

Monthly Report of May 2004

- By Country:

THAILAND
PRC
MALAYSIA
SINGAPORE
THE PHILIPPINES
INDONESIA
VIETNAM
BRUNEI DARUSSALAM
MYANMAR

THAILAND

News in May 2004

1. Ultraman fight finished
2. Crushing contraband
3. Online game provider held
4. Thailand will lose to US, warn experts
5. Fakes sought
6. Anti-piracy MoU
7. Software piracy rate falls
8. Intellectual property rights talk
9. Follow Japanese's way
10. Asia-number one copyright violation
11. Music industry giant urges
12. Piracy crackdown plan
13. Drug's patents problem in FTA
14. Grammy collects music copyright

1. Ultraman fight finished

(from Bangkok Post Newspaper, Business Section, Page 1, Thailand, 1 May 2004

The Nation Newspaper, Business Section, page 1B, Thailand, 1 May 2004

Post Today Newspaper, Today's News Section, page A3, Thailand, 1 May 2004

Krung Thep Thurakit Newspaper, Economic Finance Section, page 13&17, Thailand, 1 May 2004)

Japan's Supreme Court handed Sompote Saengduenchai control over Ultraman outside Japan, ending an eight-year legal battle that would have made even the giant superhero sweat. The ruling gives Sompote, owner and chairman of Chaiyo Productions, exclusive rights to all Ultraman characters and the Ultraman trademark in all territories except Japan. He will have distribution, reproduction and broadcasting rights in all mass media including radio and television.

Moreover, Sompote would file a lawsuit against Tsuburaya Productions seeking damages his business and reputation incurred in the legal tussle. He estimated damages, including 29 years of lost opportunity costs on the Ultraman licence, at between US\$2 billion and US\$3 billion.

2. Crushing contraband

(from Bangkok Post Newspaper, Home News Section, Page 5, Thailand, 4 May 2004

The Nation Newspaper, Local News Section, page 6A, Thailand, 4 May 2004

Post Today Newspaper, Today's News Section, page A2, Thailand, 4 May 2004

Krung Thep Thurakit Newspaper, Economic Section, page 9, Thailand, 4 May 2004)

Excavator crushed pirated goods worth Bt50 million during a ceremony highlighting Thailand's fight against contraband smuggling and violations of intellectual property law at the Customs Department.

3. Online game provider held

*(from Bangkok Post Newspaper, Prime News Section, Page 1, Thailand, 4 May 2004
Post Today Newspaper, Local News Section, Page A8, Thailand, 4 May 2004)*

Crime Suppression Division police and IT officers have arrested a computer engineer for illegally providing one of the most popular online games, believed to have cost millions of baht in lost earnings to the authorized provider.

The authorities, armed with an arrest warrant issued by the Intellectual Property and International Trade Court, raided a house in Chatuchak district and nabbed Sarawut Boondao, 35, on copyright violation charges.

They also seized a computer notebook, two sets of modems, a mobile phone, a pocket PC, three bank passbooks with 200,000 baht, a CD-Rom and books on Ragnarok computer game. His arrest was made following a complaint filed by AsiaSoft International Co, a local company authorized to provide Ragnarok online game by South Korea's Gravity Corporation.

4. Thailand will lose to US, warn experts

*(from Bangkok Post Newspaper, Home News Section, Page 5, Thailand, 4 May 2004
Post Today Newspaper, Today's News Section, Page A2, Thailand, 4 May 2004)*

North American free trade lessons show that Thailand stood to lose control of economic and political sovereignty once a free trade area agreement was reached with the US, warned foreign experts prior to formal talks with Washington next month.

The American activist said that the US negotiators would try to regulate investment, banking, insurance and currency transaction rules, and would seek a monopoly on intellectual property rights including seeds and drugs.

5. Fakes sought

*(from Krung Thep Thurakit Newspaper, IT-Internet Section, Page 6, Thailand, 7 May 2004
Bangkok Post Newspaper, Database Section, Page 3, Thailand, 12 May 2004)*

Hewlett-Packard, Seiko Epson and Canon Kabushiki Kaisha planned to expand a crackdown on counterfeiters of toner/ink cartridges to up-country areas. The three companies combined claim to have lost more than 20 million baht over the past two years because of counterfeiting in Thailand.

