

Monthly Report of February 2006

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THAILAND

News in February 2006

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1. Bangkok Bank uses IP assets as collateral for SME growth
(from Thai News Service, 16 February 2006)

Businesses seeking funding for growth in 2006 should consider capitalizing their intellectual property assets under the Asset Capitalization Scheme, says Bangkok Bank's senior executive vice president in charge of credit management, Mr. Suvarn Thansathit. Under the Asset Capitalization Scheme, businesses can borrow from Bangkok Bank using intellectual property assets such as brands and trademarks as collateral, Mr. Thansathit said.

The loans are available to any kind of company, including businesses in the agricultural, retail, manufacturing, service, and transportation sectors, as well as OTOP businesses.

Mr. Suvarn Thansathit said the bank has provided loans of more than 980 million Baht to 355 customers under the Asset Capitalization Scheme since signing a Memorandum of Understanding (MoU) with the government sector in 2004.

2. Thai people urged to register intellectual property
(from fnWeb Daily News, 16 February 2006)

Deputy Commerce Minister Preecha Laohapongchana urged Thai people to pay greater attention to registering their intellectual properties, especially patents. Speaking after a seminar on "Management of Thai Intellectual Properties," he said Thai people had given more significance to registering the intellectual properties each year. But when compared with those of foreign countries, the number of the properties, particularly patents registered by Thais are very small.

At present, there are only 7,000-8,000 applications for patents each year. So far, only 15,000 applications have been approved. However, applications for trademark are as much as 25,000-30,000 each year because the register process is more simple to understand than that of patents.

He said the number of patents registered in the world had totaled more than 51 million. Of this, 19.4 per cent is owned by the United States, 9 per cent by Japan, 8.6 per cent by the United Kingdom and only 0.017 per cent by Thailand. It shows the number of inventions and innovations by Thai people remains very small.

So, the Commerce Ministry aims to hold a seminar to encourage Thai people to bring intellectual properties for commercial use because it believes the inventions can be commercially developed. Mr. Preecha added that state financial institutions, including the Small and Medium Bank Development Bank of Thailand (SME Bank), are ready to fully extend loans for development of intellectual properties.

3. Herb listed in protection bid

(from Bangkok Post Newspaper, Home News Section, Page 6, Thailand, 17 February 2006)

The Public Health Ministry has put the rare, renowned Thai medicinal herb kwao krua (*pueraria mirifica*) on its protected plants list in a move to protect it from bio-piracy.

Demand for kwao krua among multinational pharmaceutical and cosmetic companies has been rising due to its ability to stimulate female hormone production and enlarge the breasts, relieve menopausal disorders and reduce wrinkles.

"The plant could become extinct without measures to preserve it," said Public Health Minister Phinij Jarusombat.

The protected herbs list comes under the ministerial regulation on Thai herb control, which takes effect on Aug 2.

Under the regulation, which aims to preserve rare herbal plants for domestic research and promote their commercial plantation, people would be allowed to possess a limited amount of a herbal plant registered on the list. For example, a research institute is allowed to store a maximum of 240 kilogrammes of kwao krua, while a pharmaceutical industry operator must hold less than 1,200 kg.

Violators would face a 10,000-baht fine, six months in jail, or both.

Vichai Chokevivat, chief of the Department for Development of Thai Traditional and Alternative Medicine said the regulation would reduce smuggling of kwao krua from the wild as it would support its commercial cultivation.

Foreign investors and scientists must seek permission before obtaining the plants. They must also sign benefit-sharing agreements with the government for herb-related research projects. "This will prevent foreign investors from exploiting Thai herbs and traditional knowledge on herbal treatment," he said.

4. Thailand-US agreement

(from Bangkok Post Newspaper, Business Section, Page B1, Thailand, 18 February 2006)

Differences over patent protection of drugs and plants could prolong the Thai-US free trade agreement (FTA) process, an adviser to the Fiscal Policy Research Institute Foundation said. Narongchai Akrasanee, a former commerce minister, said his concerns were shared by the Thai trade negotiating team.

Two critical issues are patent protection for pharmaceuticals and intellectual property rights related to biodiversity, he said at a seminar on freeing up the services sector under the bilateral trade talks between Thailand and the US.

He said that differences over pharmaceuticals could be overcome, but that the countries were far from reaching a common understanding on biodiversity issues. Washington has invited Bangkok to become a signatory to the International Union for the Protection of New Varieties of Plants, or UPOV 1991. It has already persuaded other FTA partners including Chile and Singapore to become signatories.

UPOV 1991 extends the period for protection of new breeds to 20 years from the 15 years stipulated by the UPOV 1978 pact. As well, farmers will have to pay royalty fees whenever they plant new breeds as the law gives exclusive rights to the seed developers.

Thailand is a member of the 1992 Convention on Biological Diversity (CBD). It gives communities and individuals a certain amount of ownership rights to indigenous plant species that are later exploited for commercial purposes.

"The different point of view comes from a different philosophy. Thailand is a tropical country that is wealthy in plants and animal varieties, while the US is different. The US is interested in breeding new plants from existing plants in other countries," he said.

