

Monthly Report of July 2004

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THAILAND

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1. Pirated CDs come back in Hat Yai

(from Prachachart-Thurakit Newspaper, Page 28, Thailand, 1-4 July 2004)

Pirated CDs in Hat Yai, South of Thailand started again. Recently Customs raided over 25,000 pirated CDs. They suspected that the factory would be near the Thailand-Malaysia border where easy to transfer to both countries.

2. Customs jobs

(from Bangkok Post Newspaper, Home News Section, Page 6, Thailand, 1 July 2004

Bangkok Post Newspaper, Business Section, Page 3, Thailand, 8 July 2004

Krung Thep Thurakit Newspaper, Commerce Section, Page 7, Thailand, 8 July 2004)

The Customs Department's investigation and suppression bureau inspected a shipment of electronic goods, watches and other products imported from China. Also they raided fake brand-name medicines and substandard goods including electrical appliances imported from China.

3. Her Majesty to get patent

(from The Nation Newspaper, Local News Section, Page 3A, Thailand, 4 July 2004

Thai News Service, 7 July 2004)

Thai Prime Minister said that the Intellectual Property Department would present the patent for the production of Thai-silk soap to her Majesty the Queen. According to the Department of Agriculture, around 300 to 400 tones of silk factories every year. As a result, the Queen has said research should be undertaken by the Department of Agriculture, the Department of Medical Sciences and the Ministry of Science and Technology to make use of the leftover to make use of the leftover material to add value to Thai silk.

4. Landmark verdict

(from Silicon.com, 5 July 2004)

Thailand's intellectual property court has delivered a landmark verdict in the war against software piracy, by handing down an 18-month prison sentence to the owner of a Bangkok shop selling counterfeit CD-ROMs. In addition to the 18-month unconditional sentence, he was fined over £14,000 for selling over 350 counterfeit CD-ROMs at his store.

5. Thai inventor unveils a new kind of engine

(from Krung Thep Thurakit Newspaper, Prime News Section, Page 1&4, Thailand, 7 July 2004

Thai News Service, 8 July 2004

FnWeb Daily News, 8 July 2004)

A Thai inventor has patented a new kind of fuel-efficient internal combustion engine. On 6 July the Intellectual Property Department announced the introduction of a new kind of engine invented by a Thai mechanic. Charnchai Santiyant, the owner of an engine and cutting machine shop, said he had been working on his new model of engine for about 40 years.

He applied for a patent in Thailand in 1998 and then spent about three million baht from his personal funds to apply for patents in Japan, the USA and Europe (covering Germany, Sweden, Italy and France).

His engine is 50-70 per cent more fuel-efficient than conventional internal combustion engines. It can be adapted for cars, motorcycles, machinery and compressors. The design is a breakthrough because the pistons are arranged in a circle perpendicular to the drive shaft. It is called an "internal combustion rotary engine."

6. BSA's report

(from Post Today Newspaper, Today's News Section, Page A2, Thailand, 8 July 2004

Krung Thep Thurakit Newspaper, Economic Section, Page 3, Thailand, 8 July 2004

Financial Times, 8 July 2004

New Zealand Herald, 9 July 2004

Bangkok Post Newspaper, Opinion Section, Page 8, Thailand, 11 July 2004

Manager Daily Newspaper, Thailand, 12 July 2004

Bangkok Post Newspaper, Database Section, Page 1, Thailand, 14 July 2004

Krung Thep Thurakit Newspaper, SciTech Section, Page 3, Thailand, 15 July 2004)

A survey carried out by the IDC research firm for the Business Software Alliance (BSA) suggests that, while Pounds 51bn was spend globally last year on software applications, another Pounds 29bn worth was illegitimately installed.

More than one in three programs running on computers around the world are thought to be illegal copies of software, with the figure rising to nine out of 10 in China and Vietnam. The piracy rate

was 36 per cent but rose dramatically in parts of Asia and Eastern Europe. China and Vietnam recorded a 92 per cent rate, with Ukraine at 91 per cent, Indonesia 88 per cent and Russia and Zimbabwe 87 per cent.

The lowest rates of piracy were the US's 22 per cent, New Zealand's 23 per cent and Denmark's 26 per cent.

