

## Monthly Report of June 2004

- By Country:

THAILAND  
PRC  
MALAYSIA  
SINGAPORE  
THE PHILIPPINES  
INDONESIA  
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LAO P.D.R.

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### THAILAND

#### News in June 2004

1. CD manufacturing law
2. IP-OTOP
3. Cargo a loophole for pirates
4. BBL to lend to IP owners
5. Awarded for pirated CDs
6. Fake cartridges
7. Cartoon campaign

1. CD manufacturing law

*(from Lok-Wanee Newspaper, Page 9A, Thailand, 3 June 2004)*

According to Mr. Banyon, Deputy Director-General, Department of Intellectual Property, the Committee for the revision of Compact Disc Manufacturing Law is going to submit the bill to revise the law to the upper house on 20 August. The bill contains, (1) Police can arrest sellers of pirate CDs without victims and confiscate the pirate CDs, (2) bill covers movies, songs, computer softwares, (3) reports within 7 days to DIP are required when CD press machine or plastic raw material for CD production is imported.

2. IP-OTOP

*(from Thai Rath Newspaper, Thailand, 3 June 2004)*

*Krung Thep Thurakit Newspaper, Economic Commerce Section, Page 33, Thailand, 3 June 2004)*

Mr. Panpree Pahithanukorn, Assistant to the Commerce Minister, revealed after leading Thai negotiation team to visit senior officials from JICA, JETRO, and METI that the three organizations unanimously agreed with the idea to establish cooperation projects between Thailand and Japan.

One of the projects is 'IP-OTOP' which is to advance OTOPs with the help of Japanese' technical know-how like packaging, production, storage, product development, branding and the use of logo.

In addition, Thai representatives also attended the workshop, attempt to establish and expand the Intellectual Property culture and the 100<sup>th</sup> anniversary of Japan Research Center for Technology and Innovation.

### 3. Cargo a loophole for pirates

*(from Bangkok Post Newspaper, Business Section, Page 2, Thailand, 8 June 2004)*

The chief of the Customs Department says legal amendments should be made to give authorities the right to inspect air and marine cargo for intellectual property violations. He said current law did not allow authorities to inspect cargo arriving by plane or ship that was destined for third parties.

He said the Intellectual Property Department, an agency under the Commerce Ministry, should push for a legal amendment to allow authorities to inspect goods destined for transshipment.

Both the United States and the European Union annually single out Thailand among other countries as a source of pirated goods and a country with weak intellectual property protection.

### 4. BBL to lend to IP owners

*(from Bangkok Post Newspaper, Business Section, Page 2, Thailand, 10 June 2004)*

Bangkok Bank plans to extend credit facilities to intellectual property owners in support of the government's assets-to-capital conversion scheme, along the lines of an earlier move made by the SME Bank.

Bangkok Bank will be the first private financial institution to follow in the footsteps of the state-owned SME Bank, which has started providing credit lines to the owners of trademarks, petty patents, and patents. Credit lines offered by the SME Bank would range from 50,000 to 500,000 baht per project.

Under the scheme, credit facilities would be extended to three types of businesses including those producing fermented liquor, orchids and software. Under the requirements, candidates are forbidden to transfer IPRs or sell them until loans are repaid in full.

### 5. Awarded for pirated CDs

*(from Post Today Newspaper, Business Market Section, Page B2, Thailand, 16 June 2004)*

*Krung Thep Thurakit Newspaper, Economic Commerce Section, Page 7, Thailand, 16 June 2004)*

Deputy Director General of Intellectual Property Department said that he pushed to draft the policy of awarded for giving the information of any IP infringement. Now the parliament has already agreed to use this policy. So the award would be around 2 million baht.

### 6. Fake cartridges

*(from Bangkok Post Newspaper, Business Section, Page 4, Thailand, 23 June 2004)*

*Krung Thep Thurakit Newspaper, Economic Section, page 3, Thailand, 23 June 2004)*

Customs Department's investigation and suppression bureau, examined fake inkjet cartridges seized during a raid. Listed in the shipping manifest as made in China under the Sunman brand name, they were actually pirated Epson cartridges. The total value of the 9,500 packages was estimated at eight million baht.