He was optimistic that both parties would soon come to an agreement over pharmaceuticals. The US proposes that the patent protection period for pharmaceuticals start from the date of approval by the Food and Drug Administration, but Thailand wants it to coincide with formal registration.

5. Network demands US drug patent be vetoed

(from Bangkok Post Newspaper, Home News Section, Page 6, Thailand, 22 February 2006

The Nation Newspaper, Business Section, Page 4B, Thailand, 22 February 2006

Post Today Newspaper, Today's News Section, Page A2, Thailand, 22 February 2006

Krung Thep Thurakit Newspaper, Commerce Section, Page 7, Thailand, 22 February 2006)

Nearly 50 members of the Thai Network of People Living with HIV Aids yesterday lobbied the Commerce Ministry and the Intellectual Property Department to reject US-based GlaxoSmithKline's (GSK) request for patent registration of an HIV medicine known as COMBID.

Network chairman Kamol Upakaew pointed out COMBID is not a brand-new anti-HIV medication but a combination of two drugs, AZT and 3TC, produced by the Government Pharmaceutical Organization. As such, it does not qualify for patent registration under Thai law.

The patent, it said, would monopolize anti-HIV drug production, meaning the 4,000 patients who take AZT and 3TC at a cost of 1,500 baht per month each will have to pay up to 8,000 baht a month if the patent application goes through.

Mr. Kamol also called for more pharmacists to sit on the pharmaceutical patent-vetting sub-committee. The only pharmacist present is a wife of a GSK executive, which he said raises questions over conflicts of interest.

Commerce Permanent Secretary Karun Kittisataporn, promised the top priority would be the welfare of HIV/Aids patients. He would invite the network to supply the sub-committee with more information on the alleged conflicts of interest.

6. Police alert to new marketing ploy for selling pirated CDs

(from Bangkok Post Newspaper, Home News Section, Page 2, Thailand, 26 February 2006)

Police officers have turned their attention to a new marketing ploy used by pirate CD vendors, who use children and disabled people to sell their goods in the hope that people will take pity on them. The police could not seriously clamp down on this because of a lack of information, and because so far the CCSD has focused primarily on the suppression of sexual abuse.

However, the number of children, disabled people, women and foreign labourers who have been drawn into the pirated CD trade is on the increase.

The senator said the police crackdown alone might not be enough, and urged parents to keep an eye on their children to ensure they do not enter the illegal trade.

Suthisak Prasartkarukarn, secretary-general of the Commission on Intellectual Property Violation Suppression, said influential figures paid kickbacks to some police for doing nothing to tackle the illegal trade.

MALAYSIA

News in February 2006

1. Intellectual property rights a priority
(from *Business Times*, 10 February 2006)

American investors are pushing for the setting up of a special court for intellectual property rights (IPR) cases as they see IPR protection as a priority, US Ambassador to Malaysia Christopher LaFleur said.

"Protecting intellectual property rights is at the top of our agenda," he said at a luncheon dialogue with members of the American Malaysian Chamber of Commerce (northern region) in George Town, Penang.

LaFleur said investors are seeing a new determination on the part of the Malaysian Government to protect IPR and "we have been encouraged by statements that the Government may establish the special court this year." He also called on more transparency on the part of the Government, which he said is an issue which must be addressed to retain investor confidence and improve domestic efficiency.

As at the end of 2005, Malaysia-US bilateral trade stood at US\$43 billion (RM160 billion), reflecting a 10 per cent increase from 2004.

"Our projections suggest that the US will remain Malaysia's largest trading partner and that Malaysia will remain our 10th largest partner," LaFleur noted.

Meanwhile, LaFleur also presented a citation to Intel Malaysia for being nominated for the Secretary of State award for Corporate Excellence 2005. Out of 60 nominations, Intel Malaysia was among one of the 10 finalists. Receiving the citation (in recognition of corporate citizenship, innovation and exemplary business practices in Malaysia) on behalf of the world's biggest chipmaker in Malaysia was its managing director KC Yoon.

2. Domestic Trade Ministry to conduct courses for entrepreneurs
(from *Bernama Daily Malaysian News*, 24 February 2006)

The Ministry of Domestic Trade and Consumer Affairs will be carrying out several programmes such as courses, seminars, exhibitions and workshops, to raise the competitiveness of local entrepreneurs. Its deputy minister, Datuk S. Veerasingam, said that the plan was a major agenda of the ministry in order to

raise the quality level of local entrepreneurs so that they can compete with foreign retail companies operating in the country.

Focus would be given to the areas of branding, packaging and labelling, he said, adding that under the Ninth Malaysia Plan, the development of these areas would be given attention as part of efforts to counter the problem of low quality products from the local small and medium industries.

Veerasingam said this in his speech at the "Development of Women Entrepreneurs" seminar organized by the Malaysian Indian Business Association (MIBA). The entrepreneur development programmes would also cover among others, courses on retail, Islamic business ethics, company establishment and intellectual property.

The ministry's programmes are intended to raise the quality of products from the SMIs so that they are accepted in the local and international markets, he said.

Veerasingam said that the programmes would be carried out this year with the selection of training venues and number of participants to be determined by the allocation given by the Ministry of Finance.