7. Money laundering

(from Post Today Newspaper, Today's News Section, Page A2, Thailand, 8 July 2004)

A royal decree announced the final decision that to not include the intellectual property violation in the money laundering law. It said intellectual property was the private matter so do not need to include in this law.

8. More cooperation

(from Krung Thep Thurakit Newspaper, Commerce Section, Page 7, Thailand, 13 July 2004)

Watana Muangsook, Minister of Commerce sent the paper to Royal Thai Police to hold the raid and wait for the decision that who is the right owner of each copyright. However, for Karaoke violation police can act as usual.

9. HIV drugs

(from The Nation Newspaper, AIDs Section, Page 6A, Thailand, 9 July 2004

Bangkok Post Newspaper, Home News Section, Page 3, Thailand, 11 July 2004

The Nation Newspaper, AIDs Section, Page 2A, Thailand, 13 July 2004

The Nation Newspaper, AIDs Section, Page 3A, Thailand, 13 July 2004

Krung Thep Thurakit Newspaper, Prime News Section, Page 1&5, Thailand, 13 July 2004

Manager Daily Newspaper, Thailand, 13 July 2004

Asia Pulse, 13 July 2004

Bangkok Post Newspaper, Prime News Section, Page 1, Thailand, 14 July 2004

The Nation Newspaper, AIDs Section, Page 2A, Thailand, 14 July 2004

The Nation Newspaper, Prime News Section, Page 1A&4A, Thailand, 14 July 2004

Krung Thep Thurakit Newspaper, Prime News Section, Page 1&4, Thailand, 14 July 2004

Bangkok Post Newspaper, Home News Section, Page 2, Thailand, 15 July 2004)

The government has been able to provide treatment for people with HIV/AIDs through its national health-coverage programme because it makes generic drugs copies of US drugs not covered by patents in Thailand.

In FTA, Thailand is negotiating with the United States could lead to the extension of patent periods for drugs produced by US pharmaceutical firms. That could instead turn the tide and reverse the progress Thailand has made caring for people living with the disease.

The price of locally made drugs is about 10 times cheaper than the patented brand name medications. The Thai prime minister vowed that drug patents would not be included in the Thailand-US FTA negotiations, but civic groups are still skeptical about his promise.

10. Thailand-Japan AIDs vaccine patent

(from Matichon Newspaper, Page 10, Thailand, 13 July 2004)

Thailand and Japan had cooperated in developing AIDs vaccine, under the project 'Thailand-Japan Cooperative Research Project on HIV-1 Vaccine Development: Pre-clinical Phase 2541-2546'. When the work was done, however, Japan patented the vaccine without informing Thailand. When Thailand learned about this, it attempted to make Japan share the patent right, which should have been mutual benefits between both countries at the first place.

The attempt was accomplished; Thailand and Japan signed an agreement in the vaccine patent on July 12, 2004. The signing ceremony was chaired by Public Health Minister Sudarat Keyurapan.

The project was initiated by Thailand's Public Health Sciences Research Institute, Department of Medical Sciences and Japan's National Institute of Infectious Diseases (NIID). The implementation was carried on by Thailand's Department of Medical Sciences, Siriraj's Medical and Nursing School, Chulalongkorn University's Medical School, and University of Chiang Mai's Medical School, as well as Japan's NIID.

11. France begs Thailand to rid fake brand names

(from Post Today Newspaper, Today's News Section, Page A2, Thailand, 16 July 2004)

France's Ministry of Economics, Finance, and Industry has asked Thailand to cooperate with the eradication of fake brand name goods, Thailand's Intellectual Property Director Kanitsorn Navanukroah said. The product include perfume, purses, clothes, and fashion items.

Kanitsorn said France would send a professional team to train and educate Thai official responsible for the anti-plagiarism. He said the department looked forward to protect local Thai export goods such as spa or OTOP products.

12. Music copyright collecting fees

(from Post Today Newspaper, Business Market Section, Page B1, Thailand, 7 July 2004

Post Today Newspaper, Business Market Section, Page B2, Thailand, 16 July 2004

Krung Thep Thurakit Newspaper, Commerce Section, Page 7, Thailand, 16 July 2004)

Collecting copyright fee company said it was facing the problem from the hotel business which has a function room service and include the Karaoke service for guest without pay the copyright fee. That made the company lost at least 20 million baht a year.