The three companies also claimed that their reputations had been damaged as some of their customers unknowingly purchased counterfeit cartridges of substandard quality.

6. Anti-piracy MoU

*(from Post Today Newspaper, Business Market Section, Page B3, Thailand, 10 May 2004
Krung Thep Thurakit Newspaper, Economic Commerce Section, Page 34, Thailand, 10 May 2004)*

Intellectual Property Department prepares to sign MoU with 6 nations to settle frame of corporation after found over 20 Thai products have been copyright infringement. Six nations includes Cambodia, Vietnam, Lao, Indonesia, Poland and China.

7. Software piracy rate falls

(from Post Today Newspaper, Business Market Section, Page B3, Thailand, 13 May 2004)

Roland Chan, Marketing Director of Business Software Alliance, said software piracy in Thailand reduces 10%. As in 1994, the violation was around 87% and at the present is around 77%. Then BSA will continue to cooperate with software agent and government sectors to aware in intellectual property protection.

8. Intellectual property rights talk

(from The Nation Newspaper, Business Section, Page 1B&2B, Thailand, 15 May 2004

Krung Thep Thurakit Newspaper, Economic Section, Page 3, Thailand, 15 May 2004)

The discussion on titled “A Fake Gucci or an Original? The Burning Question of Intellectual Property Rights” was held by International Press Association of Thailand. The event is sponsored by the Pfizer Foundation and is the first of six programs for the better understanding of healthcare and science issues to be held at the FCCT this year.

Counterfeit products are exploding in many parts of the world, but nowhere is the phenomenon more pronounced than in Asian countries like Thailand, China, Korea and Taiwan. Supapohn Kanwerayotin, public relations consultant for the EU-ASEAN Intellectual Property Rights operation programme at the Ministry of Commerce, said that after the examination from EU and Asian Customs, found that the most counterfeit products were produced from Thailand.

9. Follow Japanese’s way

(from Post Today Newspaper, Business Market Section, Page B2, Thailand, 17 May 2004)

Vice Minister for Commerce, Panpri Pahittanukorn, went to Japan for finding the way to develop OTOP products and develop the efficiency of intellectual property protection. Also he joined the celebration of 100 anniversary of JIII.

10. Asia-number one copyright violation

(from Krung Thep Thurakit Newspaper, Bangkok Politic Section, Page 20&12, Thailand, 19 May 2004)

US Patent and Trademark Organization (USPTO) Director Robert L. Stow recently said in a seminar on ‘Lawmen and Intellectual Property Laws’ that the money from illegal businesses affected not only the commercial trading, but also the world’s security, as the money would be laundered and transferred to support terrorist groups. The US requires Asian countries to better cope with the violation issue.

11. Music industry giant urges

(from Post Today Newspaper, Business Market Section, Page B3, Thailand, 21 May 2004

Bangkok Post Newspaper, Business Section, Page 2, Thailand, 31 May 2004)

A major music company has called for the enlargement of the government’s piracy-free zone as sales of counterfeit goods have spread to the capital’s outskirts and popular tourism spots. Sutthisak Prasatkrakarn, managing director of the Thai Copyright Collection Co, a subsidiary

of the country's second largest music company, RS Promotion Plc, urged the government to include some new areas in the "yellow zone".

The areas are Don Muang New Market, Jae Leng Plaza, Tantawan Plaza and BigC Bang Yai in Nonthaburi. Pirated merchandise can also be found outside the Nom Jitr department store in Lat Prao and Pata Pin Klao, as well as on Ko Samui and in Hua Hin, he said.

The piracy-free zone was initiated by the Commerce Ministry as part of its anti-piracy campaign ahead of the APEC meeting in October last year. But Mr Sutthisak said the campaign was not enough given the extent of the problem and the craftiness of violators.

12. Piracy crackdown plan

(from Post Today Newspaper, Today's News Section, Page A3, Thailand, 24 May 2004

Krung Thep Thurakit Newspaper, Economic Commerce Section, Page 34, Thailand, 24 May 2004)

Private sectors gave the anti-piracy plan to the parliament. The plan includes 6 measures which are 1. a measure in suppression, the police should have rights to act. 2. a measure in administration, by give the pressure to violators without arrest. 3. a measure in corporation between government and other sectors. 4. a measure in public relations, educate and do the campaign to promote IP knowledge. 5. a measure in enforcement and 6. other measures such as set the team to exam the evidence etc.

