

Monthly Report of March 2004

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THAILAND

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1. Internet piracy

(from Krung Thep Thurakit Newspaper, IT-Internet Section, Page 8, Thailand, 1 March 2004)

BSA announced that they would arrest software piracy via Internet of Thailand-Singapore-Malaysia within 6 weeks. BSA uses "trawls" program as a search engine.

2. DIP's policy

(from Krung Thep Thurakit Newspaper, IT Section, Page 5, Thailand, 1 March 2004)

Kanissorn Navanugraha, director general of Intellectual Property Department, said this year the department would stress in 3 main subjects. First, improving service and protection of IP registration by use more computer system. Second, educating people in intellectual property. Lastly, making value with the registered products.

3. Piracy raids

(from Bangkok Post Newspaper, Home News Section, Page 5, Thailand, 2 March 2004

Krung Thep Thurakit Newspaper, Economic Commerce Section, Page 35, Thailand, 4 March 2004

The Nation Newspaper, Local News Section, Page 8A, Thailand, 11 March 2004)

Customs authorities raided video gaming equipment and illegal copied games worth about two million baht in Laksi. ECID also arrested a man with 80,000 pirated DVDs and music CDs. Lastly, police raided a shophouse in Klong San with more than 200,000 pirated CDs.

4. Positive side needs to be promoted

(from Bangkok Post Newspaper, Business Section, Page 1, Thailand, 6 March 2004)

The Thai government should equally promote the positive sides of intellectual property rights rather than just emphasizing enforcement of the law against counterfeit goods, according to a senior executive of the WIPO, Geoffrey Yu.

He said that the government should not talk about the legal obligation of intellectual property but should mention goods or services such as fashion or music and tell the public that these are the IP products. He also recommended that the Thai government seriously consider joining other international treaties, particularly the Madrid Agreement relating to the international registration of trademarks, and the Hague Agreement concerning international industrial designs.

He said the next priority for Thailand, after joining the patent-related treaties, should be to participate in the Madrid Treaty because Thailand was a big user of trademarks with around 30,000 applications for registration each year.

Mr Yu also urged Thailand to study the text and then consider signing the 45-member WIPO Internet Treaty created in 1996, as there is huge potential to offer new Thai products commercially online. Countries in Asia that have already joined the pact included Japan, Indonesia and Australia while China, South Korea, Singapore and India are seriously looking at signing the treaty.

5. Cartoon contest

(from Bangkok Post Newspaper, Database Section, Page 3, Thailand, 10 March 2004)

Intellectual property rights owners and associations have launched an “IP Family” cartoon contest. Students from high schools as well as undergraduate students are invited to participate by designing and naming a family of four cartoon characters – father, mother, son and daughter.

The last date for submissions is April 16 and the winners will be announced at the BSA 2004 Software Asset Management seminar in Bangkok. Prizes include cash, computers and original software worth around 420,000 baht.

6. Legal action on web sites piracy

(from Bangkok Post Newspaper, Business Section, Page 4, Thailand, 15 March 2004)

Tilleke & Gibbins law firm in association with investigators and police, took legal action against the owners of the above-mentioned web sites after an eight-month investigation. Police raids conducted over three days led to the arrests of four British nationals along with their Thai wives, and one Ukrainian. All had been living in Pattaya.

The raid came after international sports merchandise companies hired Tilleke & Gibbins in Bangkok to investigate the case last year. It was the first case in Thailand involving the seizure of fake goods sold on the Internet.

The law firm and brand-owning companies so far have not released estimates of the damage caused by the illicit trade. However, the attorney said that the figure would be huge because the items involved were premium goods that were sold in many countries.

7. Teams to monitor piracy doubled to four

(from Bangkok Post Newspaper, Business Section, Page 4, Thailand, 15 March 2004)

The number of watchdog teams aimed at curbing piracy has recently been doubled to four units. Kanissorn Navanugraha, director general of DIP, said the teams would not only work to suppress piracy on products from the West but also Asian goods, particularly those from Japan where piracy of local products was increasing.

