficacy of that substance," says a senior government official.

The government is also working to evolve norms, which may guide patent examiners understand what constitutes 'enhancement of the known efficacy' of a substance. Currently, with no such guideline in place, most 'incremental innovations' are unlikely to be accepted for patents by the patent office.

A wider consultation involving the industry and intellectual property experts is being held and norms could be ready by the end of the next month, said the official. "A new form of drug, which involved no new molecule, but brought a significantly faster recovery to a patient could be considered for patent," says the official explaining what 'enhancement of efficacy' may possibly mean.

With the 'enhancement of efficacy' guideline in place, the examiners can easily distinguish between 'incremental innovation' and what is commonly referred to as 'evergreening'.

Distinguishing the two, Mashelkar report says, "While evergreening refers to extension of a patent monopoly achieved by executing trivial and insignificant changes to an already existing patented product, 'incremental innovations' are sequential developments that build on the original patented product and may be of tremendous value in a country like India."

7. Copycats popping patent law pill (from *The Economic Times*, 13 August 2007)

A Crucial provision in the country's patent law that stood the test of legal challenge by MNC drug maker Novartis is emerging as a global trendsetter.

More than 10 countries in the Asia-Pacific region are planning to adopt the much-debated provision which makes it difficult for drug makers to get patent protection for anything less than breakthroughs in pharmaceutical research.

The provision describes what sort of pharmaceutical substance is worthy of a patent. The idea is to prevent companies from blocking the entry of cheaper rival products by passing off old medicines in new bottles as patent worthy inventions.

Maldives, Pakistan, Sri Lanka, Vietnam, Indonesia, Malaysia and Bangladesh are actively considering adopting Section 3d of the Indian patent law. "We get a lot of enquiries from a host of countries about the provision. The Philippines has already amended its law on similar lines," an official of the ministry of commerce & industries said.

The nations that provided for patents for finished pharmaceutical products in 2005 now want greater flexibility in honouring their WTO commitments, Indian Pharmaceutical Alliance (IPA) secretary-general DG Shah said.

Independently, the US is also reforming its law to check spiralling healthcare cost. "Once the US does it, the EU and Canada would follow suit," said Mr Shah, who also chairs the International Generic Pharmaceutical Association - representing the \$54-billion global generics industry. Such reforms are set to boost the industry, he said.

The Madras High Court last week emphatically endorsed the patent law provision and its explanation, which Novartis alleged were vague, ambiguous and arbitrary. Rejecting the allegation, the court said it is not possible to specify all possibilities (of specific patent claims) in law. "The law should only provide general provisions and it should be left to the judiciary to consider the context and intent of the law and to give life and force to it.

The provision is not vague for want of guidelines as enough guidance is built into the provision," the court said. "The same provision applies to both MNCs and domestic companies. There is no discrimination," said an official of the commerce ministry, which cautiously drafted the law in 2005 amid political pressure from the US and Left parties.

According to a source, Novartis even tried for a declaratory statement from the court - a comment on something outside its purview - that the provision does not comply with a WTO deal on intellectual property rights. But the plea was rejected.

8. CII sets up National Committee of IP owners
(from *The Press Trust of India Limited*, 16 August 2007)

In a bid to safeguard the interest of intellectual property owners in the country, industry chamber CII announced setting up a National Committee of Intellectual Property Owners.

Under the Chairmanship of IBM India Managing Director Shanker Annaswamy, the committee held its first meeting with representatives from law firms, international agencies, academic institutes and policy making bodies, a CII release said.

Besides advocating affordable IP ownership rights, the committee would also support members' interests relating to legislative and international issues, analyse current IP issues, provide and disseminate information to the general public on the importance of intellectual property rights, it added.

9. Officials to be sensitized to patent and intellectual property laws
(from *Hindustan Times*, 17 August 2007)

Divisional Commissioner S. Raju announced that the administration would soon initiate a process whereby officials would be sensitised to the laws related to patent and Intellectual Property Rights (IPRs). Significantly, the Kumaon University here is also "planning to initiate" a similar move.

Speaking at a function, the Commissioner said, the process would be initiated at the Uttarakhand Academy of Administration here. "We are planning to develop the academy into a regional centre for officials to be trained in the rules pertaining to patent and Intellectual Property Rights," revealed the official while delivering a brief talk at the 'Regional Seminar on Patents and IP Issues in Innovation Management.'