13. Drug's patents problem in FTA

(from Manager Daily Newspaper, Home News Section, Page 14&15, Thailand, 26 May 2004)

Food and Drug Administration revealed that the US had negotiated for longer period for drugs' patents, from 20 years to 25 years. However, FDA denied the proposal. In the mean time, the Ministry of Public Health asks the Ministry of Commerce to adjust Thailand's patent law to ensure that HIV drugs must be affordable to patients.

14. Grammy collects music copyright

(from Post Today Newspaper, Business Market Section, Page B1, Thailand, 31 May 2004)

GMM Grammy will start to collect the copyright fees from local cable TV in June 2004. However, Cable TV Association of Thailand had negotiated GMM to reduce the price by divide in packages.

PEOPLE'S REPUBLIC OF CHINA

News in May 2004

1. Close down 182 pirate discs since 1996
2. Closely watch
3. Patent evaluation system designed
4. Chinese PM Pledges at Berlin
5. Government plan in IPR
6. Mission to China
7. Vow at Rome seminar
8. Music download
9. Reward for reporting
10. Patent dispute lands in court
11. Invention exhibit
12. Drugs MoU
13. IPR training
14. Ringtones' copyright
15. Patent behaviour

16. HK-Guangdong joined IP protection
17. China vows to crack down on counterfeit

18. Big crackdown on Japanese products copycats
19. Pharmaceutical firms boost intellectual property rights

1. Close down 182 pirate discs since 1996
(from *Interfax China IT & Telecom Report*, 3 May 2004)

Chinese authorities have discovered and shut down 182 production lines for pirated digital audio and video discs since 1996. These production lines were all made in foreign countries. Chinese authorities from the National Copyright Administration further claimed at a recent press conference jointly held by the State Intellectual Property Office and the National Copyright Administration, that large numbers of counterfeit products have been smuggled into China's market.

2. Closely watch
(from *Organisation of Asia-Pacific News Agencies*, 4 May 2004
Reuters News, 4 May 2004)

The United States said it will closely watch China's implementation of its commitments to crack down on copyright piracy and review the progress in early 2005.

The report on the protection of intellectual property rights by US trading partners said China has recently made several commitments to take actions aimed at achieving a significant reduction in intellectual property rights infringement. The US will conduct "an out-of-cycle review for China in early 2005 to evaluate China's implementation of its stated commitments and its overall progress on improving enforcement and significantly reducing intellectual property rights infringement.

3. Patent evaluation system designed
(from *Xinhua News Agency*, 4 May 2004
BBC Monitoring Asia Pacific, 4 May 2005)

The system, designed by the Shanghai intellectual property rights service center and the Shanghai Lixin asset evaluation company, can store numerous data and patent cases and is equipped with special software for evaluation of patents.

The system will accelerate the industrialization process of China's patent achievement, according to the State Intellectual Property Office.

4. Chinese PM Pledges at Berlin
(from *Voice and America Press Releases and Documents*, 4 May 2004
South China Morning Post, 5 May 2004
Financial Times, 5 May 2004)

Chinese PM made the pledge during a meeting in Germany to promote high-tech trade and development. He said the Chinese government will strengthen its protection of intellectual property piracy laws in Chinese courts. The both leaders also said they hoped to double bilateral trade by the end of the decade.

5. Government plan in IPR

*(from WMRC Daily Analysis, 5 May 2004
BBC Monitoring Asia Pacific, 5 May 2004
South China Morning Post, 7 May 2004)*

Fresh off a successful first day of meetings with German leaders, and just weeks after pledging tougher action on intellectual property rights infringement, Chinese premier announced the creation of a new senior-level government post aimed at monitoring progress on IPR issues.

The central government will appoint an official of vice-premier rank to head up coordinated efforts to rein in IPR violations, overseeing work currently conducted by individual ministry-level officials across the bureaucracy.

Meanwhile, the national judiciary-led by the Supreme People's Court and the Supreme People's Procuratorate – would be tasked with investigating legal processes to facilitate criminal charges against IPR violators.