SINGAPORE

News in February 2006

1. Singapore firms filing more patent applications
2. Promoting R&D and IP management in Singapore
3. Few firms safeguard ideas with patents
4. CID issues stern warning to Eastgate

1. Singapore firms filing more patent applications
(from *Business Times Singapore*, 4 February 2006)

Singapore companies and research institutes filed 438 patent applications last year and are expected to increase their share in the coming years, a senior official of the World Intellectual Property Organization (WIPO) said.

'There is considerable increase in filing of patent applications by Singaporean companies and institutes in the last two years and we expect them to grow in the immediate short-term' as Singapore becomes a major centre for knowledge-based industries, said Francis Gurry, WIPO's deputy director general.

Over the last five years, Singapore companies and institutes have made reasonable progress in filing patent applications - which indicate the level of new discoveries and major breakthroughs in both technology and applied sciences, Mr. Gurry said.

In Singapore, top corporate applicants for patents include A*Star, the National University of Singapore, Infineon Technologies, Creative Technology, Nanyang Technology University and FCI Asia Technology.

2. Promoting R&D and IP management in Singapore
(from *Business Times Singapore*, 14 February 2006)

Globalization, increased market competition and rapid technological advancement have pushed intellectual property (IP) (resulting from R&D activities) onto boardroom agendas today. Increasingly, IP has become a core asset and a key driver of competitive advantage for businesses across the world.

R&D activities are generally conducted by companies where they have the commercial capability to perform such activities. In the absence of a natural capability for conducting R&D in a particular location, a favourable tax regime can play an important role in attracting inventors and investors to conduct R&D and IP management activities.

Singapore already has an attractive tax regime for R&D and IP management activities, consisting of a variety of tax deductions, incentives and grants. To further boost R&D and IP management activities in Singapore, it may be worthwhile to consider the following tax reform proposals, which consist of new measures as well as modifications to existing provisions.

3. Few firms safeguard ideas with patents

(from The Straits Times Newspaper, 20 February 2006)

According to a new survey commissioned by the Intellectual Property (IP) Academy of Singapore, while 75 per cent of the firms polled have successfully introduced innovations over the past three years, just 28 per cent of them own patents that are still in effect.

Carried out last year by the NUS Entrepreneurship Centre, the study surveyed 200 companies in high-tech manufacturing and services industries, including telecommunications, information technology and financial services.

It found that most companies here were engaged in some form of innovation. However, only a relatively small number eventually went on to protect their inventions by getting patents. Just a third of the companies surveyed had applied for patents, the study found.

Singapore companies seem, instead, to prefer trademarks and other non-patent methods of protecting their inventions. This could be because they have had more success earning royalties from such non-patent IP.

The survey also found that a disconcerting 25 per cent of patents are not utilized at all. Those that are used end up largely generating in-house revenue, rather than earning royalties from third-party licensing.

This could stem from a general lack of interest in or understanding of IP among Singapore firms.

Many of them do not track fully how their patents are contributing to their revenue streams and hence fail to maximize revenue generation from IP. 'Overall, firms regard IP ownership and usage as being a relatively less effective strategy for protecting the competitive advantage of their innovations.'

4. CID issues stern warning to Eastgate

(from Business Times Singapore, 25 February 2006)

Eastgate Technology yesterday said the Criminal Investigation Department has issued it a 'stern warning' concerning a possible infringement of copyright related to the production of audio compact discs for a customer in 2003.

'The company wishes to inform that the Intellectual Property Rights branch of the Criminal Investigation Department (CID) has completed its investigation,' Eastgate said. 'After careful consideration of the circumstances of the case, the CID has decided to issue a stern warning . . . and that no further action will be taken against the company,' it added.

Eastgate said it has also been warned to 'refrain from such and other criminal conduct in future, otherwise the same leniency may not be shown towards the company'.

PHILIPPINES

News in February 2006

1. Warehouse yields fake toothpaste
2. Pirated discs worth \$2m destroyed
3. IPOPHIL pushes for IP Academy
4. RP taken off US priority watch list
5. Arroyo urges concerted effort VS IP piracy
6. Philippines PLDT, CitiFinancial offer software loans

1. Warehouse yields fake toothpaste
(from *Philippine Daily Inquirer*, 2 February 2006)

The National Bureau of Investigation (NBI) seized half a million pesos worth of fake toothpaste during a raid on a warehouse in Binondo, Manila. NBI Intellectual Property Rights Division (IPRD) agents confiscated 13,680 boxes of 50 ml tubes of counterfeit Close-Up toothpaste from the warehouse at 286 Clavel Street.

"This was the first time we conducted a raid on counterfeit toothpaste," NBI IPRD chief Jose Justo Yap said. Charges of unfair competition are being readied against warehouse owner Alex Co, he added. "The counterfeit products were imported from China," Yap told reporters, explaining that even the toothpaste boxes which showed smiling Filipino models were manufactured in China.

Agents of the NBI IPRD also seized P2 million worth of fake perfumes and cosmetics during simultaneous raids in Binondo earlier this month. The NBI confiscated L'Oréal cosmetic products and 1,970 bottles of counterfeit perfumes with the brand names Giorgio Armani, Lancôme, Guy Laroche, and Ralph Lauren from Meowndes General Merchandise outlets at the New Divisoria and Juan Luna Plaza shopping malls. The owners, Kevin and Sholan Go, are facing charges of trademark infringement and unfair competition.