### 7. Cartoon campaign

*(from The Nation Newspaper, Business Section, Page 1B, Thailand, 30 June 2004)*

In its continuing efforts to raise awareness of intellectual property rights in Thailand, the Business Software Alliance (BSA) has recruited a family of cartoon characters to spread the word during its nationwide anti-piracy campaign.

The characters are the creation of Saran Yookhongdee, a senior student at Srinakarinwirot University who entered the IP Family Design Contest. The four characters – father, mother, son and daughter – will soon be included in the BSA's promotional materials, which will be distributed to more than 3,000 schools and universities nationwide to raise awareness of intellectual property issues.

The contest was supported by the Intellectual Property Department, the Motion Picture Association of America, Thai Entertainment Companies Association, RS Promotion and GMM Grammy.

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## PEOPLE'S REPUBLIC OF CHINA

### News in June 2004

1. IPR cases against Chinese firms rise
2. Parties singing different tunes in copyright case
3. China urged to reward companies developing own IPR technology
4. Honda sues over motor trademark
5. National IP strategy should stimulate innovation
6. Italy, China sign agreement against products counterfeiting
7. Japan claims breakthrough on IP protection in China
8. Programme to help domestic businesses
9. China patent fair slated for August in Dalian
10. Verdict of flash disk patent case came out
11. China to enforce regulation on purchasing software
12. IPR network set up
13. Multinationals profits from patent applying in China
14. Warner music wins music download
15. Apple computer loses appeal against China trademark panel decision
16. US urges China to improve IP protection
17. Starbucks demands Chinese coffeehouse stop using its name
18. German firm wins trademark lawsuit
19. Chinese premier calls for creation of name-brand products
20. Court punishes trademark fraud
21. Siemens unit sued by Chinese firm over alleged IPR violation
22. Shaolin files for trademark in 80 countries
23. Piracy still plagues IT industry

1. IPR cases against Chinese firms rise  
(from *Shanghai Daily*, 2 June 2004)

The number of cases concerning infringement of intellectual property rights against Chinese companies has risen dramatically in the past two years and such cases will be a major obstacle curbing Chinese exports, both Chinese and US lawyers said at a seminar in Shanghai.

Last year, the Patent Litigation at the US International Trade Commission received seven “Section 337” cases involving Chinese mainland companies, a rise from the three cases in 2002 and one for each year from 1999 to 2001. More than half of the cases involving Chinese companies are in the computer chip and electronic product industries.

Currently, China’s laws on patent, trademark and copyright are in line with WTO requirements. However, the country needs 10 to 15 years for companies and consumers to nurture a strong awareness of IPR protection.

2. Parties singing different tunes in copyright case

*(from Shanghai Daily, 2 June 2004)*

A local resident filed a lawsuit against two musicians at Song and Dance Ensemble of the General Political Department of the Chinese People’s Liberation Army and CCTV for violating his copyright of a tune based on a Jiangxi Province folk song.

Wang yong, 71, wanted the three defendants to recognize his copyright on the song “Escorting Soldier to Beijing.” He was also seeking 100,000 yuan in compensation. All defendants denied the charge.

3. China urged to reward companies developing own IPR technology

*(from AFX Asia, 3 June 2004*

*Market News International, 3 June 2004*

*Business Daily Update, 3 June 2004*

*China Daily, 3 June 2004)*

The State Intellectual Property Office (SIPO) has urged the government to ease land use restrictions and give tax breaks to high-tech firms that develop their own intellectual property rights technology and products.

The deputy commissioner of SIPO, as saying the protection of intellectual property rights is crucial to the country’s economic development.

SIPO is currently developing a national strategy to improve the protection of intellectual property rights which may involve an educational program and intellectual property rights lectures and television programmes targeting school children.

4. Honda sues over motor trademark

*(from Shanghai Daily, 4 June 2004*

*Xinhua Financial Network News, 4 June 2004*

*Associated Press Newswires, 4 June 2004*

*Bangkok Post Newspaper, Business Section, Page 2, Thailand, 5 June 2004*

*Post Today Newspaper, International Economic Section, Page A12, Thailand, 5 June 2004*

*Xinhua's China Economic Information Service, 7 June 2004*

*China Daily, 11 June 2004)*

Honda Motor Co Ltd is suing a local motor retailer and Chongqing Lifan Industry (Group) Co Ltd, the largest privately owned motor producer in China, for trademark violation. Honda accused the two defendants of selling and producing motors that carry the trademark “SOR”, which is similar to its registered trademark “SCR”.