He noted that despite Thailand's strong effort to crack down on piracy, the United States had remained dissatisfied with the progress made. Washington is pushing for Thailand to take more stringent action against piracy such as what was seen during the APEC meeting, held in Bangkok last October, he added.

Thailand and the United States will begin official talks on setting up a bilateral free trade area agreement in May and intellectual property rights will be one of the issues under discussion.

8. Collateral asset for OTOP/software

(from Post Today Newspaper, Business Market Section, Page B1, Thailand, 15 March 2004)

DIP plans to hold the road show about intellectual property collateral asset in 6 provinces to encourage the private sector to register their intellectual property especially OTOP products.

9. Law enforcement set to be more effective

(from Bangkok Post Newspaper, Business Section, Page 5, Thailand, 18 March 2004)

The Intellectual Property Department expects more effective law enforcement against counterfeit goods now that measures to improve the efficiency of the Justice Ministry's Special Investigation Unit have begun bearing fruit, according to the department's director general Kanissorn Navanugraha.

He said the unit would soon have expanded powers to investigate infringement of intellectual property rights, particularly copyright. The special unit will also assist in forensic testing to identify the original manufacturer of pirated optical disks.

The department has co-operated with copyright owners in collecting 90% of the moulding patterns of registered machines in the country.

Effective law enforcement is part of the Ministry of Commerce's fight against piracy, which also aims to show countries like the United States that Thailand is taking action against violators of intellectual property rights.

He said the US was waiting to see if Thailand would pass the proposed Optical Disk Control Law, which is expected to be approved in the next parliamentary session.

10. Innovators to meet investors in intellectual property fair

*(from Krung Thep Thurakit Newspaper, Economic Commerce Section, Page 35, Thailand, 16 March 2004
Thai News Service, 19 March 2004)*

The Intellectual Property Department plans to hold a major exhibition in which innovators and investors will be able to meet and negotiate business. DIP director general Kanissorn Navanugraha said that the agency would host the so-called IP fair later this year, where innovators who have based their inventions on indigenous knowledge and talents will meet with investors, both domestic and foreign.

In the IP fair owners of patents, copyrights and other intellectual property will be introduced and encouraged to do business with their works.

11. SMEs lack knowledge of IP rules

(from The Nation Newspaper, Business Section, Page 6B, Thailand, 19 March 2004)

Many local businesses and institutions are not in a position to benefit from intellectual property because of their lack of knowledge of the regulations, a copyright lawyer said. Thai SME entrepreneurs did not realize or know how to exercise their rights when their products were being copied or violated. The reason for lack of knowledge or negligence of IP among SMEs is the cost it adds to a business. However, investment in obtaining trademarks, patents and copyrights to protect their products would give them a business advantage in the long term.

12. Pirated goods destroyed on eve of trade talks with US

*(from Bangkok Post Newspaper, Home News Section, Page 2, Thailand, 21 March 2004
Post Today Newspaper, Today's News Section, Page A3, Thailand, 21 March 2004)*

More than one million pirated goods were destroyed in Bangkok before free trade talks open with the United States. Steamrollers, knives and spray paint were used to destroy 1.18 million fake goods confiscated in a year-long piracy crackdown, including music CDs and movies DVDs, soft toys, brand name bags, designer clothing, and watches.

The fake items had a street value of 142.5 million baht.

13. Trademark violation

(from Bangkok Post Newspaper, Thailand, 22 March 2004)

Police investigators recently raided a company and warehouse in Bangkok and seized 10 tones of illegal welding electrodes for alleged trademark violations of the rights of Kobe Steel. The package designs of the infringing products are substantially identical to the packaging of genuine Kobe Steel products, in respect to colours, marking, trademarks and the overall layout of distinctive characters and stripes on the packaging.

If found guilty, they could be punished with up to two years' imprisonment and/or fines of up to 200,000 baht.