Therefore, the company will set the system for those hotels to pay for the copyright fee. They will begin to use the law to force from 1 August. Moreover, the company is one the process to collect the copyright fee from cruising business.

13. First loan for IP

(from Krung Thep Thurakit Newspaper, Commerce Section, Page 7, Thailand, 21 July 2004)

SME Bank recently granted 1.05 million baht worth loan to Lock Pro for its objective to register for a patent and to further develop its clutch-lock and gear-lock products. The loan was the first grant that supports turning intellectual property into capital.

14. Financial support agreement

(from Bangkok Post Newspaper, Business Section, Page 2, Thailand, 22 July 2004

Post Today Newspaper, Finance Section, Page B15, Thailand, 22 July 2004)

The SME Development Bank and the Bank for Agriculture and Agricultural Co-operatives agreed to offer financial support under the government's asset capitalization programme. The asset capitalization programme aims to increase the ability of people to access capital using intangible assets such as land rights documents, intellectual property or leases as collateral against loans.

Four banks – the Government Savings Bank, Krung Thai Bank, the Government Housing Bank and Bangkok Bank – have already signed agreements with the Treasury Department to support the programme.

15. Reduce the price against piracy

*(from Post Today Newspaper, Business Market Section, Page B3, Thailand, 22 July 2004
Krung Thep Thurakit Newspaper, Commerce Section, Page 7, Thailand, 22 July 2004)*

Kanissorn Navanugraha, director-general of Intellectual Property Department said that DIP would ask the copyright owners of movie, both Thai and international, to discuss in reducing the price. As now the price is still too high for the customers. They would like to try to fight with pirated VCDs and DVDs by reducing the price.

16. Rice infringement

(from Bangkok Post Newspaper, Prime News Section, Page 1, Thailand, 23 July 2004)

A rice sample brought from Cambodia has the same DNA fingerprint as Thailand's famous Hom Mali 105. The sample was of Angkor Mali rice which had been sent to her office with five other samples to be tested in late May.

The Agriculture Department's bio-technology research and development office undertook DNA testing of Cambodian rice strains after the department received complaints from farmers and rice millions in early May that some agro-industry companies might have shifted their rice cultivation to Cambodia.

Director-general of Agriculture Department said the rice has been internationally accepted as belonging to Thailand. So, the test results suggested someone had smuggled it out of the country.

17. Register Spa

(from Krung Thep Thurakit Newspaper, Commerce Section, page 7, Thailand, 26 July 2004)

Kanissorn Navanugraha, director-general of DIP suggested Spa business owners to register their trademarks in Thailand and also other countries. They also need to register their product designs and include copyright of their special ingredient or treatment.

18. Using IP promote tourists

(from Manager Daily Newspaper, Thailand, 28 July 2004)

Thai Tourist Authority of Thailand would like to use intellectual property to protect Thai massage, not like jasmine rice and Pad Thai which had intellectual property violation problem. They will discuss with Ministry of Commerce and Ministry of Public Health.

19. Drugs in FTA

(from The Nation Newspaper, Local News Section, Page 2A, Thailand, 29 July 2004)

In the first round of FTA negotiations in the US, the two sides discussed amending three main areas of the Thai drug patent act. Intellectual property is the main agenda of the US, and no country has ever signed an FTA with the US without accepting Washington's condition of the recognition of drug patents.

The three areas discussed included terms of protection, compulsory licensing and marketing approval for American drug patents in Thailand.

20. Pirated discs seized

(from Bangkok Post Newspaper, Home News Section, Page 4, Thailand, 30 July 2004)

Police seized more than 4,000 pirated CDs and VCDs from a production house run by a university student. He was charged with copyright violations and distribution of pornographic materials. The youth made more than 10,000 baht a month selling pirated products.

21. Against FTA

(from Bangkok Post Newspaper, Business Section, Page 10, Thailand, 31 July 2004

The Nation Newspaper, Business Section, Page 1B, Thailand, 31 July 2004

Krung Thep Thurakit Newspaper, Today's News Section, Page A2, Thailand, 31 July 2004)

While Thailand and the United States might seek WTO permission to extend the validity of their Treaty of Amity if a new bilateral FTA agreement cannot produce similar benefits to nationals of both countries. Many Thai researchers said that if Thailand signed an agreement which includes intellectual property, in the worst-case scenario it would force Thai laws and regulations on traditional medicine to be amended to benefit the US.

