

Monthly Report of March 2006

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THAILAND

News in March 2006

1. Hong Kong, Thailand customs decide to strengthen cooperation
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3. Patent registration for Thai tradition medicine
4. Agreement on innovation and IPRs

1. Hong Kong, Thailand customs decide to strengthen cooperation
(from *Xinhua's China Economic Information Service, 2 March 2006*)

Hong Kong and Thai customs authorities signed a document on March 1 to strengthen cooperation in fighting transnational crime. Hong Kong Commissioner of Customs and Excise Timothy Tong and Thai Customs Director-General Sathit Limpongpan signed the document.

The arrangement marks the will and commitment of both administrations to fight against smuggling, drug

trafficking, and protect intellectual property rights. Hong Kong has so far signed similar agreements with New Zealand, Australia, the United Kingdom, the United States, France, Belgium, Canada, India and South Korea.

2. IP violations raise hackles
(from *The Nation Newspaper, Business Section, Page 1B&6B, Thailand, 7 March 2006*)

The US-based International Intellectual Property Association (IIPA) has asked the Office of the US Trade Representative to downgrade Thailand from a "watch list" to "priority watch list" country due to the increasing volume and value of counterfeit products.

The association reported that violations in Thailand caused American companies to lose more than Bt10 billion last year. A source at the Commerce Ministry put a higher price tag on the problem, saying that the US lost a total of \$308 million - or Bt11.9 billion - from patent and copyright infringements in Thailand last year.

In addition, US losses from such violations in 68 problem countries reached \$15.8 billion last year. The source added that the IIPA demanded in its letter sent to the trade representative's office to downgrade Thailand because its survey showed that copyright violations in Thailand are climbing. In addition, Thailand is a manufacturing base for counterfeit products that are exported to neighbouring countries.

The trade representative is currently reviewing the status of 68 countries that it's closely monitoring for copyright violations. If a country is downgraded to PWL, the US can cut tax privileges on its exports under the generalised system of preferences.

The IIPA also urged the 68 countries to intensely suppress pirated goods.

The source added that the US had already complained about copyright violations of its textbooks. The US has found that violations in Thailand have expanded into satellite signals, cable television, and the Internet. In 2005, there were 8,915 cases of software infringement in the Kingdom, compared to 1,304 in 2004.

The government should create stringent protection measures to control the imitation of products, particularly by targeting manufacturers and retail stores, the letter stated. Most of the violations concerned VCDs, DVDs, software and textbooks.

3. Patent registration for Thai tradition medicine (from *Thai News Service*, 21 March 2006)

Practitioners of Thai traditional and herbal medicine will be able to register their medical formulae and practices to protect Thai intellectual property.

The Cabinet on March 14 approved in principle the draft Public Health ministerial regulation concerning registration of patents for Thai traditional medicine, to be issued in accordance with the Act on the Protection and Promotion of Intellectual Property in Thai Traditional Medicine B.E. 2542 (1999).

The ministerial regulation defines methods and conditions in the registration of patents for Thai traditional medicine, including qualifications of applicants, contents in the applications, qualifications of certifying agencies, certifications, inheritance of patents in case of death, qualifications and methods in applying and permitting the use of registered formulae and practices, and methods in revoking the permission.

The Department of Intellectual Property, Ministry of Commerce, also reported that such registration of patents for Thai traditional medicine would not need to be in compliance with the Paris Convention for the Protection of Industrial Property, which covers new inventions and unfair competition, as Thai traditional medicine already exists, so it is not industrial property.

4. Agreement on innovation and IPRs (from *Thai News Service*, 23 March 2006)

The Commerce Ministry will coordinate with the Ministry of Science and Technology in signing an agreement on innovation and intellectual property rights for development of Thai business.

Commerce Minister Preecha Laohapongchana revealed that today the two ministries will sign an agreement on innovation and intellectual property rights for development of Thai business, adding that it will help boost the sale values for Thai products. He said that the related agencies, which are the National Science and Technology Development, the National Innovation Agency, and Intellectual

Property Department, the Department of Export Promotion, and the Department of Business Development, will set up an IT center. He said that the five agencies will jointly innovate a product and register the product domestically and internationally, while a market will be expanded to find strong entrepreneurs with high potentials. He said that financial institutions will be asked for support.

MALAYSIA

News in March 2006

1. Using intellectual property to protect inventions
(from *Bernama Daily Malaysian News*, 2 March 2006)

Inventors and scientists are advised to register their inventions as intellectual property (IP) to protect the rights and value.

"The registration for IP should be more efficient in order to encourage more people to get involved in this area. This is important because they used energy, time and money to come up with new inventions," Deputy Science, Technology and Innovation Minister Datuk Kong Cho Ha told a press conference here.