2. Pirated discs worth \$2m destroyed
(from *The Nation Newspaper, Regional News Section, Page 5A, Thailand, 12 February 2006*)

Philippine government officials armed with a military tank destroyed pirated audio and video discs worth nearly two million dollars Friday as part of an Asian-wide crackdown against piracy.

Optical Media Board chairman Edu Manzano repeatedly drove a tank over an estimated 100 million pesos' (1.9 million dollars') worth of seized CDs and DVDs at the Philippine military headquarters at Camp Aguinaldo in Manila.

Manzano told reporters that piracy has virtually destroyed the local film industry. "This is a war," he said. "Piracy is destroying legitimate industries, undermining the economy, and stifling Filipino creativity. They deprive the people of legitimate jobs and adequate benefits," Manzano said.

The 1,276,625 DVDs and CDs were confiscated in raids mostly in Manila between December 15 and January 30.

The raids, coordinated by the Motion Picture Association (MPA), coincided with the important Christmas and New Year holidays. Law-enforcement officials in 12 countries seized nearly six million pirated discs while 807 motion-picture pirates were arrested.

3. IPOPHIL pushes for IP Academy
(from *INQ7.net, 12 February 2006*)

The Intellectual Property Office of the Philippines (IPOPIL) is pushing for the creation of the Philippine Intellectual Property Academy to serve as a center for training and education on IP rights and regulations.

An IP Academy would raise awareness of intellectual property protection with educational campaigns among academic and research and development institutions as well as small-to-medium scale enterprises. It would also train lawyers and judges on IP protection and enforcement and develop partnerships between private sector, the law enforcement bureaus and educational institutions to curb intellectual property violations.

With the Optical Media Board, National Bureau of Investigation, Philippine National Police and Bureau of Customs involved in raids against suspected vendors of fake products, IPOPIL confiscated over a billion pesos worth of pirated CDs, DVDs and software installer CDs last year.

4. RP taken off US priority watch list
(from Philippine Daily Inquirer, 17 February 2006)

The United States has removed the Philippines from its "priority watch list" of countries that do not properly enforce intellectual property rights (IPRs).

The Office of the US Trade Representative yesterday issued a statement saying that it had upgraded the Philippines from the "priority watch list" to the ordinary watch list. Its "out-of-cycle review" found that in 2005, "the Philippines bolstered implementation of its special legislation" against pirated audio and video discs.

The country has been on the priority watch list from 2001, which meant that the country was just a step away from being slapped with trade sanctions by the US government. The President also said the removal from the priority watch list should spur foreign investors to put money in high value software development.

5. Arroyo urges concerted effort VS IP piracy
(from Asia Pulse, 21 February 2006)

Fighting piracy is fighting poverty. With this in mind, President Gloria Macapagal-Arroyo urged all government units, the Philippine National Police and the private sectors to further expand and strengthen the enforcement of the government drive against intellectual piracy.

The President explained that both government agencies and private sectors should continue to expand the regulatory framework for the protection and promotion of intellectual property rights (IPRs) until the country is finally off the watch list of the United States government.

She ordered PNP Chief Director General Arturo Lomibao to triple the efforts of the police in the raid of violating establishments and intensify the effort to bring offenders to justice and make them face the consequences of their nefarious acts.

She also asked Lomibao to double the number of police enforcers assigned to fight piracy while the Department of Justice (DOJ) will deputize all the provincial prosecutors to fight intellectual piracy.

The President added that the government would continue to further expand the regulatory framework for the protection of IPR by encouraging local government units to pass their respective anti-piracy ordinance.

6. Philippines PLDT, CitiFinancial offer software loans
(from Dow Jones International News, 28 February 2006)

As part of a government agreement with the U.S. on the protection of intellectual property rights, the Philippines has been cracking down software piracy. Philippine Long Distance Telephone Co. (TEL.PH) and CitiFinancial Corp. signed an agreement to assist some 5,000 local Internet cafes in obtaining licensed software for their operations.

"Some Internet cafes find that purchasing (original) software with hard cash is a heavy burden. They would definitely benefit from a loan facility such as this," PLDT vice president Jonel Ladaban said in a statement. Internet cafes are usually small businesses, with limited working capital.

The program initially targets Internet cafes operating in metropolitan Manila, and the cities of Cebu and Davao. The loan facility is open until April 1 this year.

INDONESIA

News in February 2006

1. Ko Boen Thai's Longchamp brand cancelled
2. RI still waiting for USTR's decision
3. Request for brand registration to be harmonized
4. Police raid 2 pirated DVD, VCD factories
5. BSA processes 30 cases of IPRs violations
6. Regional police confiscate thousands of counterfeit saws

1. Ko Boen Thai's Longchamp brand cancelled
(from *Bisnis Indonesia*, 3 February 2006)

The Commercial Court Jakarta cancels the registration of Longchamp trade brand owned by Ko Boen Thai and instructs the Directorate of Brand at the Directorate General of Intellectual Property Rights to execute the ruling in accord with the existing procedures.