The Shanghai No. 2 Intermediate People's Court heard the case. Honda is demanding the two accused stop the violation and recall and destroy all motors that infringed the trademark. It is also seeking 17.36 million yuan in compensation. The court has not set a date to announce the verdict.

5. National IP strategy should stimulate innovation  
(from Xinhua News Agency, 7 June 2004)

Experts at an intellectual property symposium said that the national intellectual property strategy should stimulate the innovation of Chinese enterprises and research bodies. The Intellectual Property Development Research Center, which is affiliated to the SIPO, and the China Intellectual Property Society organized the two-day symposium on the national intellectual property strategy.

Yang Ruilong, dean of the Economics School of the Renmin University of China, said that the national strategy would benefit the country's long-term economic and social development.

Zheng Chengsi, director of the Intellectual Property Center of the Chinese Academy of Social Sciences, said that the state should encourage research institutes to design their research plans in accordance with the needs of enterprises. Meanwhile, he said, the government needs to help domestic enterprises to safeguard their legitimate rights in intellectual property.

6. Italy, China sign agreement against products counterfeiting  
(from ANSA, 8 June 2004  
Xinhua News Agency, 8 June 2004  
BBC Monitoring Asia Pacific, 8 June 2004  
Business Daily Update, 9 June 2004)

Italy and China have signed an agreement against products counterfeiting, in which the two countries agree to defend intellectual property rights and to exchange information on their possible violations.

The agreement was signed by Italy's industry Minister and by the director of the Chinese state intellectual property office (SIPO). Further technical meeting between representatives of the two countries will establish the measures to be taken to prevent violations.

7. Japan claims breakthrough on IP protection in China  
(from Business Times, Singapore, 9 June 2004)

Japan has achieved a breakthrough in its bid to get China to crack down on large-scale violation of intellectual property rights, including copying of manufactured goods as well as copyright infringements, chairman of the Japan External Trade Organization Osamu Watanabe announced.

Reporting on a high-level meeting in Beijing, he said that there had been a 'sea change' in the willingness of Chinese leaders to deal with the issue.

China has agreed to hold regular dialogues with Japan on the intellectual property issue. These will involve the Ministry of Commerce and regional authorities on the Chinese side and Jetro and the Japan Patent Office on the Japanese side.

#### 8. Programme to help domestic businesses

*(from China Daily, 14 June 2004)*

The State Intellectual Property Office has already launched patent protection programmes among large firms in Beijing, Shanghai and 20 other provinces, municipalities and autonomous regions. This year, the office will tighten supervision on patent systems in those regions. Patent protection will be especially linked to nationally significant scientific project, such as information technology, computer software, electronic motor vehicles, the milk industry and water-saving agriculture, according to the office.

#### 9. China patent fair slated for August in Dalian

*(from Xinhua News Agency, 14 June 2004  
Business Daily Update, 15 June 2004)*

China International Patent Fair 2004, scheduled for Aug. 18-21 in Dalian, northeast China, will offer a collection of the country's most advanced patented technologies and products. The fair would include an exhibition of patented technologies, intellectual property forum, a public hearing on petition for void patents and a symposium on designs.

#### 10. Verdict of flash disk patent case came out

*(from SinoCast China Business Daily News, 14 June 2004)*

The flash disk patent case which lasted nearly two years now has a result. According to the verdict published by Intermediate People's Court of Shenzhen on June 10, Netac won the case. Companies including Huaqi are required to stop their violation behaviors and compensate Netac.

Huaqi said that it did not receive the verdict yet, but it would appeal to Guangdong High People's Court.

#### 11. China to enforce regulation on purchasing software

*(from SinoCast China Business Daily News, 15 June 2004)*

China will enforce a regulation which specifies that the government organs should first take domestic software into account when they decide a purchase. This regulation will be launched in as early as July.

Some sources also pointed out that Chinese government is crating a new policy to protect its domestic software intellectual property rights. The regulation was scheduled to be pushed late last year. One main reason for the postponement is that not only the Chinese software companies but also the joint ventures in China both should be considered.