Earlier, he launched the new Innovative Products Award logo for the International Invention, Innovation, Industrial Design and Technology Exhibition (ITEX 2006). Kong said his ministry recently set up the Strategic and Commercialisation Department to help fund research for commercialisation which included IP.

At present, the IP registration comes under the Domestic Trade and Consumer Affairs Ministry, he said. Meanwhile, ITEX 2006, which will be held at the Kuala Lumpur Convention Centre from May 19 to 21, is expected to attract 10,000 visitors compared with about 8,000 visitors last year.

Tan Sri Dr Augustine S.H. Ong, president of the Malaysian Invention and Design Society (MINDS) which is organising the exhibition, said it is targeted at universities, research and development institutions, individual inventors and corporate organisations to display their inventions, new technologies and products.

Ong said the event is also a platform for inventors to win awards and a gateway to link Malaysian inventors to international invention and innovation exhibitions.

2. Malaysia, US to launch FTA talks
(from *Business Times*, 9 March 2006)

Malaysia and the US announced plans to launch negotiations for a Malaysia-US Free Trade Agreement (FTA) that will pave the way for stronger investment and trade ties between the two countries.

The Malaysia-US FTA negotiations are expected to focus mainly on liberalisation of trade in goods, services and investment, including flexibilities and longer phase-in period for sensitive sectors, and promote and facilitate trade and investment flows," the statement said.

Talks will also look at cooperation to address impediments to trade in the areas of intellectual property rights, standards, and conformance and development of Mutual Recognition Arrangements. Malaysia and the US will also seek to collaborate to enhance competitiveness in specific sectors such

as tertiary education, healthcare and tourism, and capacity building and technical assistance of Malaysian small- and medium-scale enterprises.

3. M'sian & EU experts to deliver talks on IPR
(from *Bernama Daily Malaysian News*, 11 March 2006)

Experts from Malaysia and other Asean countries as well as Europe in the area of Intellectual Property Rights (IPRs) are expected to deliver their views on the subject at a two-day seminar here, beginning on March 13.

The seminar "IPR Seminar: Empowering Small and Medium sized Enterprises (SMEs)" under the EU-funded EC-ASEAN Intellectual Property Rights Co-operation Programme (ECAPII), is being jointly organised by the EU-Malaysia Chamber of Commerce and Industry (EUMCCI) and the Malaysian Intellectual Property Office (MyIPO).

The event would see over 200 influential business leaders, regulators and researchers exchanging ideas with experts from the European Patent Office (EPO), the Office for Harmonisation in the Internal Market (OHIM) as well as Malaysian and ASEAN IP-related offices.

This regional seminar will offer an open business platform between ASEAN and EU key stakeholders.

In addition, EU and ASEAN SMEs and IP-related institutions will showcase their activities and organisations in an exhibition to be held alongside the event. Touching on the benefits to SMEs, SMEs were major driving forces in developing a country's industry, business and economics.

SMEs dynamic development also attracts foreign investment and boosts national exports. Many SMEs however are unaware of the benefits that IPRs can bring such as safeguarding their products, inventions and IP related assets.

SINGAPORE

News in March 2006

1. S'pore punching way above its weight in patents
2. IP forum to be held here in August
3. Singapore firm criminally charged in landmark copyright case
4. Singapore hosts WIPO conference on revised trademark treaty
5. Revised trademark treaty may cover sounds, smells
6. Trademark treaty named after S'pore

1. S'pore punching way above its weight in patents
(from *Business Times Singapore*, 6 March 2006)

Singapore is well on the way to achieving its goal of becoming a knowledge hub. The number of US patents granted to locally based inventors has almost tripled in the past five years to 3,913 at end-2005 - up from just 1,370 at end-2000 and a meagre 427 at end-1995.

The figures - culled from the US Patent and Trademark Office database by the National University of Singapore's Entrepreneurship Centre - cover patents for which at least one co-inventor is resident in Singapore. In terms of US patents granted per 10,000 people, Singapore is outshining much bigger and established countries.

In South-east Asia, Singapore has almost 28 times more patents per 10,000 people than Malaysia, with 0.04, and about 15 per cent more than South Korea with 0.96. But Singapore still lags research giants such as the US, with 3.18 patents per 10,000 people, and Japan with 2.91.

In sheer numbers of patents held, the US and Japan are way ahead of the rest of the world. US-based inventors were granted 96,394 US patents in 2004 alone, while those in Japan received 37,616 patents. But still, Singapore is punching way above its weight as the government continues its drive to transform the island into a 'clever country'.