6. Mission to China

(from Kyodo News, 6 & 12 & 21 May 2004)

The Ministry of Economy, Trade and Industry said it sent a joint government-private sector mission to China to seek further efforts in cracking down on violators of intellectual property rights. The mission to be headed by Yoshihide Munezumi, chairman of the Japan Automobile Manufacturers Association. This was the second such mission Japan had sent to China following one in December 2002.

After the visiting, Japan has urged China to take steps to make it easier for its law-enforcement authorities to file criminal accusations against patent violators. The Chinese side replied it is considering reviewing standards for its law-enforcement authorities to prosecute patent violators. Beijing promised to do more to address all kinds of issues related to intellectual property rights.

Specifically, Tokyo expressed concerns over China's policy of restricting imports of coke and providing tax breaks for domestic semiconductor manufacturers.

7. Vow at Rome seminar

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

Addressing a seminar on promoting investment between China and Italy, held at the headquarters of the Italian National Industrialists Confederation, Chinese premier said the Chinese government attaches great importance to intellectual property protection and has adopted a series of measures to crack down on piracy.

8. Music download

(from Economist Intelligence Unit, 10 May 2004)

The Beijing No 1 People's Court ruled in late April that the website www.chinamp3.com had violated the intellectual property rights of HK-based entertainment companies Go East

Entertainment and Sony Music Entertainment (Hong Kong), ordering the site to pay US\$19,000 in damages.

Shiji Yuebo scientific, which owns the website, has said that it plans to appeal the judgment. The suit concerned downloads of mp3-format files of music by Go East Artist Kelly Chen and Sony artist Lo Hau Yam, which the plaintiffs said had not been authorized for mp3 distribution. He countered that it had merely provided links for download and not a direct download service, and therefore should not be held responsible for the IPR violations.

The court's decision may prove to be a significant development in the still-nascent field of Chinese copyright enforcement. Music industry sources told official media that the ruling is likely to prompt other copyright owners to file similar suits to counter unwanted online distribution of their intellectual property.

9. Reward for reporting

(from South China Morning Post, 14 May 2004)

Guangzhou will offer cash rewards of up to 300,000 yuan to informers reporting fake or substandard products being sold in markets. The rewards would be offered to hundreds of part-time product inspectors enlisted last year to help catch people manufacturing or selling fake products.

The city has about 1,300 part-time inspectors and the report said Guangzhou had decided to offer the cash incentives – which start at 300 yuan and work their way up – to encourage them to work harder.

The central government has vowed to crack down on counterfeiters and give greater protection to intellectual property rights.

10. Patent dispute lands in court

(from Business Daily Update, 14 May 2004)

Shanghai Unilever, a Sino-British joint venture, was taken to court by a Beijing resident for patent right infringement. No decision was made at the Beijing No 2 Intermediate People's Court after the first hearing in the case.

Liu Heping claimed that the packaging for Unilever's Comfort fabric conditioner violated his patent rights, which were registered in 2001. The plaintiff is seeking compensation of 50,000 yuan (US\$6,040) according to profits unilever made from sales of Comfort fabric conditioner.

According to Unilever's patent agent, Unilever conducts large-scale investigations to ensure its products do not violate the intellectual property rights of others. He also said that Liu's patent does not have the character of novelty, as there was already an earlier patent which was not registered in China. He said evidence provided by the plaintiff failed to prove that all of the technological characteristics of the Comfort conditioner are the same as those found in Liu's patent.

11. Invention exhibit

(from Shanghai Daily, 15 May 2004)

The Fifth China International Invention Exhibition will be held at the Shanghai Exhibition Centre from September 10 to 13. Sponsored by the China Invention Association, the quadrennial exhibition will provide a platform for inventors from home and abroad to showcase their newest creations. Additionally, professional forums on intellectual property and business exchanges will also be prepared.

12. Drugs MoU

*(from Business Daily Update, 18 & 31 May 2004
Economist Intelligence Unit, 24 May 2004)*

Local government and private industry are combining in China's financial center to take on the producers of counterfeit drugs and better protect intellectual property rights. The Shanghai Municipal Food and Drug Administration reached a memorandum of understanding with US-based Pfizer Inc, the world's biggest pharmaceutical company, in a bid to more effectively detect and deter the production of imitation drugs in Shanghai and its surrounding areas.

