

## Monthly Report of November 2004

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### THAILAND

#### News in November 2004

1. FTA talks
2. Thai herb pirated by Japanese
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4. Herb patent fears overdone
5. Budget for piracy crack down
6. Postponed FTA
7. Bio-Diesel patent

#### 1. FTA talks

*(from The Nation Newspaper, Business Section, Page 1B&10B, Thailand, 5 November 2004  
Bangkok Post Newspaper, Business Section, Page B4, Thailand, 5 November 2004)*

Thailand needs to prepare at least four master development plans-for cattle, vegetables, intellectual property, and financial and capital markets – as they are the most exposed to attack by major trading partners under free trade agreements.

“Having FTAs has allowed Thailand to learn more about its weak points and restructuring them for long-term competition both in manufacturing and exports,” Narongchai Akrasanee, head of the FTA Impact Working Group, said.

The intellectual property road map will be more complicated as it involves poor people and drug manufacturers. Among the eight FTA negotiations in total, the one with the US is the most difficult because it is comprehensive in scope and the US Singapore the Kingdom’s biggest trading partner.

After two rounds of talks the US has strongly demanded more access and protection in three markets – intellectual property, information and communications technology, and finance. But Thailand has different standards and readiness.

“We cannot use the same standard as the US requires because it will hit poor people and our IP system lags behind the US,” he said. “The IP master plan is being drafted under which we want to have at least five years to restructure and upgrade the system,” he said, noting that the US gave only three years for IP development to Singapore and Chile in its FTA pacts.

#### 2. Thai herb pirated by Japanese

*(from The Nation Newspaper, Local News Section, Page 2A, Thailand, 13 November 2004  
Bangkok Post Newspaper, Home News Section, Page 4, Thailand, 13 November 2004)*

*Post Today Newspaper, Prime News Section, Page A1, Thailand, 13 November 2004*  
*Krung Thep Thurakit Newspaper, Prime News Section, Page 1&4, Thailand, 13 November 2004*  
*Krung Thep Thurakit Newspaper, Opinion Section, Page 2, Thailand, 13 November 2004)*

Two Japanese companies have patented the cosmetic applications of kwao kreu, a herb indigenous to Thailand, in what is being called an act of “bio-piracy” impeding local research, a bio-diversity activist said.

“Japanese industrial giants Kose Corporation and Shiratori Pharmaceutical have acted like pirates, claiming the Thai community’s intellectual property rights to the herb as their own,” Bio-diversity Action Thailand director Withoon Lienchamroon said.

Kwao kreu, whose botanical name is *Pueraria mirifica*, is found in the North. Its root extract has various uses in Thai traditional medicine, including breast enlargement and as a dietary supplement.

Withoon said the Japanese patent on kwao kreu for anti-ageing applications was registered in the United States in 2002. He said the patent had covered about 20 procedures for kwao kreu extraction and production, adversely impacting on Thai studies of the herb. He said the Japanese companies had violated the UN Convention on Bio-diversity and two Thai laws on bio-diversity protection and traditional medicine.

He called for four government agencies to initiate legal proceedings aimed at repealing the patent. He also urged authorities to raise the issue in the negotiations for a free-trade agreement with Japan.

### 3. Govt assures Aids patients on FTA deal

*(from Bangkok Post Newspaper, Home News Section, Page 4, Thailand, 16 November 2004)*

Negotiators involved in free trade agreement talks with the United States sought to allay fears of HIV/Aids patients, assuring them Thailand will not allow the pact to hamper future access to cheap anti-Aids drugs.

With the next round of talks set for Dec 13-17, worries have grown among Aids activists and patients over a push by the US for a stricter protection of its intellectual property rights in any Thai-US pact.

Washington wants data on US drugs and other high-technology product being imported into the country to be protected for a longer period than is allowed under WTO rules. The US position could mean Thailand may have to rely on expensive imported anti-retroviral pills for longer than the global agreement requires.