2. IP forum to be held here in August
(from *Business Times Singapore*, 7 March 2006)

Singapore looks set to take centre stage for one of the largest gatherings of the world's leading figures in intellectual property (IP) when the country plays host to the inaugural Global Forum on Intellectual Property (GFIP) in August.

Organised by the IP Academy, a national agency launched in 2003 to help deepen and broaden Singapore's knowledge and capabilities in IP protection and management, the forum will see global IP experts converge here for what is said to be the first multi-disciplinary IP Forum in the Asia-Pacific region.

The forum will examine how the region's expanding economies - led by China, India and the Middle East - will exert an increasing influence on global IP creation, protection, exploitation and management for multinational companies and other global organisations.

The two-day event, on Aug 21-22, will feature an international line-up of more than 30 speakers from diverse market segments and disciplines.

3. Singapore firm criminally charged in landmark copyright case
(from *Agence France Presse*, 10 March 2006)

An interior design firm caught using pirated software has become the first company in Singapore to be criminally charged under tougher copyright laws, court documents showed.

Police lodged criminal charges against PDM International Pte Ltd before a district court Thursday after discovering 51 pieces of illegal Microsoft, Adobe and Autodesk software installed in the company's computers.

Media reports said police raided the company's premises last September after getting a tip-off from the industry organisation Business Software Alliance, which offers rewards of up to 20,000 Singapore dollars (12,300 US) to informers.

While no officials of the firm were charged, the company could be fined 20,000 Singapore dollars if convicted. It was the first time in Singapore that a company had been hauled to court to face criminal charges for copyright infringement under tougher laws aimed at protecting intellectual property.

In a move to boost its status as a research and development hub, Singapore last year amended the Copyright Act to make the use of pirated software "for commercial advantage" a criminal offence. This allowed police to take action against suspected violators.

4. Singapore hosts WIPO conference on revised trademark treaty
(from *Agence France Presse*, 13 March 2006)

A conference that aims to revise a key international trademark treaty was to open in Singapore.

Diplomatic delegates from the 183 members of the World Intellectual Property Organization (WIPO), a United Nations agency, gathered for the conference on the adoption of a revised trademark law treaty, WIPO and the Singapore government said in a joint statement.

Observers from the branded goods industry and the trademark profession will also attend the three-week conference which is expected to conclude with adoption of a new international treaty of particular significance to brand-owners, the statement said.

"As trademark rights are secured through registration, it is important to have harmonized rules in this area," WIPO's director general, Kamil Idris, said in the statement.

"By agreeing to common standards, member states establish greater certainty and this will bring down transaction costs for all economic operators that are seeking to protect their brands."

Idris said the revised Trademark Law Treaty will enhance legal security for intangible assets as member states commit to adopting simplified and internationally harmonized administrative rules for trademark protection.

"Being the first in Asia, this diplomatic conference is significant not just for Singapore but for the region as well," Singapore Deputy Prime Minister and Minister for Law, S. Jayakumar, said.

Geneva-based WIPO administers 23 international treaties dealing with different aspects of intellectual property protection including trademarks, patents and other industrial property as well as the copyright of films, music and other works.

The Trademark Law Treaty was concluded in 1994 with a view to simplifying administrative procedures relating to national and regional trademark applications and the maintenance of trademark registrations. Thirty-three countries are members of the treaty.

5. Revised trademark treaty may cover sounds, smells
(from Reuters News, 14 March 2006)

The World Intellectual Property Organization (WIPO), a United Nations agency, plans to tackle new types of trademark protection for holograms, sounds and smells when it revises a 1994 treaty on global trademarks in Singapore.

More than 400 policymakers and intellectual property rights experts are meeting in Singapore to discuss revising the trademark treaty, the first time WIPO has held an intellectual property conference in Asia. The talks started on Monday and will last for about three weeks.

"The treaty sets a framework for defining the reproduction of non-visible signs -- audio signs such as the MGM lion's roar, or a smell mark, the scent for a given product," Marcus Hopperger, Director of the WIPO's trademark and law division, told Reuters on Tuesday.

These types of "non-traditional" trademarks have become more and more frequent, Hopperger said, but they are far from being universally accepted for registration.

Hopperger said that, for example, a recent application filed in the European Union for trademark registration for the smell of freshly cut grass used on tennis balls was rejected because the description of the smell was too vague.

"The trademark needs to be sufficiently distinctive," Hopperger said.

Companies can apply through WIPO's treaty for international trademarks to protect an invention in several countries at once. If ratified, the treaty -- which was signed by 33 member countries -- would simplify the application process for filing national and regional trademark licenses and introduce features such as electronic filing.