Pfizer has found counterfeits of its drugs being sold in 57 countries and regions. On the Chinese mainland, Pfizer has over 40 innovative drugs it plans to introduce another dozen within five years.

13. IPR training

(from Shanghai Daily, 20 May 2004)

By 2010, the Shanghai Intellectual Property Administration will train about 50 professionals with full knowledge of intellectual property rights, the law and a foreign language, by cooperating with an education foundation of the United States.

They said the city is in urgent need of IPR professionals who can express themselves fluently in the international court. The administration decided to train a group of university teachers, judge, prosecutors and government officers at first with the help of the foundation.

14. Ringtones' copyright

(from Interfax China Business News, 21 May 2004)

The Music copyright Society of China (MCSC) has filed a music copyright lawsuit with the Junior People's Court in Chaoyang District, Beijing, against Capitel Co. Ltd, accusing the handset maker of using copyright protected music for ringtones without permission.

The court has accepted the case, and MCSC is now negotiating with Capitel for a justified compensation.

15. Patent behaviour

(from South China Morning Post, 25 May 2004)

Last year, 9,102 applications were made for standard patents, with 34 per cent or 3,075 approved. In 2002, 2,176 were granted out of 9,130 applications. The validity of standard patents lasts 20 years.

For short-term patents, which last eight years, 335 were granted out of 398 applications last year. A total of 3,310 designs were registered out of 3,327 applications last year. There were 20,359 trademarks registered out of 20,382 over the same period.

In stead of carrying out assessments of the inventions, Hong Kong grants patents based on the applications which have received patents or registration from patent offices on the mainland or in Europe.

16. HK-Guangdong joined IP protection

(from Xinhua News Agency, 25 May 2004

Business Daily Update, 26 May 2004

Interfax China Business News, 27 May 2004)

Hong Kong and Guangdong have jointly organized a seminar to strengthen their cooperation on intellectual property matters, especially those concerning small and medium enterprises. Representatives from Hong Kong Intellectual Property Department, Hong Kong Trade development Council and Guangdong Provincial Intellectual Property Office attended the one-day seminar.

Topics of the seminar included how to seek patents protection on new inventions and new designs in the Chinese mainland; overviews of trademarks protection in the Chinese mainland, the latest development of regulations on the protection of intellectual property by customs authority; and intellectual property rights protection in overseas market.

It was deliberately chosen for the seminar to allow government officials from Hong Kong and Guangdong to gather together to introduce their intellectual property regimes to SMEs in the region.

17. China vows to crack down on counterfeit

(from Xinhua News Agency, 25 May 2004

BBC Monitoring Asia Pacific, 26 May 2004

Business Daily Update, 26 & 27May 2004)

China Customs vowed to crackdown on counterfeit and piracy as the First Global Congress on Combating Counterfeiting opened in Brussels to address a crime which is now estimated to be worth more than 500 billion euros each year.

Since the Chinese government issued a regulation on customs protection of intellectual property in 1995, 3,310 counterfeit and piracy cases were investigated by China Customs, with the seizures valued at 68 million US dollars. Between 1999 and 2003, China Customs seized more than 200 million pieces of pirated CD and brought 214 suspects to criminal courts for smuggling.

China Customs signed an intellectual property protection agreement with American Film Institute in 1997. In 2002, China Customs reached a cooperation deal with the foreign investment association for intellectual property protection in China.

18. Big crackdown on Japanese products copycats

(from Jiji Press English News Service, 29 May 2004)

Guangdong Province's Public Security Department has raided manufacturers of counterfeit Japanese-brand VCD players in one of China's biggest crackdowns on intellectual property violations involving Japanese products.

Two main Chinese suspects have been arrested and indicted after the raid targeting underground networks for counterfeit Japanese goods. The raid took place in April after the Japan External Trade Organisation teamed up with three Japanese electronics makers-Toshiba Corp., Matsushita Electric Industrial Co. and Sanyo Electric Co. – to jointly investigate brand piracy in China.

Based on the outcome of the investigations by JETRO and the three Japanese firms, Guangdong's Public Security Department searched six facilities of the underground counterfeit network, whose daily shipments amounted to 3,000 units.