The judge assembly chaired by Mulyani agrees with Jean Cassegrain SA-a French company-that the registration of Longchamp brand and of people riding horse logo by Ko Boen Thai in principle has similarities with Longchamp brand owned by Jean Cassegrain.

The court also decrees that Longchamp brand and people riding horse logo owned by Jean Cassegrain is a popular brand because the brand has been widely and continuously used worldwide. The brand and logo was registered under the registration number R00.03.3846-3850 on April 30, 2003.

According to Ali Oksy Murbianto, legal representative of Jean Cassegrain, during the trial Ko Boen Thai was never present although the court had made proper summon. Previously, Jean Cassegrain SAS requested the Commercial Court Jakarta to cancel the registration of Longchamp trade brand with people riding horse logo made by Ko Boen Thai since the registration only rode on the popularity of the same brand and logo initially registered by Jean Cassegrain.

2. RI still waiting for USTR's decision
(from *Bisnis Indonesia*, 4 February 2006)

The government is still waiting for the result of the Out of Circle Review (OCR) on Indonesia's Intellectual Property Rights Enforcement Rating previously scheduled for release in January. Minister of Trade Mari Elka Pangestu said the government had submitted all requirements needed by the United State Trade Representative (USTR) to determine the rating.

The Indonesian government, she added, hoped that the USTR would improve Indonesia's rating from priority watch list to priority list. The US started conducting the OCR on Indonesia from December 2005 after Indonesia reported improvements in Intellectual Property Rights enforcement to the US, which was further confirmed directly by President Susilo Bambang Yudhoyono during his visit to Washington some times ago.

However, on December 2, 2005, the International Intellectual Property Alliance (IIPA) suddenly recommended the USTR maintain the priority watch list rating for Indonesia. If the USTR doesn't improve Indonesia's rating, it will mean that RI has gotten the rating for four years in a row.

Furthermore, if one country has gotten the rating for five years in a row, the USTR probably will impose trade sanction on the country. Mari stated that Indonesia would be consistent in enforcing law in Intellectual Property Rights protection.

3. Request for brand registration to be harmonized
(from *Bisnis Indonesia*, 10 February 2006)

Procedures required to register brands will be simplified and harmonized amongst the member countries of the Trademark Law Treaty (TLT). Indonesia, as one of the member countries, will give its view on the revision of the Trademark Law Treaty at the Diplomatic Conference forum in Singapore in March this year.

Brand Director at the Directorate General of Intellectual Property Rights Emmawati Junus informed that the consequence of the revision was that Indonesian Brand Law (Law NO.15/2001) should be adjusted with the TLT.

The revision, Emma confided, would regulate, among others, electronic communication in brand registration. It means that the TLT system allowed member countries to receive request documents via electronic system. She concluded that the government had also been preparing governmental regulations on protection for popular brands.

4. Police raid 2 pirated DVD, VCD factories
(from *Dow Jones International News*, 13 February 2006)

Jakarta municipal police raided two locations allegedly producing more than 100,000 pirated digital video and video compact disks daily. Indonesia-based counterfeiters distribute up to 2 million fake DVDs, VCDs and compact disks daily nationwide.

Counterfeiting and intellectual property violations cost Indonesia at least IDR2 trillion (\$212 million) in financial losses and 124,071 in lost job opportunities in 2002, according to an Institute for Economics and Social Research study published last month.

5. BSA processes 30 cases of IPRs violations
(from *Bisnis Indonesia*, 15 February 2006)

The Business Software Alliance (BSA) has processed 30 cases of intellectual property rights violations conducted by some companies in Indonesia as shown in reports made to the BSA Hotline. Since its launching in May 2005, the BSA Hotline program has received hundreds of reports on alleged software piracy.

After further investigation, the reports were passed into the police, which later conducted a raid in November 2005. "So now, there are 30 cases that we have been processing legally," informed Director of Anti-Piracy at the Business Software Alliance Tarun Sawney.

Of the thirty cases, one was ready for trial, which was the case that involved one Bandung-based integrated circuit (IC) producer with the initial PT OD, revealed Benhard P. Sibarani, a legal representative of BSA from Soemadipradja and Taher law firm.

"The process indeed requires quite a long time since we have to conduct further investigation together with the vendor whose software is pirated," he said. He added that to get the thirty cases alone the BSA required seven months.

The BSA Hotline program promises rewards up to IDR50 million for individuals who report alleged piracy in the commercial sector.

6. Regional police confiscate thousands of counterfeit saws
(from *Suara Pembaruan*, Page 19, 17 February 2006)

Four shopping complex locations and one warehouse used to sell and store thousands of saws of Sandflex mark made in Swedia which were presumed counterfeit, was raided by team of Special Criminal Detective Directorate of Regional Police of Jakarta Metropolis at separated locations in Tambun and Cikarang Bekasi.

The confiscation was based on information of Karman AB, official license holder of the saw mark. The saw has so far been sold well because the saw was sharp, strong, and practical.