Ernesto Rubio, WIPO's Assistant Director General, said he was optimistic that more countries would sign the revised treaty, but declined to say who or how many. However, a burst of patents in China, South Korea and Singapore last year was a sure sign that patent protection was growing in importance, Rubio said.

6. Trademark treaty named after S'pore
(from *TODAY, Singapore, 29 March 2006*)

Yesterday marked the conclusion of a two-and-a-half week diplomatic conference on trademark law that resulted in a revised international treaty named after host country Singapore. Held by the World Intellectual Property Organization (WIPO), the conference was the first of its kind in Asia.

Called the Singapore Treaty on Law of Trademarks, the treaty simplifies and standardises procedures to be followed by national and regional trademark administration authorities. The changes also lower transaction costs for trademark applications.

The Singapore Treaty covers trademark registration and maintenance, electronic filing of trademarks, recording of licences and implementation of relief measures when time limits are missed.

The conference ended with a symbolic signing of the treaty by 41 countries, including the United States, United Kingdom and France. The treaty remains open for signing by interested countries until Mar 31 next year. Singapore is not currently a member of the treaty.

PHILLIPPINES

News in March 2006

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1. Copyright taught in schools
(from *Manila Standard, 1 March 2006*)

Intellectual property rights will be taught as a subject to all fourth year students in public high schools starting next year, an official said.

Dennis Gonzalez, chairman of the National Book Development Board, said the Bureau of Secondary Education had agreed to the board's request to include copyright and intellectual property rights" in the list of standard competencies for high school economics.

"This is a positive step toward educating the youth on the significance of intellectual property as a factor of production, especially in a globalizing knowledge economy," Gonzalez said.

"Respect for intellectual property rights encourages creativity, entrepreneurship and economic growth."

2. IPO to create national IP strategy
(from *INQ7.net*, 1 March 2006)

The Intellectual Property Office of the Philippines (IPOPIL) was recently assigned by President Gloria Macapagal-Arroyo to create a National Intellectual Property Policy and Strategy setting government's promotion and protection of intellectual property in the country.

IPOPIL Director General Adrian Cristobal Jr. said the President called a meeting with the IPOPIL, the National Bureau of Investigation, Philippine National Police, IP Coalition and the Optical Media Board to discuss closer interagency coordination to strengthen the intellectual property system and prosecute pirates and violators.

The meeting was held after the Philippines' status was lowered by the United States Trade Representative from Priority Watchlist Category to Regular Watchlist. The new status identifies the country as progressive in the protection of intellectual property rights.

Cristobal said the President emphasized the protection of local artists, musicians, designers, and software developers.

Arroyo also directed the PNP to double the number of police officers assigned to fight piracy from 20 to 40. She also tasked John Lesaca, chairman of the IP Coalition, and the Office of Press Secretary to implement a public information drive, in coordination with IP Philippines, on the negative effects of piracy in the economy.

3. Philippines targets delisting from US list of intellectual property violators by 2008
(from *BusinessWorld*, 7 March 2006)

The Philippine government has drawn up a blueprint to speed up the country's full removal from the United States' watch list of intellectual property rights (IPR) violators, an official told *Business World* during the weekend.

The Intellectual Property Office (IPO) will be implementing additional measures, including tighter watch on retailers selling fake goods, to ensure that the Philippines will be taken out of the internationally monitored list within the next two years, director-general Adrian S. Cristobal, Jr. said in an interview. "If we really sustain our operations and the prosecution of offenders, then we are looking at a possible delisting by 2008," he said.

Mr. Cristobal said the government will be stepping up efforts to ensure full delisting by 2008. The IPO, he said, will coordinate with concerned agencies to more closely monitor the country's mall owners and retailers.

US officials have noted a significant rise in the number of stores and tiangges selling a wide array of fake goods like leather accessories, shoes, bags, home appliances as well as pirated CDs and DVDs from neighboring countries.

Mr. Cristobal said that aside from clamping down on retailers, the Philippines will also enter into "cooperation agreements" with governments of neighboring Southeast Asian economies and with

China to prevent the entry of fake goods into the country. "We want to strengthen border controls and see how we can stop the flow of fake goods to the Philippines," he said.

4. Blogger captures police raid on computer shops
(from *INQ7.net*, 17 March 2006)

Filipino blogger Joseph Angelo Racoma stumbled upon an ongoing police raid on computer shops allegedly selling pirated software, a recent post at Pinoytechblog.com indicated.

The seized software included those distributed through CDs or was pre-installed on desktop computers, De Los Reyes added. The police found illegal software from Microsoft, Autocad, Autodesk, Adobe Macromedia, as well as Playstation and Xbox gaming software, he added.