#### 12. IPR network set up

*(from Shanghai Daily, 16 June 2004)*

A regional trademark protection network was set up in the city to deal with the increasing number of interprovincial infringements on trademarks. The network, covering Shanghai, Zhejiang, Jiangsu and four other provinces in eastern China, aims to give trademarks, especially renowned ones, better protection with more provincial interaction and cooperation .

The six provinces and the city have nearly 550,000 registered trademarks, accounting for more than one-third of the country's total trademarks. Last year alone, trademark authorities in the region handled more than 13,000 cases of trademark infringement, half of all the cases in the country.

The network will hopefully eliminate local protection for counterfeiters who are often protected as they ensure steady employment and revenue for the local government. The project calls for an Internet-based system to be set up to share information on trademark infringements among the seven parties within the network.

Companies can report to market regulators in another province about the infringement of their trademarks by a manufacturer there and get feedback through the system. Authority is supposed to give priority to such interprovincial cases.

Authorities hope the system will also lay the foundation for a regional trading platform for trademarks, which have been registered by companies that are operating in the red or have declared bankruptcy.

### 13. Multinationals profits from patent applying in China

*(from SinoCast China Business Daily News, 16 June 2004)*

In accordance with a survey issued by Ministry of Commerce that multinational corporations' patent applying volume has amounted to 30 per cent in China. In the past several year, multinational corporations' patent applying mainly focuses on the spheres of communications, computer and household electronic appliance.

Numerous multinational corporations have recognized the importance of Chinese market, so their patent applying volume has been going up 30 per cent annually since 1990s.

At present , many multinational corporations have profited form the patent they have applied in China. Furthermore, they have become more interested in China's medicines and auto industries. Therefore, China's enterprises should be vigilant to counter the unfavourable situation.

### 14. Warner music wins music download

*(from Interfax China IT & Telecom Report, 18 June 2004)*

Shanghai No. 2 Intermediate People's Court has issued a ruling in favor of Warner Music Co Ltd in a suit filed by Warner Music against Shanghai-based website [www.rongshuxia.com](http://www.rongshuxia.com). The website has been ordered to pay RMB15,000 in compensation to Warner for providing illegal downloads of copyrighted music.

Warner Music discovered in 2003 that Rongshuxia.com was providing downloads of songs from the album "Wo Bu Shi Tian Shi" sung by Chinese artist Na Ying, a popular female singer.

### 15. Apple computer loses appeal against China trademark panel decision

*(from Xinhua Financial Network News, 21 June 2004)*

Apple Computer Inc of the US has lost a court appeal against a decision that had rejected its application to have its trademark logo extended to cover clothing and other items in China. The

verdict by the Beijing No.1 Intermediate People's Court means that the US computer company cannot claim that its logo is protected under law for those goods.

The trademark appraisal committee of China's State Administration for Industry and Commerce (SAIC) had previously rejected the company's application to have its trademark logo extended to cover clothing, hats and shoes.

In April 2000, Apple Computer submitted an application for such protection but that was eventually rejected by the SAIC. Apple requested the trademark appraisal committee of the SAIC review the case, but its submission was rejected in June 2003.

The report said the SAIC, in its original decision, had concluded the two trademarks were similar but not entirely the same. Apple officials were not immediately available for comment.

#### 16. US urges China to improve IP protection

*(from Dow Jones International News, 22 June 2004  
AFX International Focus, 22 June 2004  
Reuters News, 22 June 2004  
Associated Press Newswire, 22 June 2004  
Xinhua News Agency, 22 June 2004  
South China Morning Post, 23 June 2004)*

US Commerce Secretary Don Evans wants China to step up protection of patents and other intellectual property, saying violations hurt both foreign businesses and Chinese companies that try to compete abroad. Such protections are an "area where more progress is urgently needed throughout China", he said.

Intellectual property is a key theme of Evans' four-day visit to China.

#### 17. Starbucks demands Chinese coffeehouse stop using its name

*(from Kyodo News, 22 June 2004  
Bangkok Post Newspaper, Business Section, Page 7, Thailand, 23 June 2004  
Post Today Newspaper, International Economic Section, Page A12, Thailand, 23 June 2004)*

Starbucks Coffee Co is demanding that a café attached to a five-star hotel in this coastal city stop using the Starbucks name, which the Seattle-based company considers illegal and bad for business. But the Qingdao coffeehouse defends the use of its name, arguing that had it been illegal, city commerce officials would not have allowed it to be registered as such last year.