14. Intellectual property vs. FTA

*(from Bangkok Post Newspaper, Business Section, Page 1, Thailand, 20 March 2004
Bangkok Post Newspaper, Business Section, Page 3, Thailand, 23 March 2004
The Nation Newspaper, Business Section, Page 4B, Thailand, 23 March 2004
Matishon Newspaper, Thailand, 23 March 2004)*

There are two opposing viewpoints concerning the Thailand-US FTA: one is that the FTA would be disadvantages to Thailand because the US demands the protection for US intellectual property, length of rights, and patent. As an example, if Thai trade names happen to resemble Americans, Thai owners have to change the brand names no matter what.

The other is that intellectual property assets are very valuable and profitable. For instance, Marlborough cigarettes will gain some interest from its consumers. Intellectual property will add value and revenue to a company. That explains why we should protect the intellectual property assets, both tangible and intangible. The protection must cover the assets globally, to ensure that there would not be competitors from another countries.

15. Call for ISPs to help police net piracy

*(from Post Today Newspaper, Business Market Section, Page B1, Thailand, 20 March 2004
Bangkok Post Newspaper, Database Section, Page 3, Thailand, 24 March 2004)*

Intellectual Property Association of Thailand (IPAT) president Dhiraphol Suwanprateep suggested the ICT Ministry make Internet Service Providers (ISPs) responsible for cases of software copyright violations, saying that ISPs were not just a network provider. They also had information and records and so could know what was happening and able to help reduce much of the problem.

He said that high-speed networking would herald a new era of software that would be not be distributed on CD-ROM, and which would shift to a form of renting rather than sales.

16. Commerce backs IP

(from The Nation Newspaper, Business Section, Page 4B, Thailand, 30 March 2004)

Deputy Commerce Minister Pongsak Ruktapongpaisal said trademark and brand registration was an important strategy to create added value to Thai export products and to help sales in foreign markets.

He said having brand names registered according to the regulations of each market – such as the EU, US and Japan – would help exporters profits, as sales would not be distorted by piracy. With products registered as intellectual property, exporters can gain greater access to the EU's existing 15-member countries and the 10 countries joining the bloc on May 1, he said.

17. Intellectual property piracy

(from Post Today Newspaper, Business Market Section, Page B3, Thailand, 26 March 2004)

Deputy director general of DIP said that after set more team to raid intellectual property piracy they seized more counterfeit products. In February, seized 4,746 counterfeit products. In March (until 24 March), seized 24,002 items. Almost is trademark piracy of fashion products.

PEOPLE'S REPUBLIC OF CHINA

News in March 2004

1. Japan firm to help copyright applications in China
2. Campaign for Karaoke Bars
3. IP seminar in Beijing
4. Benefit from patents application
5. First Trademark Dictionary
6. Intellectual property fund
7. Apple computers sues
8. Trademark dispute
9. Crack down on intellectual property rights violations
10. New alliance to battle pirates
11. Patent applications in China exceed 2m
12. Japan, China join forces to fight motorcycle piracy
13. US wants China to buy its software in piracy fight
14. Legal action at WTO
15. French firm loses court fight over 'croc' logo
16. Japan urges China to take tougher line on pirated goods
17. Intellectual property rights for Olympic
18. Honda sues China over car design

1. Japan firm to help copyright applications in China
(from Jiji Press, 2 March 2004)

Japan's International Patent Trading Co. said that it will launch a service to help Japanese firms file for copyrights for product designs and other intellectual property in China. Companies doing business in China, including Japanese companies, could unexpectedly face legal disputes if they fail to manage their intellectual property appropriately and make adequate copyright filings.

2. Campaign for Karaoke Bars
(from Associated Press Newswires, 3 March 2004
San Jose Mercury News, 3 March 2004
Economist Intelligence Unit, 16 March 2004)

Recording companies including Time Warner and EMI are launching a campaign to force thousands of Chinese karaoke bars to start paying for the tunes their patrons croon to. The move by 49 foreign and Chinese firms marks the start of a new battle over rampant piracy in China of movies, designer fashions and other intellectual property.

3. IP seminar in Beijing
(from SinoCast China Business Daily News, 3 March 2004)

China has decided to hold the 2004 Summit Forum on Corporate Intellectual Property in Beijing on April 26, the fourth World's Intellectual Property Right Day. Government officials will provide the latest policy report. Economists and authorities of intellectual property from the US, Japan, and Europe will be invited to give keynote speeches and analysis of intellectual property disputes.