According to the Japanese chamber of commerce in China, more than 54 PCT of Japanese firms operating in China suffer from illegal copies of their products, with the amount of damage totaling more than one trillion yen a year.

19. Pharceutical firms boost intellectual property rights

(from Business daily Update, 31 May 2004

China Daily, 31 May 2004)

Chinese pharmaceutical companies are making progress in terms of intellectual property rights protection. At least four new medicines developed under a key national project have received approval from the State Food and Drug Administration since 2002, when the project was launched to encourage innovation of new medicines and the modernization of the traditional Chinese medicine industry.

The awareness of intellectual property rights protection in the traditional Chinese medicine industry is far from enough. Meanwhile, the technological strength of Chinese companies and research institutes is weak and therefore innovation is difficult to achieve. Although the number of patented traditional Chinese medicines has risen in recent years, the number of completely innovated ones remain relatively small.

China began to pay more attention to the development of patented medicines in the Ninth Five-Year Plan (1996-2000). But it was not until the project was launched in 2002 that such an attempt was strengthened.

The project was launched by the Ministry of Science and Technology as one of the key national scientific and technological projects during the 10th Five-Year Plan (2001-05). It is expected that the project will help transform the Chinese pharmaceutical industry from a “Copier” to an “innovator.”

The ministry hopes to see a group of compound synthetic medicines, herbal medicines and bio-engineered drugs developed, whose intellectual property rights will be owned by Chinese companies or researchers.

MALAYSIA

News in May 2004

1. Gain more if reduce software piracy
2. US-Malaysia FTA
3. More action in IPR
4. Malaysia in new drive to fight piracy

1. Gain more if reduce software piracy

(from Organization of Asia-Pacific News Agencies, 5 May 2004

Bernama Daily Malaysian News, 5 May 2004)

Malaysia is projected to gain an additional RM5.6 billion in its gross domestic product (GDP) if it can reduce software piracy by 10 per cent in four years, according to a senior Business Software Alliance (BSA) official.

Reduced piracy would also add RM840 million in tax collection for the government and create almost 6,000 new highly skilled and highly paid jobs.

2. US-Malaysia FTA

(from Associated Press Newswires, 11 May 2004)

The United States and Malaysia have signed a trade pact that may pave the way for a future bilateral free trade agreement. The newly agreed framework deals with various aspects of bilateral trade ranging from intellectual property and communications technology to wider participation in trade and investment by mid-and small-sized companies.

The US is the largest destination for Malaysian products, absorbing nearly one fifth of Malaysia's US\$100 billion in exports last year. For the US, Malaysia is its 10th biggest trading partner.

3. More action in IPR

(from Xinhua News Agency, 12 May 2004

Bernama Daily Malaysian News, 12 May 2004)

Malaysia protects intellectual property rights seriously and has exposed 29,904 infringement cases between April 1999 and April this year. The value of the seized illegal goods amounted for 217.9 million ringgit during the period. During the same period, 289 people were detained for breaching provisions in the Acts.

The ministry was drafting the National Intellectual Property Policy to decide on the direction of invention initiatives in the country in line with efforts to encourage new inventions and innovations.

The policy focused on five main aspects – encourage intellectual property inventions, management of intellectual property, protection and law enforcement, human resource development in related fields and boost public awareness on the importance of intellectual property.

4. Malaysia in new drive to fight piracy

(from Bangkok Post Newspaper, Business Section, Page 6, Thailand, 26 May 2004

Krung Thep Thurakit Newspaper, World's Business Section, Page 36, Thailand, 27 May 2004)

The Malaysian government announced that law enforcement officers will raid companies and factories nationwide starting June 1 in a fresh blitz against software piracy, which continues to plague Malaysia despite a 2002 crackdown.

Malaysia threatened to imprison corporate chiefs whose businesses use illegal software, as part of the country's latest efforts to combat its reputation as one of Asia's hubs for computer piracy.

At least 68% of new software used in Malaysia in 2002 was illegal, causing losses of \$99.5 million to the software industry, according to the BSA's most recent statistics.

SINGAPORE

News in May 2004

Patents for mega-growth

(from The Straits Times Newspaper, Singapore, 10 May 2004)

Asia's surging economies including Singapore are making headway in industrial patent applications, an indication that technology will increasingly take over from human horsepower in propelling growth.