VIETNAM

News in February 2006

1. First APEC events start in Vietnam
2. 9 Vietnam on track for setting up IP legal
3. Japanese investors praise Vietnam's investment environment
4. Vietnamese businesses asked to use IP in sharpening competitiveness

1. First APEC events start in Vietnam
(from *Xinhua News Agency*, 20 February 2006)

First meetings of Asia-Pacific Economic Cooperation (APEC) 2006, kicked off, acting as initial steps to the APEC summit slated for Nov. 12-19 in Vietnam. The first senior officials' meeting and related meetings with the participation of officials and experts from APEC members in such fields as e-commerce, customs, intellectual property, market access, anti-corruption, and counter-terrorism are scheduled to take place from Feb. 20 to March 2 in capital Hanoi.

The delegates from APEC member economies, including China, China's Hong Kong, Thailand, Japan, the United States and Australia, focused their discussions on issues relating to electronic commerce, customs procedures, electrical and electronic mutual recognition, and information privacy protection in e-commerce and e-government. Chinese experts presented reports on activities of the World Customs Organization in the Asia-Pacific region.

Apart from the summit, Vietnam will host about 100 APEC events this year, including a joint foreign and trade ministerial meeting, meetings of ministers responsible for finance, trade, healthcare and tourism, and senior officials meetings. The first officials' meeting is to take place on March 2.

The APEC Year 2006 has the theme "Toward A Dynamic Community for Sustainable Development and Prosperity." APEC has 21 members, which account for more than a third of the world's population, nearly 60 percent of the world's gross domestic product, and about 47 percent of the world trade.

2. 9 Vietnam on track for setting up IP legal

(from Vietnam News Agency Bulletin, 23 February 2006)

Viet Nam has come along well in the passage of intellectual property laws and setting up the legal framework for protection of intellectual property, said an American official under the US Commerce Department. Stephen M. Pinkos, Deputy Under Secretary of Commerce for Intellectual Property and Deputy Director of the US Patent and Trademark Office, spoke with a Viet Nam News Agency reporter on the sidelines of the Intellectual Property Expert Group (IPEG) meeting as part of the first Senior Officials' Meeting (SOM I) of the Asia-Pacific Economic Cooperation (APEC) - Viet Nam 2006.

He added there are a lot of problems that developing countries face, first in setting up an IP system and then in encouraging their citizens to take advantage of it.

The country obtained that result as they came to realize that when they have an IP system with meaningful protections, it helps incentivize people to create and innovate because they know that they can profit by it, the US official elaborated .

3. Japanese investors praise Vietnam's investment environment

(from Vietnam News Agency Bulletin, 25 February 2006)

Japanese investors said that Viet Nam's investment environment has constantly improved over the past few years through a series of new policies and laws, said a senior investment official. Deputy Minister of Planning and Investment Nguyen Bich Dat gave an interview to Viet Nam News Agency correspondent on the potential for attracting Japanese investment in the coming time when he attended three seminars on investment in Japan.

Vietnam has many strong points such as social and political stability, stable and high economic growth, and young, adaptable and cheap labour force, Mr. Dat quoted Japanese businesses.

They suggest that Vietnamese enterprises should increase investment in construction and infrastructure improvements. Viet Nam needs to further develop subsidiary industries and institute favourable policies to attract more investment from large groups.

Some Japanese businesses intend to open Japanese language training schools in Viet Nam, helping boost exchanges between the two countries. Besides the improvement of investment-related laws, Viet Nam needs to consider some others such as laws relating to contracts and bankruptcy.

Japanese investors also pay attention to how corruption and intellectual property laws are applied once they are passed.

4. Vietnamese businesses asked to use IP in sharpening competitiveness

(from Thai News Service, 27 February 2006)

Small and medium-sized Vietnamese businesses should make their best use of intellectual property in raising their competitiveness in both local and international markets, experts said at an APEC symposium.

At the symposium on intellectual property for small and medium-sized businesses organized by the Ministry of Science and Technology in Hanoi on Feb. 23, guest experts from APEC economies pointed

out that small and medium-sized Vietnamese businesses fail to fully grasp the meaning of the rights to intellectual property, so they cannot exploit this special asset effectively.

Realising this weakness, the Prime Minister approved a programme to support businesses' intellectual property development through 2010. In addition, the Government is screening a programme on boosting the effectiveness of the execution of the rights to intellectual property to defend businesses' legitimate rights and interests.

INDIA

News in February 2006

1. US varsity ties up IIT Kharagpur for IPR law
2. Police in all states should have anti-piracy cells
3. Indian IT summit to focus on developing intellectual property rights
4. GI certificate for Bidriware, Channapatna toys and dolls
5. Seminar to discuss impact of IPR on health, industry
6. BSA initiates legal action for 'piracy'

1. US varsity ties up IIT Kharagpur for IPR law
(from *The Press Trust of India Limited*, 1 February 2006)

With a view to creating a talent pool to deal with intellectual property litigation, an exclusive school for the study of Intellectual Property Rights (IPR), has been set up at Indian Institute of Technology (IIT), Kharagpur.

A three-year Law programme with special focus on IPR was launched at IIT, Kharagpur, in association with the US-based George Washington University Law School, Prof Martin J Adelman, Director, India Project at George Washington University Law School said.

Adelman said with the multi-fold increase in the corporate affairs due to globalization of the economy, litigation pertaining to IPR would also be increased, he said. "There is more need for collaboration to promote legal skill sets in IPR. The IIT Kharagpur initiative will go a long way in this direction," he added.