4. Benefit from patents application
(from SinoCast China Business Daily News, 3 March 2004)

News from the college students' designing works contest in Guangzhou that students applying for patents can avoid as much as 75% application fees. That is to say, a student needs only an acceptance charge of CNY125 for a patent.

Students from seven universities attended the contest. 250 students created 182 pieces of works concerning instruments of their study and life.

5. First Trademark Dictionary

(from *SinoCast China Business Daily News*, 4 March 2004)

The first trademark reference book, *China Trademark Dictionary*, will hit the shelves recently. China Trademark Association (CTA) and China Ethnic Publishing House (CEPH) jointly compiled this dictionary. It is the first reference book that reflects the present situation of Chinese trademarks and collects paraphrases of trademarks in China.

This dictionary collects about 10,000 terms of famous trademarks, which are recognized by the State Administration for Industry and Commerce (SAIC) of PRC or recognized by local administrations of industry and commerce.

There are over 2 million Chinese words in the dictionary. Each term includes design of the trademark, the registered person, approved use arrange, and paraphrase of the trademark.

6. Intellectual property fund

(from *SinoCast China Business Daily News*, 8 March 2004)

The Shanghai Municipal Government announces that Shanghai plans to set up a government intellectual property fund, dedicated to protecting intellectual property rights in China, and encouraging innovation in Chinese companies.

The intellectual property fund is mainly tailored to companies in manufacturing and service industries, and is expected to finance these companies in the R&D of new and practical inventions, although all companies in Shanghai that own new patents, or have made achievement in safeguarding intellectual property rights can apply for the fund from the Shanghai Municipal Government.

7. Apple computers sues

(from *AFX Asia*, 10 March 2004

China Daily, 10 March 2004

Business Daily Update, 10 March 2004)

Apple Computer Inc has launched legal action against the trademark appraisal committee of China's State Administration for Industry and Commerce, after an application to register its trademark logo for a clothing range was rejected.

The committee rejected the application in June last year, saying Apple Computer's logo is similar to a clothing trademark registered by Guangdong Apples Industrial Co. Lawyer for Apple Computer allege that Guangdong Apples is infringing the computer company's trademark as it also uses an apple logo.

8. Trademark dispute

(from *Xinhua Financial Network News*, 10 March 2004

SinoCast China Business Daily News, 11 March 2004

Shanghai Daily, 11 March 2004)

The Shanghai No. 2 Intermediate People's Court has rejected an appeal from Xiamen Overseas Electronic Co. The company accused Sichuan Changhong Electric Co Ltd of infringing its exclusive use of the registered CHDTV trademark by printing the letters on its products, packaging boxes and pamphlets. Sichuan Changhong argued the logo printed on the top of its televisions and the packaging box is an "arc," plus the letter "HDTV," which is accepted globally as the name for high definition televisions.

9. Crack down on intellectual property rights violations
(from *BBC Monitoring Asia Pacific*, 13 March 2004)

Customs officers in north China's Tianjin Municipality have extended cooperation with foreign counterparts to strengthen protection of intellectual property rights, said an official with Tianjin Customs. Tianjin had handled 22 cases concerning intellectual property rights violations last year.

Tianjin Customs paid special attention to protect intellectual property rights on imported and exported goods, as well as China's foreign-funded enterprises. Tianjin also extended cooperation with foreign counterparts, having successfully cracked down international cases of intellectual property rights violations last year. The protection of intellectual property rights was conducive to the development of Tianjin's foreign-funded enterprises and transnational groups, creating a good environment for the municipal foreign trade market, he said.

10. New alliance to battle pirates
(from *The Standard*, 16 March 2004)

A new international anti-counterfeiting alliance aims to stop fake products leaving China and stem the damage done to a company's reputation and brand name. The Total Brand Solutions alliance combines the intelligence and analytical methods and global reach of International Risk with the raid capacity and local knowledge of Marksman Consultants.

Marksman Consultants chairman Joseph Tsang said his 60-odd staff of former police and customs officers, investigators and surveillance experts are spread throughout China's main cities working against intellectual property violations.