The FTA would allow the other side access to patent registrations of herbs or living things that are native to Thailand. Thai people will not have the right to plant or breed the registered product and have to pay for the right to plant or breed that product.

PEOPLE'S REPUBLIC OF CHINA

News in July 2004

1. Revised law takes effect on July 1
2. Pirates hold back Chinese software industry
3. One voice got patent
4. EU cooperation
5. HK Customs committed to rooting out copyright pirates
6. Arrested Queen of piracy
7. China defends move to lift Viagra patent
8. Beijing Wangdao Xintong sues Siemens
9. Website sued over patent
10. Fake quality marks on rise in China
11. Piracy plagues general software
12. Chinese court starts proceedings on IPR violation case against Nike
13. Shanghai customs uncovers 139 IPR infringement cases
14. Fails in trademark case
15. Software patented in Zhejiang
16. Cisco finalize settlement of IP lawsuit
17. More action
18. China, US authorities arrest six in DVD piracy case
19. NEC to set up patent support center in china

1. Revised law takes effect on July 1

(from Xinhua's China Economic Information Service, 1 July 2004)

Six laws and regulations, including the Administrative Licensing Law and the revised Law on Foreign Trade, take effect on 1 July in China, which experts say would help build a government under the rule of law and protect intellectual property rights in foreign trade.

The Administrative Licensing Law, the first of its kind in the world, streamlines administrative approval procedures and removes restrictions considered unnecessary. Under the revised law on foreign trade, China would protect intellectual property rights in foreign trade according to its related laws and regulations on intellectual property.

According to the revised law, a company may engage in foreign trade after it registers with government departments concerned, and no official permission is required so long as the applicant is a legal company.

2. Pirates hold back Chinese software industry

(from ComputerWire News, 2 July 2004)

Rampant piracy is the third biggest impediment to the development of China's software industry a government report has found. The government's Intellectual Property Center and the China Software Industry Association carried out the survey of 230 software firms, 270 organizations and 1,000 users.

Almost 40% of software firms said piracy was a problem, while 14% cited it as a big problem. By comparison, only 7% cited international competition as a brake on their development. The high levels of piracy were encouraging vendors to turn away from mass market products said the survey, and to concentrate on enterprise products and solutions which are less likely to be pirated.

3. One voice got patent

(from Interfax China Business News, 2 July 2004)

Fourth Generation voice solutions developer, One Voice Technologies Inc. has received a Notice of Allowance for two of its patents from China's patent office. These patents cover human-to-computer speech recognition and Natural Language Processing (NLP) on PC's embedded and wireless devices.

After submitting the appropriate issuance documents, One Voice has entered the final stages of the patenting process. It also anticipates formal issuance in the coming months. The San Diego-based company claims to be the world's first developer of Fourth Generation voice solutions for the telecom and interactive multimedia markets.

4. EU cooperation

(from Xinhua News Agency, 6 July 2004

China Daily, 6 July 2004

Business Daily Update, 6 July 2004)

The European Union (EU) and the National Copyright Administration of China (NCAC) are focusing on ways to further improve enforcement of intellectual property rights. EU will co-

operate more with China's State Intellectual Property Office and other IPR-related departments to propel the country's IPR development.

European copyright experts expressed their willingness to support China's efforts to design a modern copyright system on a seminar which was co-sponsored by EU and NCAC. This year, the NCAC have sent four delegations on fact-finding trips to European members states including Britain, Italy, France, Germany, Belgium and Ireland, through which China has got an insight into trends of international cooperation in copyright.

The training program is highlighted by European best practice in copyright, such as network of Collective Management Societies (CMS). It is useful in registering artists and cataloging their works, collecting revenue from users and then distributing fairly among the CMS members. Moreover, the CMS has an important role in tracking piracy since it is unrealistic for artists to track down pirates alone.