He said that a team from the Optical Media Board has also joined them in the raid.

Representatives from the Philippine National Police-Criminal Investigation and Detection Group (PNP-CIDG) with "Anti-Piracy Team" vests were also seen on the premises, walking about, inspecting the shop for evidence, Racoma wrote in Pinoytechblog.

5. Out-of-court settlement of IP violation cases now limited
(from *Business World*, 22 March 2006)

The Intellectual Property Office of the Philippines (IP Philippines) said it would no longer allow any settlement between parties in intellectual property (IP) cases that have reached the preliminary investigation stage.

IP Philippines director-general Adrian S. Cristobal, Jr. said the measure is part of his agency's efforts to protect IP in the country. "The measure will give more teeth to our enforcement and prosecution efforts, while at the same time, legally dispose of prospective and pending IP cases," he said in a statement.

He said the measure was adopted by the different units being overseen by IP Philippines, which has been designated as the government's national committee on intellectual property rights (IPR). The different IP units that agreed to adopt the measure are the Philippine National Police, National Bureau of Investigation, Justice department, and the Bureau of Customs.

Mr. Cristobal noted that the Justice department has ordered prosecutors to shun settlements between parties in IP cases at the preliminary investigation stage. He said the Justice department's anti-piracy unit will no longer entertain affidavits of desistance from aggrieved IP owners but would just try to resolve their cases based on the evidence presented. If parties want to settle, Mr. Cristobal said they may do so before the court or during the trial stage.

President Gloria Macapagal Arroyo had ordered IP Philippines to conduct more raids and secure more convictions of IPR violators, in order to assure prospective investors.

IP Philippines reported that it seized about P10 million worth of counterfeit products last January, bringing the total haul to P1.11 billion since January last year.

6. IPO tightens regulation on settlement of cases
(from *Manila Standard*, 27 March 2006)

Settlement between parties on cases involving violations of intellectual property rights (IPR) will no longer be allowed after the government's national committee on IPR agreed to adopt the draconian measure in addressing IP cases.

The agreement was reached during a meeting with the different units at the Intellectual Property Office of the Philippines in Makati City.

The measure is part of the strengthened efforts to enforce and protect IPR in the country.

"The measure will give more teeth to our enforcement and prosecution efforts, while at the same time, legally disposing of prospective and pending IP cases," said IP Philippines director general Adrian Cristobal Jr.

Present during the meeting were the heads of the special IP units of the Criminal Investigation and Detection Group of the Philippine National Police (PNP-CIDG), National Bureau of Investigation (NBI), Department of Justice (DoJ) and the Bureau of Customs (BoC).

The meeting was also attended by representatives from the Office of the Court Administrator of the Supreme Court, National Book Development Board and the Optical Media Board.

The members of the committee, especially the NBI and the PNP-CIDG, agreed to adopt a uniform system in enforcement, investigation and case preparation.

7. Rampant piracy seen stunting Philippine pay TV
(from *Agence France Presse*, 28 March 2006)

Rampant intellectual property piracy has gone unchecked by the authorities, limiting growth in Philippine pay television and cost the industry 70 million US dollars in 2005, a report said.

The report, prepared by the Cable and Satellite Broadcasting Association of Asia (CASBAA) which represents some 110 Asia-based corporations, also rebuked the National Telecommunications Commission (NTC) for its lack of independence.

"The most problematic aspect of the situation in the Philippines is the tacit toleration of rampant intellectual property piracy," the report said, adding the NTC lacked independence from powerful local interest groups.

It said the pay-TV market has been characterised by rampant signal piracy that had gone largely unchecked by the NTC which also "lacked a clear mandate and resources to enforce the laws on intellectual property."

"The development of the subscription television industry has been stunted by its inability to secure protection of its programming content."

The report, 'Regulating for Growth: The Philippines', said stronger intellectual property protection laws could galvanise the vitality of the industry and stimulate investment.

8. Philippines asked to stem proliferation of fake European goods
(from *Asia in Focus*, 30 March 2006)

The European Chamber of Commerce of the Philippines (ECCP) is seeking closer coordination with the government in its fight against the proliferation of fake European products. This developed as the

ECCP formed an intellectual property rights (IPR) committee to fight growing incidence of counterfeit European products being sold in the local market.

* ECCP executive vice-president Henry Schumacher said European products such as appliances, car parts and pharmaceuticals in heavy volumes have proliferated in the local market.

* While Schumacher praised the recent move of the government to implement a "no settlement" policy against IP violators as a possible means to curb proliferation of counterfeit products sold in the mass market, he urged for an urgent collaboration between the ECCP and the government.