11. Patent applications in China exceed 2m
(from *Business Daily*, 18 March 2004
Asia Pulse, 18 March 2004)

The total number of patent applications in chain has exceeded 2 million since the Patent Law took effect on April 1, 1985, the State Intellectual Property Office announced. The number of patent applications in China had jumped to 1 million by January 11, 2000, growing at a rate of 17.3 per cent on an annual basis. More notably, since early 2000, the number of new applications has snowballed by 23.1 per cent year on year, and hit another 1 million within four years.

12. Japan, China join forces to fight motorcycle piracy
(from *Jiji Press News Service*, 19 March 2004)

The Japan Automobile Manufacturers Association and China's auto industry group established an arbitration institution in Beijing to handle disputes over Chinese-made copycats of Japanese

motorcycles. The institution is the first arbitration body created between the two countries to specialize in intellectual property rights protection.

The new institution will enlist the help of the China Council for the Promotion of International Trade and other organizations to carry out arbitration procedures. Some 100 officials, including two Japanese, from the motorcycle industry and the legal community will be in charge of investigations.

13. US wants China to buy its software in piracy fight

(from Reuters News, 24 March 2004)

The Bush administration is pushing China to announce concrete action this spring to crack down on copyright piracy and buy US software to replace illegal copies used by Chinese government agencies, US government and industry official said.

US officials had hoped Chinese Premier Wen Jiabao would announce action to fight piracy of movies, music, books and software when he visited Washington in December. Although Wen failed to deliver, the two countries agreed to elevate a bilateral panel known as the Joint Commission on Commerce and Trade to cabinet level to deal with the increasingly sensitive US-China trade relationship.

14. Legal action at WTO

(from AFX UK Focus, 26 March 2004)

China could face more legal action at the WTO if it does not tackle the problem of rampant counterfeiting and piracy, US Trade Representative Robert Zoellick said. Last week, the US became the first country to file a formal complaint against China at the WTO because of the preferential tax treatment Beijing gives domestic semiconductor manufacturers.

Zoellick said the US is willing to use “sticks and carrots” to enforce China’s commitments to the WTO, including product specific safeguards, anti-dumping provisions and taking action under international trade rules.

15. French firm loses court fight over ‘croc’ logo

(from Bangkok Post Newspaper, Business Section, Page 2, Thailand, 27 March 2004

The Straits Times Newspaper, Singapore, 27 March 2004

Business Times, Singapore, 27 March 2004

Krung Thep Thurakit Newspaper, World Business Section, Page 37, Thailand, 30 March 2004)

Lacoste, the French retailer of polo shirts with a crocodile emblem, said the loss of a trademark suit in Shanghai against long-time rival crocodile International would have no impact on its China operations.

The Shanghai No. 2 Intermediate People’s Court ordered Lacoste to stop using the left-facing crocodile logo, make a public apology and pay the Singapore-based shirt maker one dollar in compensation, said Tao Xinliang, an attorney for Crocodile International.

Crocodile International claims it was the first to design the trademark in 1947 with the English word “crocodile”. Lacoste, a unit of France’s Devanlay SA, claims that French tennis legend Rene Lacoste registered the logo in 1933 and put the toothy reptilian emblem on his own line of sports clothing.

Lacoste’s representatives told reporters in Singapore that the Shanghai verdict was irrelevant, saying it referred to a variant of the logo they had registered in China but never intended to use. The complex legal battle centers on Lacoste’s general legal right to use a right-facing crocodile while Crocodile International has the rights to a left-facing one. But Lacoste registered a left-facing crocodile in China in 1995, which Shanghai case passed judgment on.

Lacoste has also sued Crocodile International and its partners –Shanghai Oriental Cartelo Apparel Co and Beijing Hualian Department Store Shareholding Co – for trademark infringement in Beijing. The case, which was accepted by the Beijing No. 2 Intermediate People’s Court last October, has yet to be heard.