5. HK Customs committed to rooting out copyright pirates

*(from Xinhua News Agency, 7 July 2004
BBC Monitoring Asia Pacific, 7 July 2004
The Standard, 8 July 2004
Business Daily Update, 8 July 2004)*

Hong Kong Customs is making every effort to root out copyright piracy activities including software piracy to protect intellectual property rights. A global software piracy study showed that for every 100 software programs installed on computers in Hong Kong, 52 are pirated, inflicting a loss of more than US\$100 million to the industry last year.

6. Arrested Queen of piracy

(from South China Morning Post, 8 July 2004)

Customs officers smashed an extensive software pirating syndicate allegedly run by a woman dubbed the "queen of piracy" and her sons. The family pocketed more than \$1 million a month from selling pirated computer software and games over a four-year period.

More than \$1.5 million worth of pirated copies and manufacturing equipment was seized in operation "Spur", which was continuing last night.

7. China defends move to lift Viagra patent

*(from Ottawa Citizen, 8 July 2004
Xinhua Financial Network News, 8 July 2004
The Times Newspaper, 8 July 2004
The Seattle Times, 8 July 2004
Bangkok Post Newspaper, Business Section, Page 4, Thailand, 9 July 2004
The Nation Newspaper, Business Section, Page 7B, Thailand, 9 July 2004
Post Today Newspaper, International Economic Section, Page A11, Thailand, 9 July 2004
Krung Thep Thurakit Newspaper, World Business Section, Page 36, Thailand, 9 July 2004
China Daily, 9 July 2004
Business Times, Singapore, 9 July 2004
The Asian Wall Street Journal, 12 July 2004
The Straits Times Newspaper, Singapore, 14 July 2004
Dow Jones Chinese Financial Wire, 19 July 2004
South China Morning Post, 20 July 2004)*

China defended its decision to overturn Pfizer's patent for Viagra in a ruling seen as a setback to protection of intellectual property rights in the country. The US makers of the top selling erectile dysfunction drug were in breach of China's intellectual property rights law when they failed to accurately explain "technological" uses of Viagra's key ingredient, an official with the State Intellectual Property Office said.

Although the same office granted Pfizer in 2001 a patent for sildenafil citrate, Viagra's key active ingredient, the official maintained SIPO had the right to revoke the patent. The official said after approval of sildenafil citrate, more than 10 Chinese companies filed official complaints, forcing the SIPO to review its decision.

China's decision likely does not augur well for the pharmaceutical industry, which has viewed the case as a litmus test for the protection of intellectual property rights. Moreover, Pfizer plans to appeal to the court soon.

8. Beijing Wangdao Xintong sues Siemens

(from SinoFile Information Services, 8 July 2004

SinoCast China IT Watch, 12 July 2004

Xinhua Financial Network News, 14 July 2004)

Software developer Beijing Wangdao Xintong has sued Siemens AG's mobile phone joint venture in China for allegedly violating its intellectual property rights, illegally using its Chinese language software.

Beijing Wangdao Xintong is seeking 6 mln yuan in compensation and an injunction to stop Siemens from selling its CL55 handsets.

9. Website sued over patent

(from Shanghai Daily, 9 July 2004)

A Jiangsu Province bedding maker is suing Network information Services (Shanghai) Co Ltd, claiming the company's eachnet.com Website infringed his patent rights. Jing Yutang said in his lawsuit that two pictures on eachnet.com looked very similar to the appearance of his bedding products, for which he got a patent last July. Jing asked the court to order the firm to delete the pictures and give him 200,000 yuan (US\$24,096) in compensation.

However, the attorney for eachnet.com argued the company was not the seller.

10. Fake quality marks on rise in China

(from Daily Yomiuri, 10 July 2004)

Products bearing counterfeit Japanese logos, such as the Japanese Industrial Standard (JIS) quality assurance mark and recycling marks have begun surfacing in China. Tokyo has no power to stop Chinese manufacturers putting such logos on their products or to stop retailers from selling them within China. All the government has been able to do is ask Beijing to cooperate in tackling the problem.

In Japan, a business operator that illegally displays a JIS mark can receive up to one year in prison or a fine of up to 1 million yen. Imported goods that display the mark without authorization can be seized.