INDONESIA

News in March 2006

1. Pirated disc factory closed
2. Intellectual Property Rights Violations against Software Decline by 1%
3. VCD factory has turn over of rp8.4 billions is raided
4. The state's protection toward traditional knowledge is weak
5. Indonesia to create team to fight intellectual property violations

1. Pirated disc factory closed
(from *The Jakarta Post*, 1 March 2006)

Jakarta Police shut down a factory that could churn out 400,000 copies of bootlegged music and movies in a day.

"We also seized two machines that produced the CDs, VCDs, DVDs and MP3s found at the factory. There are two more left at the factory," said the chief of the Jakarta Police general crimes unit, Sr. Comr. Sigit Sudarmanto.

The suspects were charged under the 2002 Intellectual Property Rights Law, which carries a maximum punishment of seven years' jail and a Rp 5 billion fine.

2. Intellectual Property Rights Violations against Software Decline by 1%
(from *Bisnis Indonesia*, 2 March 2006)

In 2004-2005, the number of intellectual property rights violations against software products has declined by 1%, while the number of pirated film and songs (CD and VCD/ DVD) has not declined.

Justisiari P. Kusumah from Soemadipradja & Taher law firm, the legal representative of The Business Software Alliance (BSA) in Indonesia said that in last year, the piracy rate had significantly declined. However, the International Intellectual Property Alliance (IIPA) claimed that they still suffered from US\$154 million in huge losses caused by the high piracy rate in 2005.

BSA, he added, viewed that quantitatively speaking, losses caused by piracy in 2004-2005 reached US\$97.9 million, down from over US\$100 million in 2003-2004.

"We estimate the piracy rate has declined by one percent. Despite the seemingly insignificant percentage, it actually reveals that there is law enforcement being made here. For example, some illegal merchants have been sentenced by the court," he said.

3. VCD factory has turn over of rp8.4 billions is raided
(from Kompas, Page 27, Indonesia, 14 March 2006)

A factory deemed had produced pirated VCD was raided by police on Monday, March 13, 2006. Turn over of the factory in industrial area of Cikande, Kabupaten Serang, Banten was estimated had reached Rp8.4 billions per month.

The raiding of various VCD reproducing factory was started from report of Gaperindo (Indonesian Recording Entrepreneur Union). Secretary General of Gaperindo, Rahayu in factory location, said that in fact they already twice reported the factory of pirated VCD, but it always failed to be raided. The failure was deemed because the raid plans always "leaky".

When officer from Criminal Detective Agency of Headquarters of the State Police of the Republic of Indonesia (Mabes Polri) came, all workers and occupants of the factory had also already run away. The police just succeeded to enter into the factory around 4 pm, after a person admitted that one of the factory owner came. The raiding team led by Assistant of Big Commissioner Ian Devretes confiscated about 3,000 pieces of pirated VCD.

4. The state's protection toward traditional knowledge is weak
(from Kompas, Page 12, Indonesia, 17 March 2006)

The government needs to immediately make policy about protection of traditional knowledge. So far, traditional knowledge problem has been related explicitly only to Law No. 22 Year 1999 on Local Area Autonomy, Law No. 19 Year 2002 on Copyright, and Regulatory Instrument article 23.2 which states the government's obligation to protect traditional knowledge and biological and non biological diversity in Indonesia.

Moh Nur Hidayat, an Expert Staff of Intellectual Property Field at Office of State Minister of Research and Technology, said that the regulation was very weak in protecting people as source of traditional knowledge. Therefore, individual legal product was needed.

In a discussion in Jakarta, Nur Hidayat added that the traditional knowledge which needed to get the protection included works of literature, philosophy, development documentation of art, history, language, law science, puppet, batik, classical manuscript, divining manual manuscript, and medicines.

5. Indonesia to create team to fight intellectual property violations
(from AFX Asia, 30 March 2006)

President Susilo Bambang Yudhoyono has ordered that a national team be formed to deal with violations of intellectual property (IP) rights, the official said.

"The enforcement of intellectual property rights is important for the investment climate and also for producers in Indonesia," Trade Minister Mari Elka Pangestu was quoted as saying. She said the president signed a decree on Monday allowing for the creation of a team of experts to formulate a national policy on the issue, decide on steps needed to settle problems related to IP rights and educate people.

Indonesia is on a US priority watch list of countries with high levels of violation of intellectual property rights. Software piracy alone is costing the Indonesian economy billions of dollars each year and is undercutting the creation of a local information technology industry, a Microsoft representative warned last week.