16. Japan urges China to take tougher line on pirated goods

(from Financial Times, 30 March 2004)

Japan’s trade ministry urged China to take stiffer measures to control piracy, saying that routine theft of intellectual property had shown no sign of abating in the past 12 months. About half of all illegally copied products, including CDs, DVDs and a range of other goods, came from China.

Japanese officials in China say the government in Beijing has become more serious about protecting intellectual property, having realized that a culture of piracy is damaging some of its own industries, including film. However, government agencies dealing with piracy were understaffed, Japanese officials said. They also found it difficult to implement policies in inland China where local bureaucrats were less sensitive to the issue, they said.

17. Intellectual property rights for Olympic

(from Interfax China Business News, 30 March 2004

Associated Press Newswires, 30 March 2004

The Canadian Press, 30 March 2004

China Daily, 31 March 2004)

The Beijing Intellectual Property Office in cooperation with the Administration of Industry and Commerce, and law enforcement agencies are strengthening efforts to protect intellectual property rights relating to the 2008 Olympic Games.

Related government bodies in Beijing have been working extensively to develop regulations to protect the emblem and logo of the 2008 Beijing Olympic Games and other related intellectual property rights.

18. Honda sues China over car design

(from Reuters News, 31 March 2004)

Honda Motor has filed a piracy suit against a small Chinese auto maker alleging the latter had copied the design of its CR-V cross-over vehicle. Since 1997, Honda has filed 18 other lawsuits

over piracy, copyright infringement and other violations for its motorbikes and auto parts, but this would be its first involving a car.

Foreign auto makers are racing to get ahead in China, where sales almost doubled last year to two million cars, but have faced threats of intellectual property theft and problems of copycat cars.

HONG KONG

News in March 2004

1. Patent and design registration fees cut
2. EU presses Hong Kong on copyright
3. Experts to share views on copyright protection in digital era
4. HK promoted as shopping paradise for genuine goods

1. Patent and design registration fees cut
(from *South China Morning Post*, 12 March 2004)

Registration fees for patents and designs will be slashed by more than 80 per cent to less than \$1,000, a move which the government says will benefit the business sector. Fees for standard patents will be reduced from \$5,340 to \$896, while short-term patents will cost \$823, down from \$4,070. The cost of registering a design will fall from \$3,420 to \$940.

Based on full cost recovery, the new fees for patent and design registration will generate only an annual \$15.8 million in revenue, almost half of the \$30.1 million under the old charging regime.

2. EU presses Hong Kong on copyright
(from *Business and Finance Daily News Service*, 12 March 2004
AFX International Focus, 12 March 2004
South China Morning Post, 13 March 2004)

The European Union's trade chief said he will urge Hong Kong to tighten up on copyright and intellectual property rights infringements. Trade Commissioner Pascal Lamy said the EU is concerned too many pirated goods are passing through the entrepot's ports and into the European bloc.

Hong Kong remains one of the few trade partners with whom one has to search long and hard to find bilateral trade problems. But piracy is a blot that needs immediate attention. But he said piracy is a blot that needs immediate attention. They want to see something done about this.

3. Experts to share views on copyright protection in digital era
(from *Xinhua News Agency*, 15 March 2004)

A symposium on the protection of copyright in the digital era opened in Hong Kong. Over 250 representatives from government and educational institutions and copyright experts from the Asia-

Pacific Region will exchange their views on the importance of seeking a balance between the protection of copyright and the scope of public access to information in the digital era.

Stephen Selby, director of intellectual property in HK's Intellectual Property Department, said that digital media and the Internet are becoming increasingly important in academic research and publication.

The two-day symposium is organized by the WIPO in cooperation with the Intellectual Property department.

4. HK promoted as shopping paradise for genuine goods
(from Xinhua News Agency, 22 March 2004)

The Hong Kong Special Administrative Region (HKSAR) government will spare no effort in promoting Hong Kong as a "shopping paradise for genuine goods". Hong Kong had established a robust regime in intellectual property protection.

Piracy was firmly under control and there had been a reduction of more than 90 per cent in pirated CDs. The two major initiatives under the campaign are the "No Fakes" Pledge Scheme by the IPD and the "Intellectual Property Rights Protection Alliance" established by the Customs in conjunction with the copyright and trademark industry.