In China, however, even if products are found to be improperly displaying the mark, the Japanese government cannot take action. This is because the JIS mark is not a corporate logo, and its usage does not infringe on intellectual property rights. It is very popular in China now to make products look as if they were made in Japan, and the amount of packaging with Japanese phrases on it is on the rise. Such techniques are used by manufacturers to make their products more appealing.

11. Piracy plagues general software

(from Xinhua's China Economic Information Service, 15 July 2004)

Software piracy is causing much damage to general software than dedicated software, according to the Report on the Development Environment of Software Industry in China released by the intellectual property rights center of the Ministry of Information Industry.

The report covers the status and role of the software industry, a comparison between software industries in China and foreign countries and the development environment of the industry in the Chinese mainland.

37% of the companies investigated reported software piracy problems while the rest had little complaint in this regard. 42% of companies have taken precautionary measures against software piracy. Those who failed to respond either think it unnecessary or too costly.

Experts concluded that in general, Chinese software companies are vulnerable to software piracy without necessary self-protection. They also advised domestic companies to tailor-make software so as to elude piracy threat.

12. Chinese court starts proceedings on IPR violation case against Nike

*(from AFX International Focus, 16 July 2004
China Daily, 16 July 2004)*

A Chinese cartoonist has taken Nike Inc to court, accusing the US sports apparel giant of violating his intellectual property rights in a character for the company's global marketing campaign. The Beijing-based artist has demanded 2 mln yuan in compensation and a public apology. However, a lawyer representing Nike, dismissed the allegation.

13. Shanghai customs uncovers 139 IPR infringement cases

(from Xinhua Financial Network News, 19 July 2004)

The Shanghai Customs Office uncovered 139 cases of intellectual property rights infringement, involving around 10 mln yuan during the first half. The number of cases was 47.9% higher from a year-ago while the amount exceeded that of the same period last year by 6.7%.

There are 129 cases which related with trademark infringement on brands including Mercedes Benz and Toyota. It did not name the companies involved. Foreign companies and governments are becoming increasingly frustrated with the continuing problem of piracy and counterfeiting in China, which has led to billions of dollars in losses to the companies each year.

14. Fails in trademark case

*(from Xinhua Financial Network News, 21 July 2004
SinoCast China Business Daily News, 26 July 2004)*

Xiamen Overseas Chinese Electronic Co Ltd has lost a second trademark suit filed against Sichuan Changhong Electric Co Ltd. The second lawsuit, filed in Beijing, centered on Changhong's trademark "HDTV ready" used on its high definition TV. Xiamen claimed the trademark violated copyright on its own "CHDTV" trademark.

15. Software patented in Zhejiang

(from Business Daily Update, 27 July 2004)

Zhejiang 001 Digital Communication Co Ltd recently received a patent, for its VRPe software, from the SIPO. "Famous Star" VRPe is a multimedia software product. The product has video and audio recording and picture shooting functions. It can also be used to edit pictures and visual files.

There are three versions of the software. Zhejiang 001 is a privately owned information technology and electronics product research and development firm.

16. Cisco finalize settlement of IP lawsuit

(from AFX International Focus, 29 July 2004)

Cisco System Inc said it has finalized a settlement with China's Huawei Technologies Co over an intellectual property lawsuit. Under the settlement, Huawei Technologies has agreed to change its command line interface, user manuals, help screens and portions of its source code, Cisco said in a statement on its website.

The completion of this lawsuit marks a victory for the protection of intellectual property rights.

17. More action

(from Jiji Press News Service, 29 July 2004)

Wei Jianguo, vice Minister of Commerce, said in Tokyo that China will strengthen measures to crack down on piracy of copyrighted works. China will introduce laws to impose strict criminal charges on those who violate intellectual property rights.

He added that China and Japan should be able to cooperate in various fields of advanced technologies because China is strong in basis science research, biotechnology and aerospace studies.

18. China, US authorities arrest six in DVD piracy case

(from Reuters News, 30 July 2004

BBC Monitoring Asia Pacific, 30 July 2004

Xinhua News Agency, 30 July 2004

China Daily, 31 July 2004

Dow Jones International News, 31 July 2004)

US and Chinese authorities in Shanghai have arrested six people, including two Americans, suspected of running an international counterfeit DVD smuggling ring. The group is suspected of using the Internet to sell about 100,000 counterfeit DVDs, which were shipped to buyers in 25 countries. About 20,000 copies were sold to customs in the US.