VIETNAM

News in March 2006

Ministry urges SMEs to be aware of IPRs

(from The Saigon Times Daily, 17 March 2006)

The Ministry of Science and Technology has urged medium and small businesses in the country to raise awareness about the importance of the intellectual property rights (IPRs) at the time of international economic integration.

Deputy minister Bui Manh Hai told a two-day seminar in Hanoi yesterday that the IPR is proving to be an efficient tool for socio-economic development. To medium and small business, the IPR also plays an important part especially in the process of economic globalization.

Optimizing the intellectual property will help businesses to increase their strength, enhance their position, prestige, competitiveness, and boost market share, turnover and benefit, he stressed at the gathering. He also said that many enterprises have not fully understood the importance and advantages of IPRs in their businesses, and expected that seminars as this one would help enhance their awareness.

Hai called for SMEs to pay more care to developing, registering for the protection, and effectively utilizing the IPRs.

The seminar is also a forum for businesses to exchange and share their information, knowledge and experiences with foreign experts.

Markus Cornaro, ambassador and head of the delegation of the European Committee in Vietnam, said IPRs had been attended to in Europe for a long time. The protection of intellectual property, both in law and in reality, is very useful for medium and small businesses in Vietnam, as it would bring about more benefits for businesses, he said.

The seminar, held by the EC-ASEAN Program on IPRs in collaboration with the Department of Intellectual Property and EuroCham in Vietnam, will wrap up today.

The seminar attracts many European and ASEAN experts in IPR. The main topics in the seminar are industrial designs, geography indications, strengthening intellectual property rights and fighting counterfeits.

INDIA

News in March 2006

1. Action needed on IPR enforcement front

(from Financial Express, 3 March 2006)

Piracy remains a major stumbling block in Indo-US business relations. The US-India CEO Forum came out with a proposal that coordination of intellectual property rights (IPR) enforcement efforts is done nationally and specialised courts be established to handle both civil and criminal IPR matters.

While acknowledging that there is an increasing convergence in the approach to IPR legislation by both countries, the Forum calls for more action on the enforcement front. IPR enforcement is handled

by the states and results vary dramatically as many units lack specialised training, the forum noted in its report.

The goal should be a national unit dedicated to IPR enforcement and the first steps would have to be coordinated by the ministries of information and broadcasting and human resources development. The forum has also called for setting up specialised intellectual property courts.

This, it points out, will not only help clear the huge backlog of cases, but judges and prosecutors will be able to function better after specialised training. Other countries in the region, such as Thailand, have already set up such courts.

The Forum also mooted an agreement between India and the US on cyber security to include data privacy, IPR etc and create universal standards in data privacy to build confidence in Indian IT providers.

2. IIT-Kharagpur to teach intellectual property law
(from *The Times of India*, 5 March 2006)

The country's first school of intellectual property law will come up at IIT Kharagpur.

Vinod Gupta, the IIT-Kharagpur alumnus who in 1991 funded the Vinod Gupta School of Management (VGSOM) on the institute's campus, is once again behind this pioneering effort. Gupta has given the premier institute \$1 million for the new institution, to be called the Rajiv Gandhi School of Intellectual Property Law.

Gupta and the institute director S K Dube signed an agreement sealing the modalities for the new institution. The courses would begin from the 2006 academic session starting July.

Earlier this year, the institute had signed a Technical Collaboration Agreement with the George Washington University, whose law school is rated as one of the world's best in intellectual property law (IPL).

By virtue of this collaboration, assistance will be available from GWU for faculty, curriculum, syllabus, learning materials, an electronic library and faculty training. The two flagship programmes on offer are three-year residential LLB programme with honours in technology and intellectual property law and a one-and-a-half year part-time diploma programme in IPL for working executives.

JORDAN

News in March 2006

1. JISM, ICR hold seminar on dangers of counterfeit products
(from *IPR Strategic Information Database*, 16 March 2006)

The Jordan Institution for Standards and Metrology (JISM) held a seminar in collaboration with the International Corporate Research (ICR) on the dangers of counterfeit products.

During the seminar, Maher Al Kilani, a specialist in intellectual property (IP) enforcement said that manufacturers are concerned about the effectiveness of IP laws across the Middle East as counterfeit products are increasing in numbers. The workshop was organized by JISM, the ICR and the British Electrical Allied Manufacturers Association.

During the event, a short documentary was aired on the dangers of using fake electrical products. Andrew Ollier, an expert from the UK, delivered a presentation explaining different ways of identifying counterfeit electrical products. ICR is a Cyprus-based institution specialized in the enforcement of intellectual property rights throughout the Middle East Africa and Asia.