The one-day seminar was organized jointly by the Uttarakhand State Council for Science and Technolog (U-COST), Dehradun and the National Research Development Corporation (NRDC).

Stating that it is high time that officials were given an insight into the IPR and patent laws, the Commissioner said the move was necessary particularly post-WTO agreement, when the powerful countries are literally vying with one another to grab major market share in the globalised world.

10. US NGO challenges Abbott's claim for patent in India

(from Asia Pulse, 21 August 2007)

An American non-governmental organisation has challenged US-drug company Abbott Laboratories' patent application for HIV drug combination Lopinavir and Ritonavir at the Indian Patent Office.

The NGO, Initiative for Medicines, Access & Knowledge (I-MAK), has challenged Abbott's patent application for Lopinavir and Ritonavir, which the US-drug company sells under the brand name Aluvia.

"Abbott's application on the Lopinavir and Ritonavir tablet is not inventive and if granted would prevent others from supplying low-cost version of the drug," I-MAK Director Tahir Amin said.

Indian drug company Cipla offers generic version of Lopinavir and Ritonavir tablet. World Health Organisation has recommended the combination drug for antiretroviral therapy. Besides India, I-MAK has filed its objection at European Patent Office.

I-MAK, in its statement, has said that "Lopinavir and Ritonavir is an old drug and has been known and formulated for several years".

Abbott has merely reformulated old drug in a different way without showing inventiveness, which is neither patentable under Indian law nor European, it said.

The US NGO's argument is that Abbott is claiming inventiveness by merely adding known substances such as polymer PVP to the old drug combination Lopinavir and Ritonavir using a patented technology, Meltrex.

11. Legal framework on sharing of IP

(from The Economic Times, 31 August 2007)

Corporate houses that use government funds for research, particularly in the pharmaceutical and biotechnology sectors, will soon have a legal framework to share the intellectual property generated by these joint efforts.

At present, the government provides assistance in the form of non-repayable grant in aid and as soft loans for specific research projects undertaken by industry, universities and other public and private entities. The move is set to give a major boost to publicly funded research which has started picking up recently.

It is also expected to boost nano-technology research, for which the government has allocated a massive fund which has received lukewarm response till now.

At present, universities and autonomous research institutions that get government funding lack the mandate to commercialise their research results that is largely done by the industry. Innovations also get wasted as it belongs to the funding agency and there is no incentive for the innovators.

The new legislation would provide a legal framework that would develop an active interface between the funding agencies, academia and the industry, which has been lacking so far.

"One reason why our country lags behind in generating IPRs is that our innovations remain within the confines of R&D institutions and fail to get commercialised. The department of bio-technology has now drafted the Public Funded R&D Projects (Protection, Utilisation and Regulation of Intellectual Property) Bill, 2007 for giving a fillip to government aided R&D and promotion of the culture of innovation in the country," an official source said.

As per the provisions of the draft bill, R&D institutions funded by the government would be permitted to make applications to protect the IP developed by them in countries of their choice and use the revenue generated from such commercialisation. The funding agency (government) could apply for IPRs only in such countries not selected by the institutions.

PAKISTAN

1. US Embassy launches Intellectual Property Rights & Cyber Investigation Training Program (from *Pakistan Press International Information Service*, 13 August 2007)

Pakistan has taken steps in the past two years to move its Intellectual Property Rights (IPR) program forward and the United States recognizes this progress, the U.S. Charge dAffaires Peter Bodde said. The U.S. envoy was speaking at the inaugural session of the week-long IPR Law

Enforcement and Cyber Investigation training organized by the U.S. Embassy for law enforcement professionals from Federal Investigation Agency (FIA), the provincial police, the Ministry of Interior, and representatives from higher education and legal professions.

This IPR law enforcement training exemplifies the collaboration between the governments of Pakistan and the U.S. to create a better climate for economic growth, innovation, and safety, Charge dAffaires Peter Bodde said. There is so much more that Pakistan can do to enhance its IPR regime and reap the full benefits of legitimate industries that are competitive worldwide, he added. The purpose of the training is to provide law enforcement officials with the knowledge and techniques to investigate and prosecute Intellectual Property Rights related crimes.

The focus is on the FIAs new IPR Crimes Unit which will receive training from the Department of Justice, Microsoft, and the recording and motion picture industries. The American charge Affaires Bodde said that economic growth and protecting IPR go hand-in-hand.