Officers in Shanghai seized more than 210,000 pirated DVDs and cash worth about \$93,600. the police said the suspects may face charges of selling and producing counterfeit items as well as tax evasion. Such crimes carry a maximum penalty of about five years in prison.

19. NEC to set up patent support center in China
(from Nikkei Report, 31 July 2004)

NEC Corp. will found in August an intellectual property center in Beijing to provide support to local group companies in the development and protection of patented technology. Through the efforts of the new entity, NEC will aim to raise the number of patent applications in China from roughly 450 in fiscal 2003 to at least 1,000 in fiscal 2005.

The center, to be housed within a local subsidiary, will provide assistance in intellectual property for 52 local group companies. It will perform functions including setting bonuses for patent development, dispatching intellectual property personnel and creating a management system, and aiding with the discovery of and lawsuits concerning patent infringement.

NEC's worldwide patent applications came to about 9,000 in the previous fiscal year, with China patent applications accounting for around 5% of the total.

MALAYSIA

News in July 2004

1. Guidelines to commercialize student inventions
2. Seized items worth RM14,000
3. Pirated software worth RM3.8m

1. Guidelines to commercialize student inventions
(from Bernama Daily Malaysian News, 8 July 2004)

Chief Minister Tan Sri Dr Koh Tsu Koon called for guidelines for the commercialization of students' science and technology inventions. He urged the To Usains Bhd to help the state government with the project. Usains is USM's research and development commercialisation body.

Besides commercialization, the guidelines should also make provisions for the protection of the intellectual property rights of the students' work.

2. Seized items worth RM14,000
(from The Malay Mail, 12 July 2004)

The Domestic Trade and Consumer Affairs Ministry carried out simultaneous raids on four different business locations of a company selling imitation goods in Perak. The businesses were believed to be run by the same company.

The raid involved some 20 officers from Kuala Lumpur and Ipoh. They were headed by assistant enforcement director, Saifulbahri Abdul Kadir. Six representatives of popular brands were also present to identify the imitation goods.

The traders could be fined not more than RM100,000, or jailed, or both, if found guilty under the Trade Descriptions Act 1972 for the first offence. However, if the offence is committed by a registered company, a fine of not more than RM250,000 for the first offence can be imposed. For the second offence, the fine can reach RM500,000.

3. Pirated software worth RM3.8m
(from *The Edge Malaysia*, 14 July 2004)

The Domestic Trade and Consumer Affairs Ministry's enforcement team has raided four computer software retailers in a popular shopping complex in Kuala Lumpur and confiscated pirated software worth up to RM3.8 million.

It was the biggest raid in a shopping complex in Kuala Lumpur. The confiscated pirated software, which were mostly Microsoft programme, would cost up to RM1,000 each if they were original.

SINGAPORE

News in July 2004

1. Lost S\$150m a year
2. Government seeking feedback on proposed changes to IP laws
3. New anti-piracy campaign

1. Lost S\$150m a year
(from *Channel News Asia*, 7 July 2004
Business Times, Singapore, 8 July 2004)

Software piracy in Singapore is falling but it is still costing the computer industry more than S\$150 million a year. The latest piracy report covers business programmes plus, for the first time, games and operating systems like Windows.

Around the world last year programmes worth \$136 billion were installed, but only 64% were the real thing; the rest were pirated. Singapore's share of the theft was \$153 million.

Over the years, BSA has been actively educating the public and corporations the use of legal software, and the results are showing. Part of the plan is to start the process as early as possible. Schools are encouraged to include information on intellectual property in their curriculum, and to explain what it all means.

The study says if Singapore is able to reduce its piracy rates by 10 points over the next four years to 33%, that could bring an additional revenue of \$2 billion to the economy. And that would translate into nearly \$100 million worth of tax revenue.

2. Government seeking feedback on proposed changes to IP laws
(from *Channel News Asia*, 26 July 2004
Business Times, Singapore, 27 July 2004
The Straits Times Newspaper, Singapore, 27 July 2004)

The Intellectual Property Office of Singapore (Ipos) has published two draft bills – the Copyright (Amendment) Bill 2004 and the Broadcasting (Amendment) Bill 2004 – and it wants feedback from the public. The third draft bill, the Design (Amendment) Bill, will be out next month.