2. Computer program piracy losses valued \$19 million
(from *IPR Strategic Information Database*, 22 March 2006)

The Business Software Alliance (BSA), which is the foremost organization dedicated to promoting a safe and legal digital world, estimates at \$19 million the volume of losses caused by computer piracy practices in Jordan. A senior government official said that the Jordanian justice authority discussed 1,419 intellectual property violation lawsuits since 2000.

UZBEKISTAN

News in March 2006

1. Uzbek parliament's lower chamber passes copyright law in second reading
(from *BBC Monitoring Central Asia*, 10 March 2006)

The chairman of the science, education, culture and sport committee, A. Ziyo, presented a draft law "On copyright and related rights" in its second reading. After questions and answers, representatives of all political party factions discussed the draft law clause by clause. During the detailed discussion of the document, the purpose of the draft law, its main concepts and norms were clarified.

The draft law clearly defines the sphere in which copyright applies, its object and observance, intellectual property rights and other requirements relating to legislative provision of copyright and related rights.

A separate section of the draft law is devoted to the protection of copyright and related rights. It prescribes responsibility for breaking legislation on copyright and related rights. It also specifies technical means and methods of protecting these rights.

During the discussion of the document, parliamentarians noted that these norms completely met international standards in this sphere.

Taking into account remarks and additions put forward during the discussion of this document, the legislative chamber passed this draft law in its second reading.

2. Uzbekistan joins Patent Law Treaty
(from *BBC Monitoring Central Asia*, 16 March 2006)

A law of the Republic of Uzbekistan on Uzbekistan's joining Patent Law Treaty adopted by Diplomatic Conference in Geneva on 1 June 2000.

It [the law] was adopted by the Legislative Assembly (lower house of the Uzbek parliament) on 9 February 2006. It was approved by the Senate (upper house of the parliament) on 25 February 2006. [Uzbekistan] is to join Patent Law Treaty adopted by Diplomatic Conference in Geneva on 1 June 2000.

PAKISTAN

News in March 2006

1. Pakistan to Have First Law Universities

(from Pakistan Press International Information Services, 22 March 2006)

The first ever, National Law University system will soon be established with full fledged and autonomous residential university campuses in Islamabad, Lahore, Karachi, Peshawar and Quetta. This project of the Higher Education Commission was approved by Central Developmental Working Party meeting recently.

The University system will enhance the quality of legal profession, by enforcing international standards of legal education. Once the University system is fully operational it will have an integrated 5-year programme.

Expertise areas will include administrative law and regulation, commercial law and taxation, constitutional law, criminal law, laws relating to protection of intellectual property and innovation, family law, women law, and laws relating to legal and regulatory framework for FDI/privatization etc.

2. Pakistan, India Agree To Foster Trade By Rail, Patent Rice

(from Dow Jones Commodities Service, 29 March 2006)

South Asian rivals Pakistan and India said they would promote trade by rail and jointly patent their famed Basmati rice in the latest round of peace talks concluded, a joint statement said.

Top Commerce Ministry officials from both sides held three days of discussions in Islamabad. The two sides agreed to "identify the problems of transportation of goods by train" and railway officials would continue a dialogue to address them, the statement said.

Pakistan's top Commerce Ministry bureaucrat, Syed Asif Shah, said on Tuesday that the two countries wanted to patent the long grain rice so that no other country could claim it.

Both countries will work out details and suggest policies to register Basmati worldwide over the next few months, Shah said at a news conference with his Indian counterpart. S. N. Menon.

The highly fragrant Basmati rice is grown mainly in the subcontinent - where it originated - and both India and Pakistan are major exporters. India successfully challenged a U.S. company's attempt to patent a strain of the rice in 2001.

The talks on cooperation in trade were part of wide-ranging peace process the two countries began two years ago to bury a half century of enmity mainly because of their dispute over Kashmir.

KUWAIT

News in March 2006

Kuwaiti Authorities crackdowns on trade in illegal software

(from Middle East Company News, 15 March 2006)

Authorities in Kuwait have launched a crack down in the trade of illegal software by raiding two computer stores and seizing two personal computers loaded with pirated software.

The Government of Kuwait in recent years enacted various measures to uphold Intellectual Property Rights in the country, and has reaffirmed its commitment to promoting a safe and legal digital society in the country.

'The raids were conducted with the full co-operation between Kuwaiti Authorities and the Arabian Anti Piracy Association. The Government of Kuwait remains committed to the protection of IPR in the country and will continue its cooperation with various bodies and organisations from the private and public sector to protect the software copyright laws and enforce them to ensure the establishment of safe and legal digitally inclusive society in the region,' he added.