But Wiboonlasana Ruamraksa, deputy director-general of the Intellectual Property Department, said Thailand had made its position clear that it would stick to the WTO framework as a basis for negotiations. Suchart Chongprasert, an official at the Food and Drug Administration and one of the negotiators, said the two countries had to find a balance in talks between commercial interests and access to medicines.

### 4. Herb patent fears overdone

*(from Bangkok Post Newspaper, Home News Section, Page 5, Thailand, 16 November 2004)*

*The Nation Newspaper, Local News Section, Page 3A, Thailand, 16 November 2004*  
*Post Today Newspaper, Prime News Section, Page A1, Thailand, 16 November 2004*  
*Krung Thep Thurakit Newspaper, Prime News Section, Page 1&5, Thailand, 16 November 2004)*

The Intellectual Property Department played down fears that patents on Thai medicinal plants by Japanese cosmetic and pharmaceutical firms will lead to exploitation of Thai biological resources. It said the patents on kwao khrua (*peuraria condollei*) by Japan-based Kose Corporation and Shiratori Pharmaceutical Co had no effect on research and development of herbal plants in Thailand.

This is because the patents protected only “novel” medicinal substances and methods of extraction and not the plant varieties, said director-general Kanissorn Navanugraha. He said the Japanese firms did nothing wrong in seeking patents for their kwao khrua products, and the Thai government could do nothing about it under the intellectual property law.

Even if the plants were protected under the Plant Variety Protection Act, he said the government could not take legal action against the Japanese firms because it was hard to prove that the plants were from Thailand and the firms might have obtained the plants before they were put on the protection list.

The only thing that we could do at this moment is to promote research and development of local herbs and patent the outcome of these studies, said Mr Kanissorn.

#### 5. Budget for piracy crack down

*(from Post Today Newspaper, Business Market Section, Page B3, Thailand, 20 November 2004*  
*Krung Thep Thurakit Newspaper, Economic Industry Section, Page 5, Thailand, 20 November 2004)*

Ministry of Commerce would ask more budget, amount 13mln baht, from the government for piracy crack down, especially in the red area such as Pat Pong, Pantip Plaza, Phuket Patong beach etc. At the moment, they provide the reward for the person who gives any information for raiding.

#### 6. Postponed FTA

*(from Bangkok Post Newspaper, Business Section, Page B3, Thailand, 23 November 2004)*

Thailand is considering asking Washington to delay the third round of Thai-US FTA negotiations until after the general elections next February. Observers believe a postponement will not affect the FTA negotiations because the government’s policy is unlikely to change significantly.

#### 7. Bio-Diesel patent

*(from Krung Thep Thurakit Newspaper, Prime News Section, Page 1&4, Thailand, 23 November 2004)*

The petty patent of Bio-Diesel owner would sue the Navy for 20mln baht as the Navy infringed his petty patent. Even the process is not exactly the same but related to his invention. Moreover, they made for commercial which is not accept from the rule.

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## PEOPLE'S REPUBLIC OF CHINA

### News in November 2004

1. Hong Kong protect IPR
2. Canon committed to crackdown on piracy in China
3. Regulation to protect copyrights on networks
4. Richemont's brands received trademark protection
5. IP highly vulnerable in China
6. Beijing issues white paper on IPR protection
7. Seminar to focus on intellectual property protection
8. Pen maker wins
9. EU worrying China's production
10. IP symposium
11. China urged to crack down on trade secrets theft
12. Enhancing IPR protection next year
13. HK continues to protect intellectual property rights
14. Bun maker steamed over name dispute
15. IP regulation
16. Lacoste wins trademark case
17. Japanese, Chinese industries to fight counterfeiting
18. Working against counterfeits given priority
19. Dongfeng Honda sues 11 firms over alleged IPR violations
20. Destroyed 11.2 million pirated CDs
21. Pfizer in court again

#### 1. Hong Kong protect IPR

*(from South China Morning Post, 2 November 2004)*

Hong Kong is relying on its reputation for protecting intellectual property rights to challenge Shanghai as the semiconductor design center of greater China.