In December, Starbucks sued a coffeehouse called Shanghai Xingbake, in Shanghai, for trademark infringement after the two sides failed to settle out of court, but the court has yet to make a ruling.

#### 18. German firm wins trademark lawsuit

*(from South China Morning Post, 23 June 2004  
Xinhua Financial Network News, 23 June 2004)*

Enotec, a German producer of oxygen analyzers that sued its former mainland distributor for trademark infringement and unethical business practice, has been awarded compensation by a Chinese court. The verdict offers foreign investors encouragement that their interests could be protected under the legal framework.

The Shenzhen Intermediate Court ordered Hua Kang Sheng Industry to pay 500,000 yuan in damages and make a public apology to Enotec. The mainland firm was found guilty of making a product that was similar to a trademark resembling the German product that it had acted as an agent for.

The court also found Hua Kang Sheng guilty of faking quality certification documents for its products. The court ruling was a signal to foreign players that property rights were also respected in China.

#### 19. Chinese premier calls for creation of name-brand products

*(from Xinhua News Agency, 23 June 2004*

*BBC Monitoring Asia Pacific, 23 June 2004)*

Premier Wen Jiabao said that the future world competition would be for intellectual property rights, which takes the form of first-class technology and products, acknowledging that prominent Chinese enterprises should be encouraged to create world top-class name brands. Enterprises who wish to succeed in the acute competition have to create name-brand products. Brands show quality, efficiency, competitiveness and vitality, he added.

#### 20. Court punishes trademark fraud

*(from Shanghai Daily, 25 June 2004)*

The Shanghai No.1 Intermediate People's Court order Shenzhen Shangling Elevator Co Ltd to pay 300,000 yuan in compensation and make a public apology to Shanghai Mitsubishi Elevator Co Ltd for trademark violations and unfair competition.

Shenzhen Shangling, which is unrelated to Shanghai Mitsubishi, had sold elevators in the name of the Shanghai Company since 1998. The package of the Tiling elevators sold by the Shenzhen Company, had a printed Mitsubishi trademark and its company name. The Shenzhen Company also provided false quality certificates to users.

#### 21. Siemens unit sued by Chinese firm over alleged IPR violation

*(from AFX International Focus, 29 June 2004)*

Siemens AG's mobile communications unit in Shanghai has been sued by a Beijing-based company over alleged infringement of intellectual property rights regarding a Chinese language input software used in one of Siemens's mobile phone models.

The lawsuit has been accepted by the Beijing No 1 Intermediate People's Court which will hear the case in mid or late July. It said the plaintiff has asked Siemens Shanghai Mobile Communications Ltd to make a public apology and compensate its 6mln yuan for economic losses.

#### 22. Shaolin files for trademark in 80 countries

*(from Business Daily Update, 29 June 2003*

*BBC Monitoring Asia Pacific, 29 June 2004*

*The Nation Newspaper, World's Business Section, Page 8B, Thailand, 30 June 2004)*

The kung fu masters of China's famed Shaolin Temple are flexing their legal muscles to defend the name. The Buddhist temple, which dates back more than 1,500 years, has filed for trademarks for

the Shaolin name in more than 80 countries, trying to fend off the threat of around 120 competing application.

23. Piracy still plagues IT industry  
(from *China Daily*, 30 June 2004)

The report that based on a survey by the Intellectual Property Centre under the Ministry of Information Industry and the China Software Industry Association showed that piracy remains a top concern for the Chinese software industry, although there are signs of improvement.

More than 230 software firms, 270 organizational users and 1,000 individual users participated in the survey. The survey shows 78 per cent of the organizational users buy their software from either companies or professional vendors. The piracy rate is still quite high with only 27 per cent of the respondents buying authorized copies.

The survey indicates only 9 per cent of software firms developing universal software, while the rest focus on enterprise or tailored software, bundled software with hardware, or develop Internet-based applications.

The good news from the report is that users' awareness is also improving. About 60 per cent of the organizations surveyed agree that software procurement should account for more than 20 per cent of the spending on information technology systems.