2. Police in all states should have anti-piracy cells
(from *The Press Trust of India Limited*, 7 February 2006)

Every state police force should set up anti-piracy cells for audio-visual medium on lines of those in Tamil Nadu and Kerala, to check increasing theft of intellectual property, said former Mumbai Police Commissioner Julio Rebeiro.

Rebeiro, who is here in Goa to educate Goa police on the issue, said yesterday that officers trained in Intellectual Property Right (IPR) should be posted in this cell to control the ever-increasing music piracy. He said that in India, the issue has reached distressing proportions mainly because the pirated music shares its distribution channels with the legitimate products, giving it an unfair advantage.

In Goa, the Association intends to take up special drive on the Valentine's Day to ensure that the music played at various function was not pirated. "The artist should get his due share every time his music is played," he said.

3. Indian IT summit to focus on developing intellectual property rights
(from *Hindustan Times*, 13 February 2006)

A three-day annual Indian IT summit set to begin in Mumbai will focus on developing intellectual property rights on creative solutions and discuss new horizons the industry needs to explore for growth.

The event will showcase inherent strengths that have enabled the Indian IT industry attain higher benchmarks in delivering services, said its organizer National Association of Software and Service Companies (Nasscom).

Other issues to be deliberated at the summit include third generation outsourcing, role of technology in business processes improvement, and rise of outsourcing in the Indian IT market, said a Nasscom statement issued here.

4. GI certificate for Bidriware, Channapatna toys and dolls
(from *The Hindu*, 19 February 2006)

The Geographical Indications Registry has granted GI certificate to Bidriware from Bidar, Channapatna toys and dolls, Nanjangud banana, Coorg orange, Mysore betel leaf, Mysore rosewood inlay, Mysore traditional paintings and Mysore agarbathi, thereby enabling producers and inventors to prevent others from exploiting their products without permission.

The Geographical Indications Registry has accorded GI certificate to the world famous Mysore silk, thus preventing its unauthorized use by others.

India, being a signatory to World Trade Organization (WTO) and Trade Related Intellectual Property Rights (TRIPs), requires protection for its products originated with specific quality and geographical origin under GI so that the producers of other countries do not get the benefits arising out of the unique products.

5. Seminar to discuss impact of IPR on health, industry
(from *The Hindu*, 24 February 2006)

Ministry of Human Resource Development will provide funds for the seminar Objective is to bring experts on one platform A national seminar on 'Intellectual Property Rights: Past and Present' will be conducted here on February 24.

Education Minister E.T.Mohammed Basheer will inaugurate the seminar, which is being held under the aegis of the Economics Department, St.Joseph's College Devagiri as part of the Golden jubilee celebrations of the college. Vice-Chancellor, Calicut University, Syed Iqbal Hasnain will preside. The Ministry of Human Resource Development, Government of India, will provide the funds for conducting the seminar.

The objective of the seminar is to bring scientists, researchers, academics, technocrats, bureaucrats, and policy-makers on one platform to share knowledge and views about IPR, and deliberate on challenges posed by IPR regimes vis-à-vis globalization. The impact of IPR on health, industry, commerce, environment, electronics, among others will be discussed.

6. BSA initiates legal action for 'piracy'
(from *The Hindu*, 28 February 2006)

Business Software Alliance (BSA) has alleged the Delhi-based Icon Multimedia Systems of distributing pirated software of Microsoft and Avid Technologies. Highlighting the details of a legal action, a BSA release said that the Delhi High Court had on January 29, granted an ex-parte interim injunction restraining Icon Multimedia from copying/reproducing, selling or loading any pirated version of the Microsoft and Avid Technologies software.

Commenting on the case, the BSA co-Chairman for India Mr. Ajay Advani said the raid and subsequent seizure should serve as an example to the dealer community. "It is illegal" he said and added that a 10-point reduction in software piracy would add 115847 jobs contribute \$5.9 billion to GDP \$386 million in taxes and \$8.2 billion in revenues to local vendors in India alone.

PAKISTAN

News in February 2006

1. US calls off threat to end preferential trade with Pakistan over IPR issues
(from *Global Insight Daily Analysis*, 1 February 2006)

U.S. trade representative Rob Portman has announced that his government will not seek to end Pakistan's eligibility for the Generalized System of Preferences (GSP), as had been threatened. The issue arose in 2001, when the International Intellectual Property Alliance (IIPA), a U.S. copyright lobby, filed a petition against Pakistan on the grounds that it was failing to curb the abuse of intellectual property rights (IPRs).

An investigation followed, and a series of public hearings was held last November. The IIPA actually used the event to support Pakistan's position, arguing that the authorities had done much to improve the IPRs situation during the intervening period. In a press statement, Portman said that Pakistan's concerted efforts since April 2005 had led to concrete results, 'including destruction of pirated optical disks, plant closures, arrests and confiscations of imported disks'.