The World Economic Forum reports that the 20 countries with the best intellectual property protection were all in the top 27 for growth and competitiveness. Conversely, the 20 countries with the weakest intellectual property regimes were in the bottom 36 for growth and competitiveness, he added.

In Pakistan, piracy levels in cable television, music, and software are over ninety per cent. This costs the government more than sixty billion rupees in tax revenues. These uncollected taxes could fund education and infrastructure projects that would benefit the people of Pakistan, the senior American diplomat said.

With this training, law enforcement officials will be able to better investigate IPR crimes, especially related to the Internet and optical disk piracy. The training will present best practices for evaluating evidence and bringing IPR cases to court.

2. Pakistan to get US help on checking IPRs violations (from *BBC Monitoring South Asia*, 19 August 2007)

The United States said it will continue to cooperate with Pakistan in checking Intellectual Property Rights (IPR) violations by imparting modern training techniques to its law enforcement officials.

US Deputy Chief of Mission Peter Bodde was speaking at the end of a week-long training that focused on modern techniques and use of sophisticated equipment to unearth piracy and counterfeiting of publications, CDs and DVDs.

Bodde said such events were vital to unearth the crime that required high level of sophistication and special units, experts in cyber crimes were required to unearth those involved.

The US Deputy Chief of Mission said the United States agencies have successfully prevented illegal sale of 4.5bn dollars of counterfeit products.

Bodde said the IPR Crimes Unit of FIA [Federal Investigation Agency] will help create a knowledge economy in Pakistan and create conducive environment for economic growth in all sectors. He said it was part of a series of workshops aimed at improving the level of sophisticated crime detection with the cooperation of US agencies and assured that similar training will continue in future.

Director General FIA Tariq Pervez at the concluding session said the IPR violation was very serious as international crime and terrorist networks can use this channel for their ulterior motives.

He said the provincial authorities have been asked to set up dedicated units to deal with the IPR violations. He said the special directorate set up at the Federal Investigation Agency (FIA) to counter Intellectual Property Rights (IPR) violation will get a boost with the training of a batch of its officers from US experts.

Pervez mentioned that under the directives of the prime minister, a special cell has been set up at the FIA to enforce IPR measures. The Copyright Ordinance has also been placed on the FIA charter, since 2005 and the FIA will continue to spearhead this campaign.

He said the FIA was maintaining a close liaison with the International Property Organisation (IPO) and said the training was a reflection of the close cooperation the two countries were enjoying in other fields, including counter terrorism measures. He said with FIA's efforts against such violations, Pakistan has been removed from the watch list of US Trade Office.

QATAR

Qatar endorses GCC Trademarks Law
(from *Qatar News Digest*, 7 August 2007)

Qatar's heir apparent Tamim bin Hamad bin Khalifa al-Thani approved on August 6, 2007 the new law on trademarks in the Gulf Cooperation Council states, local media reported.

The new regulations will become effective six months after the Commercial Cooperation Commission prepares and publishes the regulations for the law's implementation in the state gazette. The law stipulates the creation of a trademarks register and a set of restrictions on trademark registry.

According to the law, entitled to trademark registration are GCC individuals and corporate entities owning production plants, merchants, producers and craftsmen. The new act is a step towards improving intellectual property protection. Fake or misleading trademark-carrying goods will be subject to confiscation and their merchants will be prosecuted.

UNITED ARAB EMIRATES

UAE seizes 1,600kg of fake Viagra
(from *Xinhua News Agency*, 28 August 2007)

A total of 1,600 kilograms of fake Viagra had been seized at Dubai International Airport by the health, customs and police authorities of the United Arab Emirates (UAE), Emirates News Agency.

Those fake Viagra were intended to be smuggled into the country through Dubai airport for re-export, UAE Health Minister Humaid Al Qattami was quoted as saying.

"The consignment originated from India and was sent to Dubai with the intention of re-exporting it to other countries," he said. "The Ministry's Drug Control Department, in collaboration with Dubai Customs and Dubai Police, confiscated the fake drug upon arrival at Dubai Cargo Village," he added.

The attempt was the biggest of its kind in the UAE so far, and the confiscated drug would be destroyed, the minister said.

"The Ministry of Health will deal firmly with any such attempts as they represent flagrant breaches of intellectual property rights and pose serious health hazards," he said.