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## MALAYSIA

### News in June 2004

1. Software piracy crackdown
2. Closed Karaoke Bar
3. Reward for unlicensed software

1. Software piracy crackdown  
(from *Dow Jones International News*, 4 June 2004  
*Bernama Daily Malaysian News*, 7 June 2004)

Malaysian authorities raided a second company in a new crackdown on high-tech piracy, seizing computers and illegally produced software worth about 142,000 ringgit. Authorities have conducted two raids in the first two days of the crackdown, which aims to curtail Malaysia's reputation as one of Asia's leading sources of illegally copied software, video and music discs.

Ministry of Trade and Consumer Affairs officers, working with the US-based industry group Business Software Alliance, seized 14 computers and 74 pirated copies of Microsoft, Adobe, Macromedia and Symantec software from the company's office in Shah Alam.

The BSA says about 70% of new software used in Malaysia is illegal, causing losses of millions of dollars a year to the industry. Unlicensed software is believed to be more rampant in Malaysia that

Hong Kong, Singapore and Taiwan – though piracy is even worse in China, Indonesia and Vietnam, the BSA says.

2. Closed Karaoke Bar

*(from Associated Press Newswires, 9 June 2004)*

Domestic Trade Department officials closed the sing-a-long bar in downtown Kuala Lumpur after finding unlicensed software and more than 5,000 pirated songs on a computer hard drive. Under the Copyright Act, the owners could face a minimum 10 million ringgit fine -- 2,000 ringgit for each song not registered. Under anti-piracy laws, the companies and their executives could face penalties of up to five years in jail and a fine of 20,000 ringgit.

3. Reward for unlicensed software

*(from Bernama Daily Malaysian News, 17 June 2004*

*The Sun Newspaper, Malaysia, 18 June 2004)*

Business Software Alliance (BSA) has increased its reward for snitches offering information on users of unlicensed software from RM20,000 to RM50,000 until July 16. The reward is for any individual or company which came up with the goods on unlicensed software users. The public may call BSA's toll free number at 1-800-887-800 to provide information on piracy or users of unlicensed software.

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## SINGAPORE

### News in June 2004

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|--|-----------------------------------|
| 1. Magnecomp seeks patent infringement action      | 4. Pirated games seized           |
| 2. Selling point                                   | 5. Sticky campaign against piracy |
| 3. Copyright, patent holders get better protection | 6. Faked Oakley bags destroyed    |

1. Magnecomp seeks patent infringement action

*(from AFX Asia, 3 June 2004)*

Hard disk drive components maker Magnecomp International Ltd said wholly-owned subsidiary Magnecomp Corporation has brought a patent infringement action against K.R. Precision Inc (KRP) and K.R. Precision Public Co Ltd in the US district court of California.

The company said Magnecomp Corp is seeking damages and permanent injunctive relief for the infringement of five US patents related to disk drive suspension assemblies. The company said it filed the lawsuit after KRP declined its offer to enter into licensing negotiations.

2. Selling point

*(from The Straits Times Newspaper, Singapore, 13 June 2004)*

Deputy Prime Minister Tony Tan said that many Japanese business executives whom he met during his three-day stay here had praised Singapore's enforcement of intellectual property rights. Singapore's reputation for protecting intellectual property has assured Japanese companies in game software and knowledge intensive industries that their products will be safe from digital thieves.

They know that any intellectual property they bring to Singapore or develop in Singapore will be safe, and that is a very strong selling point for Singapore, he said.

### 3. Copyright, patent holders get better protection

*(from The Straits Times Newspaper, Singapore, 16&17 June 2004  
Business Times, Singapore, 16 June 2004)*

Changes to several laws on intellectual property were approved by Parliament to propel Singapore further along the knowledge economy path, as well as to fulfill certain obligations under the FTA signed with the United States last year.