MALAYSIA

News in March 2004

Malaysia all out to stop piracy
(from The Malay Mail, 8 March 2004)

The Domestic Trade and Consumer Affairs Ministry enforcement director-general Abdullah Nawawi Mohamed said the division was committed in stopping the export of pirated wares. The Ministry was monitoring and inspecting shipments leaving the country, particularly through the Kuala Lumpur International Airport (KLIA) and the Penang airport.

SINGAPORE

News in March 2004

Local plant breeders to get intellectual property protection
(from Channel News Asia, 29 March 2004)

Local plant breeders who come up with new varieties of plant species can soon obtain intellectual property protection for them because the Intellectual Property Office of Singapore is proposing a Plant Varieties Protection Bill.

The plant species to be covered under the Bill include eight types of orchids, five sorts of ornamental and aquatic plants, and two kinds of local vegetables. The proposed Bill is part of a comprehensive review of Singapore's intellectual property laws to bring it more in line with international practices.

The review is also to ensure Singapore's laws meet US requirements, following the free trade pact between the two countries. Other proposed changes to Singapore's intellectual property laws include extending copyright protection from 50 to 70 years after the death of the creator of a piece of work.

INDONESIA

News in March 2004

1. Commercial Court earns praise in copyright cases
2. USTR urged to place Indonesia to "Priority Watch List"
3. Syndicate of cement mark counterfeiter was arrested

1. Commercial Court earns praise in copyright cases
(from *The Jakarta Post Newspaper, Indonesia, 16 March 2004*)

The Jakarta Commercial Court has earned the respect of the business sector for clear-cut, appropriate rulings and the rapid processing of copyright and trademark cases over the past three years. This has led to an increasing number of copyright and trademark cases being filed with the court by foreign companies against locals accused of pirating patented and registered products.

The lawyer said that such verdicts increased companies' trust in the court, encouraging them to file suit. Records from the court – which was established in 1998 but began trying copyright cases in 2001 – show an increasing number of copyright and trademark cases was filed over the past three years.

After a slow start in 2001, with only 11 cases, the number of lawsuits filed jumped to 63 cases in 2002 to 84 cases in 2003. The court handled 13 cases in January 2004 alone.

2. USTR urged to place Indonesia to "Priority Watch List"
(from *Bisnis Indonesia, Indonesia, 25 March 2004*)

International Intellectual Property Alliance (IIPA) urged United States Trade of Representative (USTR) to place Indonesia at the priority watch list of the organization as the piracy on intellectual property rights in the country is still significant. Indonesia is still facing some serious problem on piracy. Even the alliance said that the piracy rate in the country is among the highest in the world.

The findings of IIPA said that there has been lots of relocation of optical industries such as on CD, DVD and VCD from other countries to Indonesia. Every April USTR evaluates its trading partners on how the partners have been dealing with the property rights. Up to now Indonesia is still on priority watch list.

3. Syndicate of cement mark counterfeiter was arrested
(from *Suara Pembaharuan*, Page 19, Indonesia, 25 March 2004)

The counterfeiter syndicate of Tiga Roda and Semen Kujang Cement mark were arrested by Bogor Regional Police. From four package factory location owned by three main suspects, and two stores which sell the cement product, the police confiscate 1.996 sack counterfeit cement, silo for cement storage, and castoff cement bag.

This counterfeiting was revealed by report of Tiga Roda and Kujang cement factory. They had a financial loss and their trademarks were taken by the suspects.

VIETNAM

News in March 2004

Trademark award by WIPO
(from *Asia Pulse*, 4 March 2004)

Kymdan's latex mattresses have been selected as the winner of the WIPO 2003 prize, awarded annually to a Vietnamese firm with a successful trademark. The fund picked Kymdan for meeting standards required by WIPO.

Those included applying intellectual property effectively in production, protecting its intellectual property locally and internationally, ensuring quality and implementing environmental protection initiatives.

WIPO awards aim to stimulate enterprises and economic groups' inventive and innovative activities worldwide, particularly in developing countries.