Ipos said the proposed changes would significantly strengthen Singapore's intellectual property regime. The draft bills can be read at www.newiplaws.org.sg.

Ipos will also host a public seminar to explain the proposed laws on August 2 at Ipos.

3. New anti-piracy campaign

*(from Channel News Asia, 27&28 July 2004
Business Times, Singapore, 28 July 2004)*

Ipos is determined to stem the tide in movie piracy. From 29 July, all cinemas would screen a new 45-second trailer to spread the message. It is about technological protection measures that they hope to prevent people from downloading and unauthorized use.

THE PHILIPPINES

News in July 2004

1. Software piracy in Philippines among highest in Asia
2. Philippines, Japan fail to strike deal
3. First patent for coconut water

1. Software piracy in Philippines among highest in Asia

(from Cebu Daily News, Enterprise Section, Page 9, The Philippines, 8 July 2004)

Despite efforts to curb software piracy here, the country continues to be in the top 10 list of highest software piracy rate, according to the BSA. The 72 per cent rate puts the Philippines among the 10 highest in the region. It shows that software piracy continues to be a major problem in the country. If not reduced significantly, it would continue to be detrimental to the development of the ICT industry and of the Philippine economy as a whole.

2. Philippines, Japan fail to strike deal

(from Bangkok Post Newspaper, Business Section, Page 4, Thailand, 9 July 2004)

Japan and the Philippines have ended three days of free trade talks, agreeing to resume negotiations after one month. The negotiation is still going on and Philippines cannot say anything on the developments for now. Each side has its own views on the issues, and each side couldn't claim that's already it.

A draft Japan-Philippines Economic Partnership Agreement outlines the discussions covering trade in goods and services, rules of origin, customs procedures, paperless trading, mutual standards and investments. It also covered a raft of other issues including movement of persons, intellectual property rights, government procurement and competition.

3. First patent for coconut water

(from Asia Pulse, 15 July 2004)

The Food and Agriculture Organization (FAO) of the United Nations (UN), has granted the first ever UN patent for coconut water to the Philippines. Morton Satin, chief of FAO's Agricultural Industries and Post-harvest Management Service, has developed a cold sterilization technology for coconut water that will allow manufacturers to bottle coconut water without losing its flavor and nutritional characteristics.

VIETNAM

News in July 2004

1. Trademark program certificates awarded
2. VN musician rapped for blatant copying
3. Pepper trademark

1. Trademark program certificates awarded

(from Saigon Times Weekly, 2 July 2004)

Vietnam Marcom and HCM City University of Economics held a ceremony to award certificates to students attending their "Creativity for strong trademark" training program. The course attracted 50 students, most of them are designers and copywriters from local and foreign companies. Excellent certificates were awarded to plans to build up trademarks for Hoa Loc mango, Lo Ren star apple, and Tam Binh orange and clean vegetables.

2. VN musician rapped for blatant copying

(from The Nation Newspaper, Regional News Section, Page 6A, Thailand, 8 July 2004)

A famous Vietnamese musician has received a formal reprimand for copying a song written and sung by British folk group Blackmore's Night and claiming it as his own work. The Ho Chi Minh City music association ruled that Quoc Bao's "Tuoi 16" was identical to "Renaissance Fair", an earlier composition by guitarist Ritchie Blackmore, formerly of 70s rockers Deep Purple.

The association decided to issue a stern warning to Quoc Bao and inform all other members about his irresponsibility in professional activities that caused bad consequences. Bao admitted that his song was 90% similar to the Blackmore's Night version in terms of harmony and 60% similar in melody. The association is also checking other songs claimed as his own.

3. Pepper trademark

(from Vietnam News Brief Service, 26 July 2004)

The pepper products from Phu Quoc Island of southern Kien Giang province and of Chu Se district of central Gia Lai Province had been selected for trademark development, Mr Do Ha Nam, chairman of the Vietnam Pepper Association said.

Phu Quoc and Chu Se are two localities with huge stable and well-known pepper productions in Vietnam. Pepper produced in these areas is very popular among foreign customers. The country is expected to join the International Pepper Community in early 2005.