The new laws will put Singapore's standards in line with many other developed countries. Six Bills were passed and their effects includes:

- Trademarks: Trademark owners and licensees will get more leeway to seek speedier punishment and a more refined way of computing damages they can seek from infringers.
- Patents: Drug designers can get extensions on their patents should their applications for marketing approvals be slowed by unreasonable delays caused by government agencies.
- Medicines: The Government promised drug companies that it would not commit to giving marketing approval to a rival brand version of a drug before the patent of the first-comer expires. Also, those who come after will not be able to get a free ride on information the first-comer had submitted to the licensing authorities.
- IP (Miscellaneous): Writers of books, songs and plays, among other copyright holders, will get an extra 20 years' protection of their works.
- Plant varieties protection: Exotic plant breeders such as orchid farmers can seek to have their varieties of plants protected, which would aid Singapore's exotic plant export industry.
- Manufacture of optical discs: Makers of, for example, music, video or software CDs, VCDs or DVDs, will have their licences subject renewal, unlike before when they just register themselves once. Pirate manufacturers could have their goods forfeited and licences revoked.

A fuller report on the six Bills had published on 17 June 2004.

### 4. Pirated games seized

*(from Channel NewsAsia, 18 June 2004)*

The Police Intellectual Property Rights Branch (IPRB) and representatives from Sony Computer Entertainment raided 10 locations across the island. A total of S\$140,000 worth of pirated games software has been seized in a two-day island-wide operation.

Close to 14,000 jackets of PlayStation games, 22 controllers and six memory cards were seized. Anyone found guilty of infringing on copyrights can be fined a minimum of S\$100,000, jailed up to five years or both.

5. Sticky campaign against piracy

*(from The Straits Times Newspaper, Singapore, 25 June 2004)*

Colourful 'Say no to piracy' stickers will be seen on computer software, CDs and DVDs to remind consumers to buy the real thing. About 200,000 of these green, orange and purple stickers will make their appearance in shops starting tomorrow to raise public awareness about piracy. They are not meant to be a stamp of authenticity for legitimate products.

The sticker campaign is organized by the Intellectual Property Office of Singapore (IPOS) and members of its Honour Intellectual Property Alliance, such as Microsoft, Nokia, Symantec, the Motion Picture Association and the Recording Industry Association (Singapore).

They are aiming to enhance Singapore's reputation as a country where intellectual property is protected and where its is, therefore, good for investments.

6. Faked Oakley bags destroyed

*(from Channel NewsAsia, 28 June 2004)*

Some 600 faked bags carrying the Oakley designer brandname are going up in smoke. But they could have fetched over \$100,000 if sold as originals. Acting on a tip-off by Oakley's local distributors, Police officers from the Intellectual Property Rights Branch raided a warehouse and four shops last August.

They hauled in 586 bags – all carrying the Oakley name. The company said over 80 per cent of its counterfeit goods are smuggled in from China, sandwiched among other consignments before being shipped to Southeast Asia.

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## THE PHILIPPINES

### News in June 2004

1. Pirated seize at the airport
2. Fake Toshiba products
3. Destroyed fake Honda

1. Pirated seize at the airport

*(from Xinhua News Agency, 3 June 2004)*

The Philippine authorities have foiled another attempt to smuggle into the country shipment of some 25 million pesos (US\$448,833) worth of fake DVDs and VCDs at the international airport in Manila. Some 88 boxes weighing more than one ton of imported DVDs and VCDs were seized after more than nine tons of the pirated merchandise were announced to be intercepted earlier.

In coordination with Bureau of Customs of the airport, the board has started checking out customs bonded warehouses to examine personally all video importation.

2. Fake Toshiba products  
(from *Business World*, 4 June 2004)

A small trading firm in this city is facing court charges for allegedly selling counterfeit Toshiba electrical products. The case stemmed from raids by authorities late last year resulting in the confiscation of fake goods bearing Toshiba's trade mark.

Authorities said the erring firm's owner was charged with trademark infringement and unfair competition under the Intellectual Property Code of the Philippine.

3. Destroyed fake Honda  
(from *Bangkok Post Newspaper, Business Section, Page 6, Thailand, 24 June 2004*  
*Krung Thep Thurakit Newspaper, World's Business Section, Page 36, Thailand, 24 June 2004*  
*The Christchurch Press, 25 June 2004*  
*Manila Bulletin, 27 June 2004*)

Philippines Honda officials use mallets to destroy counterfeit Honda car spare parts and accessories worth 58 million pesos confiscated during raids by Honda Philippines and law enforcement agencies. The parts were wrecked outside Honda's Manila business. Apart from violating intellectual property rights, makers of counterfeit car parts were putting the lives of consumers at risk since the sub-standard products had a tendency to fail without warning, the company said.

