

Monthly Report of January 2004

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THAILAND

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THAILAND

News in January 2004

1. Govt claims 90 per cent success in eradicating copyright violations
2. MoC in drive to promote Thai silk
3. Thailand may sue over HIV vaccines
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5. Patent for elephant denture
6. Collateral Asset
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1. Govt claims 90 per cent success in eradicating copyright violations

*(from Post Today Newspaper, Today's News Section, Page A2, Thailand, 7 January 2004
Organization of Asia-Pacific News Agencies, 7 January 2004
FnWeb Daily News, 8 January 2004)*

Government spokesperson said that over the past 3 months, operations in areas controlled by 18 police stations had led to a 90 per cent reduction in intellectual property rights violations. This reduction has seen arrests that would lead to 653 criminal cases. He announced these results from the contents of a report conducted by Commerce Ministry, which was recently submitted to the cabinet.

In the short term, he said, the ministry would continue to target certain areas, particularly during holiday periods such as Chinese New Year. At the same time, the ministry would amend relevant legislation. Anyone found to be involved in the trade in counterfeit tapes and television products will face charges under the Tape and Television Products Act, and the Consumer Protection Act.

The ministry would collect and assess information on a systematic basis in order to break up networks of producers, and to increase the capabilities of operational officers. These officers would also receive training from the Economic Crime Division, on a long-term basis.

The ministry would also continue to destroy counterfeit products seized by the police, in order to prevent further violations, and to boost Thailand's reputation.

2. MoC in drive to promote Thai silk

*(from Post Today Newspaper, Today's News Section, Page A2, Thailand, 13 January 2004
Krung Thep Thurakit Newspaper, Economic Commerce Section, Page 27, Thailand, 13 January 2004
Organization of Asia-Pacific News Agencies, 13 January 2004
Thai News Service, 14 January 2004)*

The Ministry of Commerce unveiled a campaign to promote Thai silk and handicrafts in honour of Her Majesty Queen Sirikit, who will celebrate her 72nd birthday this year.

Deputy Commerce Minister Pongsak Ruktapongpisal said that the ministry would see to protect traditional Thai knowledge and Thailand's silk heritage, while ensuring the protection of intellectual property rights in Thai handicrafts. At the same time, the ministry would encourage local people to develop handicraft products for commercial gain in order to generate more revenues for local communities at a grassroots level.

3. Thailand may sue over HIV vaccines

(from The Nation Newspaper, Local News Section, Page 2A, Thailand, 15 January 2004

Krung Thep Thurakit Newspaper, Education Section, Page 14, Thailand, 15 January 2004)

Thailand is ready to fight in court for the right to be joint copyright owners of two experimental HIV vaccines, Prime Minister Thaksin Shinawatra warned. He was speaking after Japanese researchers patented research conducted jointly with Thai counterparts.

The vaccines were developed under the Thailand-Japan Co-operative Research Project on HIV-1 (pre-clinical phase 1998-2003) and could be worth billions of baht.

The Medical Science Department of Thailand and Japan's National Institute of Infectious Diseases (NIID) initiated the project. Thailand found last year that Japan had patented the research jointly conducted with its Thai counterpart in Japan and other countries in 1999.

The Prime Minister said that first, the Public Health Ministry will negotiate to be co-owner of the copyright. He said the government would set up a fund for any Thai agencies that want to patent their intellectual property as many were slow to do so because of a lack of funds.

4. US company returns patent for Aids drug

(from Bangkok Post Newspaper, Prime News Section, Page 1, Thailand, 17 January 2004

The Nation Newspaper, Prime News Section, Page 1A, Thailand, 17 January 2004

Post Today Newspaper, Politic Section, Page A8, Thailand, 17 January 2004)

US pharmaceutical giant Bristol Myers Squibb has agreed to return its patent on the Aids drug ddI (didanosine) to the Thai public, following two lawsuits questioning its rights.

The landmark agreement was reached between the US pharmaceutical giant, the Thai Network of People Living with HIV/Aids, the Access Foundation and the Foundation for Consumers at the Central Intellectual Property and International Trade Court.

The company returned the patent only to Thailand, not other countries.

5. Patent for elephant denture

(from The Nation Newspaper, Local News Section, Page 2A, Thailand, 18 January 2004)

The Inventor of a denture fitted to an 80-year-old elephant, allowing it to eat normally, has applied for a patent for the device. Ownership of the patent is transferred to the Thai Elephant Association at a later date.

6. Collateral Asset

(from Phu Jad Karn Newspaper, Page 4, Thailand, 19 January 2004)

Mr. Kanissorn Navanugraha, director general of the Intellectual Property Department, said DIP would invite the related authorities to discuss for the IP asset. At the moment, there are two rules for asset which are IP asset not over 500,000 baht and over 500,000 baht.

7. More action on piracy

(from Bangkok Post Newspaper, Business Section, Page 3, Thailand, 21 January 2004)

The United States wants to see Thailand take more serious action in clamping down on piracy before starting on a bilateral free trade area. Kanissorn Navanugraha, director general of the Intellectual Property Department, said the US official did not specify the number of fake discs shipped from Thailand but said the figure was higher than last year.

Mr Kanissorn said he had notified a meeting of representatives of the US Department of Commerce, State Department and Customs and Border Protection Department of the Office of Homeland Security that Thailand was introducing new legislation to control illegal disc production.

Moreover, the US side learned that Thailand and Vietnam had been co-operating to suppress intellectual property violations. The commerce ministers of the two countries are scheduled to sign a memorandum of understanding during a joint cabinet meeting next month. Thailand has also been working with China to seek measures to control shipments of pirated products.