According to America's National Science Foundation, the United States conversely is at risk of losing its preeminence in original research and application. Its share of industrial patents is sliding relative to numbers for Japan, Taiwan and South Korea. Singapore also is well up there.

This would surprise Singaporean inventors and multinational firms with patent their industrial processes, but catch-up numbers tell the story. Applications made here are up four times, to about 8,000 filings from just under 2,000 in 1994.

THE PHILIPPINES

News in May 2004

1. Philippines gov't justifies anti-piracy against US criticisms
2. IPR guide helps artists
3. MoU with BSA
4. Anti-Copyright piracy summit

1. Philippines gov't justifies anti-piracy against US criticisms

(from Xinhua News Agency, 5 May 2004

Dow Jones Asian Equities Report, 5 May 2004

Manila Standard, 6 May 2004
Asia Pulse, 6 May 2004)

The Philippine Department of Foreign Affairs slammed the United States government for its keeping the Philippines in its watch list of countries whose anti-piracy is lax. Foreign Affairs Secretary Delia Albert argued that the Philippines has made “major gains” in the war against intellectual property piracy and that “unfair criticisms do not aid in the war against intellectual property pirates.”

The recent US Trade Representative Report included the Philippines in the list of 56 countries found have failed to curb piracy. However, the secretary pointed out that proliferation of pirated VCDs and DVDs are rampant even in the United States itself. Moreover, the Philippine government has improved the legal mechanisms to protect intellectual property rights from closing sales outlets, arresting pirates and seizing truckloads of pirated material.

2. IPR guide helps artists

(from Business World, 12 May 2004)

In a joint effort to protect artists and artisans in developing countries from theft of their creative ideas, the International Trade Center and the World Intellectual Property Organization published a guide full of practical advice.

The guide informs artisans and artists in developing countries on “why, where, when and how” they should consider using IP to market more successfully their creations in other countries.

3. MoU with BSA

(from Manila Bulletin, 24 May 2004
Business World, 25 May 2004)

The Business Software Alliance recently signed a memorandum of understanding with the Contact Center Association of the Philippines (CCAP) to promote the use of licensed software among call centers in the country.

Under the MoU, CCAP members will subject themselves to regular software audits to make sure that they are complying with the copyright laws and to set the example of good corporate governance. BSA and CCAP will also explore areas for further cooperation in the protection and promotion of intellectual property rights and software asset management.

4. Anti-Copyright piracy summit

(from Xinhua News Agency, 25 May 2004
WMRC Daily Analysis, 26 May 2004
AFX Asia, 26 May 2004)

The Philippines is to host the first regional Association of Southeast Asian Nations (ASEAN) anti-copyright piracy summit in August this year. Proposals put forward during the summit are to include the creation of a regional patent and trademark system.

INDONESIA

News in May 2004

1. IPR law considered weak
2. Indonesia to join Madrid Protocol
3. Textile needs IPR

1. IPR law considered weak
(from *Bisnis Indonesia*, 5 May 2004)

The US this year will include Indonesia again into the status priority watch list due to the ban intellectual property rights law enforcement. According to the press release of United State Trade Representative (USTR), the serious problems that Indonesians have to face are the ones concerning distribution and pirated optical media.

Pirated products, said USTR, were still dominating Indonesian market. The USTR office noted there were 27 factories producing 108.5 million discs. In addition, USTR also recorded legal violations against the trademark.

In Asean, Indonesia and Philippines were two countries amongst the list.

2. Indonesia to join Madrid Protocol
(from *Bisnis Indonesia*, 25 May 2004)

Indonesia was ready to join the Protocol of Madrid to ease the domestic business sector in getting the legal protection on the utilization of trade mark outside the country and to attract foreign investors. World Intellectual Property Organization had facilitated the owners of trade mark with the system of Madrid. With such system, any member of WIPO would only have to register, and they would get legal protection on their trade mark in all member countries of WIPO.

3. Textile needs IPR
(from *LKBN Antara*, 26 May 2004)

President Megawati Soekarnoputri asked Indonesian textile and garment industry associations to pay more serious attention to the existence of intellectual property rights. And they should have a sound knowledge of the pertinent rules and their application in the international market because they increasingly pop up as non-tariff barriers.