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## INDONESIA

### News in June 2004

1. Indonesia- European cooperation  
(from *Bisnis Indonesia*, 2 June 2004)

Indonesia and European Union would conduct technical cooperation on the implementation of Intellectual Property Rights to improve the understanding on this issue and to reduce the pirating practices in Indonesia. Ministry of Justice and Human Right said that the ministry and the European Union had conducted some initial discussion on this. The cooperation will be for two years starting 2005.

The European Union expressed that they were interested in sending some experts on legal enforcement to give some lectures to the legal enforcers of Indonesia such as police officers, judges and attorneys. Indonesia also had been sending some experts on patents, mark and geographical indication of the Europe to learn from the experience of the continent.

2. Geographical Indications will be protected by law  
(from *Bisnis Indonesia*, 17 June 2004)

The government was going to select its top natural resources and register them as geographical indications in a bid to provide them with legal protections. According to Director General of Intellectual Property Rights Abdul Bari Azed, his directorate had assembled a team consisting of representatives of the directorate and universities to select such products.

The team would focus on three natural products: coffee, pepper, and Cilembu root. Indonesia, he added, was not experienced in geographical indication issue, although the law for protecting the products had been included in Brand law (Law No.15/2001). Given the condition, some officials of Directorate General of Intellectual Property Rights would go to France to learn about geographical indication.

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## VIETNAM

### News in June 2004

1. Trademark association meets
2. Cracks down on fake motorbikes
3. Trademark award launched

1. Trademark association meets  
(from *Asia Pulse*, 2 June 2004  
*Saigon Times Weekly*, 3 June 2004)

The Vietnam Association for Trademark Protection (VATAP) held its first meeting and appointed an executive board in Hanoi. VATAP's newly appointed chairman said the association's main objective was to unite domestic and foreign-owned firms in the fight against counterfeiting and trademark violations.

VATAP will cooperate with authorities and economic organizations to best protect its members' rights and interests. It will organize training courses and plans to publish magazines and journals to help firms and consumers learn about counterfeiting. VATAP was established in response to a rising trend in counterfeiting and trademark violations.

2. Cracks down on fake motorbikes  
(from *Vietnam News Brief Service*, 18 June 2004)

Police and market watchdogs in the central province of Ha Tinh have recently developed many operations to restrain the trade and transportation of fake motorbikes, in order to protect motorbike users' and producers' rights.

The authorities said that these motorbikes severely violated the industrial design of Japanese-invested Honda Vietnam. The authorities destroyed plastic parts, revolution counters, indicators, mud shield and others. All parts resembling the designs of the Yamaha Jupiter were dismantled and destroyed.

In Vietnam, traders of the low quality motorbikes usually apply fake decors that look similar to those on the legal producers' products. Honda motorbikes are at the top of the list of counterfeits and fakes.

3. Trademark award launched  
(from *IPR Strategic Information Database*, 24 June 2004)

The prize “Dat Viet Golden Star” 2004 was launched in Hanoi by the Central Vietnamese Young Businesses Association and the Vietnam Exhibition & Fair Centre. The prize aims to honour Vietnamese trademarks and products in the international markets and raise businesses’ awareness of strengthening competitive edge, developing trademarks in the global integration.

There were 147 trademarks and products have won the prize among 626 trademarks in 2003. This year, the awarding ceremony is expected to be held on September 1.

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## **LAO P.D.R.**

### **News in June 2004**

#### VCDs raided

*(from Vientiane Times, Lao PDR., 22 June 2004)*

A top Government official said that the authorities wanted to close the case by deporting the four, who were arrested for selling pirated VCDs, even though they were running illegal trading operations in Laos.

Foreign Ministry Spokesman explained that the decision to deport the four US citizens, all aged in their 20s, was considered the best way to solve the problem. An official who asked not to be identified said that in normal cases the accused would be charged with illegally importing commercial products and tax avoidance and could face fines and possible jail terms.

Selling films without permission from the Ministry of Information and Culture is also regarded as illegal, as the films could mislead Lao people. The US Embassy in Vientiane provided no comment on the matter saying that they had not been notified by the Lao Ministry of Foreign Affairs.

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