2. Pakistan, Saudi Arabia sign political, science, education agreements
(from *BBC Monitoring Newsfile*, 2 February 2006)

Pakistan and Saudi Arabia agreed on enhanced scientific, technical, vocational and educational cooperation, avoidance of double taxation and bilateral political consultations, following two days of talks between their top leaders. Saudi King Abdallah Bin-Abd-al-Aziz, President Gen Pervez Musharraf and Prime Minister [PM] Shaukat Aziz witnessed the signing of five agreements here at the PM House.

Under the agreement on scientific and technological cooperation the two countries would set up a joint committee, to meet every two years and plan and coordinate all their activities. The agreement signed by Minister for Science and Technology Nauriz Shakoor and Dr Saleh A.A. al-Athel, president King Abd-al-Aziz City also calls for joint research, development and design projects and exchange programmes of scientists and researchers.

The two countries would hold joint scientific conferences besides supporting participation of public sectors, including universities and technological organizations. They would also work for protection of Intellectual Property Rights. The convention for avoidance of double taxation and prevention of tax evasion is aimed at strengthening the economic relations between the two countries.

3. Pakistan, US likely to take up investment treaty next month
(from *The Nation Newspaper, Thailand*, 11 February 2006)

Pakistan and United States will discuss the under review Bilateral Investment Treaty (BIT) between the two countries in another round of talks likely next month, it is reliably learnt. Both sides are engaged in finalizing the Bilateral Investment Treaty and trying to prepare the draft of the treaty, reliable sources revealed.

The officials of the Ministry of Privatization and Investment and US Trade Department have held detailed discussions last month and both sides are scheduled to meet again next month to remove the hurdles in finalization of the treaty.

“The US side had expressed some reservations on the issue of enforcement of policies and laws in Pakistan. They particularly raised the issue of non-implementation of Intellectual Property Rights (IPRs) laws,” the sources said. However, according to these sources, the Pakistan government had assured the US side that they would ensure implementation of investment-related rules and laws.

The US negotiating team was also briefed about the steps initiated by Pakistan to promote, encourage and protect foreign investment in the country. Recently the two US firms had lost their case of piracy in Pakistan that helped the negotiators from both sides to move further on the treaty, the sources said.

JORDAN

News in February 2006

1. Culture minister, Ukrainian ambassador discuss IPRs cooperation
(from *IPR Strategic Information Database*, 1 February 2006)

Minister of Culture Adel Tweisi, received Ukrainian Ambassador to Jordan Viktor Nagaichuk. During the meeting, Tweisi called for exchanging expertise in the field of protecting intellectual property rights between the National Library in Jordan and its counterpart in Ukraine.

The two sides discussed the possibility of holding bilateral cultural weeks in both countries to activate the executive program for cultural cooperation between Jordan and Ukraine. Nagaichuk said the meeting was to coordinate the visit of the Ukrainian minister of culture and tourism to Jordan next month.

2. IPR workshop opens at RSS
(from *IPR Strategic Information Database*, 7 February 2006)

A workshop on “Practical and Legal Perspectives of Intellectual Property” opened at the Royal Scientific Society (RSS). The four-day workshop seeks to create awareness on intellectual property from the legal and technical aspects, laying the basis for setting up a group of legal and technical experts to assess patents, and familiarizing RSS employees with IPR policy.

Various issues will be tackled at the workshop, including the relationship between innovation and IPR, valuation of IPR, the country's industrial property protection laws, how to read and interpret patents, patents' commercialization and the impact of patent system on research investment for developing countries.

SAUDI ARABIA

News in February 2006

- Seminar on “Intellectual Property Laws” opened
(from *Organization of Asia-Pacific News Agencies*, 26 February 2006)

On behalf of Minister of Culture and Information Iyad Madani, Under Secretary of the Ministry of Culture and Information for information affairs Dr Abdullah al-Jasser inaugurated here today a seminar

on "Laws of the Intellectual Property and their impact on the Industry and Economy" under the umbrella of globalization.

The two-day seminar, organized by the Saudi law center for training, is attended by 150 experts concerned with the intellectual property and its laws and systems from the private and public sectors.

Speaking on the occasion, Dr al-Jasser reiterated the keenness of the Ministry of Culture and Information on enhancing coordination and cooperation in the field of intellectual property. He reiterated the keenness of the Ministry's keenness on protecting the rights of authors.

TURKEY

News in February 2006

EU screening starts for intellectual property rights

(from Dunya, 7 February 2006)

Officials from Turkey and the European Commission held an exploratory session in Brussels for the screening of Turkish legislation on intellectual property rights. The session is set to end today. Officials from the Culture and Tourism Ministry and the Turkish Patent Institute represented the Turkish delegation during the session.

KUWAIT

News in February 2006

US patents explained

(from Kuwait Times, 24 February 2006)

The Kuwait Science Club in South Surra hosted a seminar titled Obtaining US Patent conducted by David Dougherty, a well-known senior patent official from the US. Kuwait Patent Bureau Chief Omar Al-Banai and a number of local inventors attended the seminar. Dougherty talked in detail about patents and how local inventors could obtain a US patent. He admitted difficulty in acquiring US approval since the process was tedious and detailed.

On the other hand, he encouraged local inventors to apply for patents as soon as they made a discovery so as not to be outwitted by others. "This is one way of protecting your ideas. Nobody would care anyway but you yourself, so give the utmost priority to your invention," Dougherty noted.