He said Washington, however, had expressed satisfaction with Thailand's efforts in seizing more pirated products which were in excess of five million pieces between January and November last year, compared with about 2.3 million pieces in 2002.

PEOPLE'S REPUBLIC OF CHINA

News in January 2004

1. Crackdown launched on Chinese cartoon piracy
2. Patent applications rise a lot since 1985
3. SIPO grants awards for patents
4. Piracy smashed at record pace
5. Japan aware with counterfeit goods from China
6. More everyday in Shanghai

1. Crackdown launched on Chinese cartoon piracy

(from Xinhua News Agency, 2 January 2004)

The State Copyright Bureau (SCB) launched a three-week nationwide crackdown on piracy of the popular Chinese cartoon, Blue Cat, in the first anti-piracy campaign of the New Year. The copyright authorities nationwide had joined police and industry and commerce administrations

to stop pirated products of Blue Cat, including publications, video and audio products, stationery, toys, clothes and food.

2. Patent applications rise a lot since 1985
(from Xinhua News Agency, 13 January 2004)

China has seen more than 1.9 million patent application cases since the implementation of the patent law in 1985. Statistics from 2001 showed that China ranked third after Japan and Germany in annual patent applications among 27 countries protecting inventions, new models and designs.

In 2003, China's patent application cases totaled 308,496, growing 22.1 per cent from 2002. From 1985 to 2002, the number increased at an annual rate of 18.4 per cent.

3. SIPO grants awards for patents
(from Xinhua News Agency, 15 January 2004
BBC Monitoring Asia Pacific, 15 January 2004
China News Digest, 16 January 2004)

The State Intellectual Property Office (SIPO) granted awards to a cell rehabilitation technology and 12 other patented technologies. Meanwhile, the SIPO granted second-level awards to a manufacturing technology patent for a new kind of firebrick and another 93 inventions, new technological applications new designs.

Those winners were chosen from many patented technologies recommended by government departments, research institutes, and regions, as well as experts from the Chinese Academy of Sciences and the Chinese Academy of Engineering. The SIPO set up an expert panel for appraisal and final selection.

4. Piracy smashed at record pace
(from China Daily, 16 January 2004)

China seized 177 million pirated and smuggled audio-visual products and 6.99 million pieces of pirated computer software last year, the 15th year of the country's campaign to guard intellectual property rights. At the same time, 34 disc production lines, 37.7 million pornographic publications and 15.2 million pirated textbooks and reference books were also confiscated.

5. Japan aware with counterfeit goods from China
(from Asia Pulse, 27 January 2004)

With trade between Japan and China rapidly expanding, the ministry believes that it is necessary to have an effective structure for stemming illegal imports. The Ministry of Finance aims to sign a mutual assistance pact with Chinese customs authorities as early as June.

6. More everyday in Shanghai
(from Xinhua News Agency, 29 January 2004)

Shanghai, the leading technology research center in China, saw an average 62 new patent applications every day in 2003. The city received 22,374 patent applications last year, a rise of 12 per cent over the previous year. Applications from universities and colleges totaled 1,794, exceeding all other institutes of higher learning in China. Application from industrial enterprises came to 15,289, up by seven per cent over a year ago.

An expert with the Shanghai Municipal Intellectual Property Right Bureau said a big rise in patent applications showed that local technicians had a stronger sense of property rights protection.

THE PHILIPPINES

News in January 2004

1. Smuggled, fake items harming economy
(from *Manila Standard*, 8 January 2004)

The European Chamber of Commerce of the Philippines (ECCP) has urged the government to consider smuggling and proliferation of fake products a national concern. The ECCP in a position paper said the same problem is happening in Thailand but Bangkok has made considerable progress in the fight against fake products. The ECCP said the government needed to act urgently. It needs to make addressing the problem a priority, and be seen doing it.

The organization said the entry of fake and smuggled goods is tantamount to “systemic economic plunder” and results in serious economic damage to the country. The lack of intellectual property rights protection also deter new investment, the ECCP said.

2. Senate OK's bill against counterfeits
(from *Business World*, 16 January 2004)

Senators approved on final reading a bill that would impose strict regulations on the manufacture, reproduction and sale of optical discs, to curb rampant film, record, and software piracy.

The reconciled version of Senate Bill No. 2586 and House Bill N. 5225 crates the Optical Media Board (OMB) in place of the Videogram Regulatory Board, to be composed of a chairman, five regular members, and four ex-officio members: the secretaries of Trade and Industry, Interior and Local Government, Finance, and the director-general of the Intellectual Property Office, or their representatives.

The license is valid for three years. Failure to register will automatically cancel all other government permits.

VIETNAM

News in January 2004

1. Trademark road show

(from the Saigon Times Daily, 30 January 2004)

Local companies joined a road show intended to promote Vietnamese trademarks in downtown HCMC. The road show, which marked the resumption of operations of local companies after the week-long traditional Lunar New Year holidays, also highlighted the improvement in the quality of locally made goods. This is organized by the Investment and Trade Promotion Center and the High-Quality Vietnamese Goods Producers Club.

2. IPR library opens in HCMC

(from Vietnam News Brief Service, 27 January 2004)

The General Sciences Library in Ho Chi Minh City and the US-Vietnam Trade Council Education Forum jointly opened an intellectual property rights reference collection opened in the city on January 19. The aim is to promote the development of resources, information and understanding of intellectual property rights in Vietnam.

Visitors to the library will be able to study and conduct research on issues ranging from the drafting history of the WTO agreement to issues affecting developing countries. Unfair practices affecting competition in businesses, technology and agri-business, are also described.