She said that it was important for them now and in the future to set up a more integrated mechanism through which the government and the business community, including textile industries, can formulate effective market strategies to face market challenges.

The president also urged textile entrepreneurs to develop their skills, especially in making product designs, and to maintain and safeguard these designs in line with the concept of intellectual property rights.

VIETNAM

News in May 2004

1. Trademark conference
2. Nike runs course on fake goods
3. Trademark statistics
4. Japan help in IP system
5. Trademark association meets

1. Trademark conference

(from IPR Strategic Information Database, 11 May 2004)

A three-day conference on building Asian trademarks was held in Hanoi with the aim of promoting Vietnam's national trademark program. The conference, is being attended by Vietnamese businesses, media workers and foreign experts. The conference also help Vietnamese entrepreneurs gain knowledge on registering trademarks for their business.

2. Nike runs course on fake goods

(from The Saigon times Daily, 19 May 2004)

Nike Vietnam is organizing a two-day course on how to identify fake Nike products for 10 market monitors from Hanoi. Market monitors are shown genuine Nike footwear and clothing and a list of partners allowed to produce and trade Nike products in the country.

Steve Woodside, general manager of Nike Vietnam, said most Nike products made in Vietnam were for export and that fake items were present on the domestic market and had affected the prestige of Nike trademark.

3. Trademark statistics

(from IPR Strategic Information Database, 20 May 2004)

104,000 trademarks have been registered in Vietnam. The number of invention patents issued so far has risen to 4,200 and that of industrial design patents to more than 7,600.

Vietnam's Civil Code stipulates five types of industrial property patents, which are inventions, useful solutions, industrial designs, product designs, and trademarks. As domestic businesses are increasingly aware of the importance of trademarks, the number of applications for industrial property patents keeps increasing by 10-15 per cent annually, reaching nearly 18,000 in 2003.

4. Japan help in IP system

(from Viet Nam News, Business Section, Page 16, Vietnam, 29 May 2004)

Japan has funded a project to modernize Vietnam's intellectual property management system by applying information technology. The project has helped build an automatic Industrial Property Administration System, which includes processing and monitoring the IP registration process from application to granting of certificate.

The project also trains hundreds of officials in developing and managing the intellectual property regime.

5. Trademark association meets

(from Viet Nam News, Business Section, Page 16, Vietnam, 29 May 2004)

The Vietnam Association for Trademark Protection held its first meeting and appointed an executive board in Hanoi. At the meeting Le The Bao, 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. From now till the first quarter of 2005, the association will organize training courses and plans to publish magazines and journals to help firms and consumers learn about counterfeiting.

The association now counts 140 firms as members and will operate under the auspices of the Ministry of Trade.

BRUNEI DARUSSALAM

News in May 2004

PC games agency warns against piracy

(from Borneo Bulletin, 21 May 2004)

Relevant authorities are putting their foot down to stomp the wayward criminal activities of the unlawful use and production of PC games software in cyber cafes, Local Area Network (LAN) gaming centers and retail outlets in the country by imposing strict measures for those who do not comply.

SMM Sdn Bhd, appointed by the Singapore-based Vivendi Universal Games is the authorized seller, distributor and licensee of PC games software belonging to Vivendi Universal Games for retail and use in cyber cafes and retail outlets in the country. And it was learnt that cyber cafes had been unlawfully using the PC games software belongs to Vivendi Universal Games.

According to the source, representatives from authorized software distributors can file a report to SMM Sdn Bhd should there be any unlawful use of their product for reproduction, distribution, and leasing rental. But as an incentive to deter cyber cafes from piracy SMM is offering a business package where owners can purchase licensed PC games software through a monthly installment scheme.

MYANMAR

News in May 2004

Myanmar drafting intellectual property protection law

(from Xinhua News Agency, 16 May 2004)

Myanmar is drafting an intellectual property protection law to promote foreign investment and technology transfer as well as boosting industrial development. The move is being made as part of the implementation of the WTO and TRIPs agreement reached in January 2000.

The experts stressed that updated laws are needed to competently cover everything related to disputes arising from trademark. Myanmar, which became a member of the WTO and WIPO in 1995 and 2000 respectively, is set to complete drafting of the IPP law by the end of 2005 along with other least developing countries.