The number of chip design companies at the Hong Kong Science and Technology Park has grown to 30 from just three in June last year, employing about 1,500 staff. Many choose the city for its proximity to Chinese manufacturers and Hong Kong's status as a logistics and financial services center.

A key selling point, however, has been Hong Kong's strong legal structure to protect intellectual property, which is sometimes woefully lacking on the mainland.

#### 2. Canon committed to crackdown on piracy in China

*(from SinoCast China IT Watch, 2 November 2004)*

Driven by the prevalence of piracy in China, Canon voiced its determination to crack down on piracy on October 15 on the first anniversary celebration of Canon (China) Co., Ltd. Beijing branch.

For the moment, piracy in China is still going on largely, although China has made many efforts to stop all kinds of piracies. Suffering a lot from piracy, Canon, a giant in the imaging industry, has always paid much attention to the counterstroke against piracy.

Since January 2004 till now, with the support from the local governments, Canon has confiscated 984 pirated products, including ink cartridges, and toner for copier machines, in

eastern China, 5,680 pirated ink cartridges in southern China, and 133 pirated batteries in Lanzhou, capital of northwest China's Gansu Province.

To clear up the market, Canon begins to counterstrike piracy step by step. That is to say, Canon will first entrust some investigation companies to acquire evidences, then forward applications to industry & commerce Bureau, Quality and Technical Supervision Bureau, and public security agencies, and finally crack down piracy completely.

Meanwhile, Canon asks help from Chinese customs to strengthen the record of the import and export business, so as to control the proofs of the circulation of pirated products. Besides, Canon plans to launch consumer instruction services and trigger a new advertisement strategy, which will teach consumers how to distinguish genuine and pirated products.

### 3. Regulation to protect copyrights on networks

*(from China Daily, 5 November 2004*

*Interfax China Business News, 9 November 2004)*

The National Copyright Administration will soon implement a draft regulation on administrative protection of copyrights on information networks, to better protect Internet-based work and prevent piracy.

The draft regulation, worked out by the administration and the Ministry of Information Industry, aims to further bring China's copyright protection closer to international standards, sources from the administration said in Beijing.

China amended its Copyright Law in 2001 to add provisions that entitled authors, performers and audio and video producers to dissemination rights on Internet-based networks. The law also stipulates that protection of these dissemination rights will be additionally stipulated by the State Council. The Legislative Affairs Office under the State Council has listed the protection of Internet-based dissemination rights in its legislation plan for next year.

The draft regulation applies to the administrative protection of dissemination rights on Internet-based services. And these services refer to loading, saving, transmitting, linking, searching and other functions through the Internet, the draft regulation states.

### 4. Richemont's brands received trademark protection

*(from Business Daily Update, 5 November 2004)*

Five brands of Richemont, the world's second largest luxury goods group, have been earmarked by the Administration for Industry and Commerce for Shanghai (Shanghai AIC) to receive special protection against counterfeiting. The five brands are Cartier, Dunhill, Montblanc, Piaget and Vacheron Constantin.

According to the notice issued by Shanghai AIC, as of 25<sup>th</sup> October, it Singapore prohibited to sell goods bearing the brands without Richemont's authorization in all small commodity and apparel markets in Shanghai.

### 5. IP highly vulnerable in China

*(from Electronic News, 8 November 2004)*

According to the US-based Boston Consulting Group (BCG), there is a significant gap growing between the concern companies have about properly managing their intellectual property in China, and their ability to protect it.

More than 60 per cent of survey respondents said they considered their IP highly vulnerable and over 90 per cent felt that IP is at greater risk in China than it is in the US. The respondents major concerns were loss of revenue, technology and market position.

At the same time, respondents did not feel that their companies were organized to effectively face these challenges. More than 60 per cent said they “lack confidence in the adequacy of their company’s IP strategy”, in part because of the law Chinese environment, but also because top management doesn’t take IP seriously enough. The survey results indicated that few companies have senior officers responsible for IP and even those that do use staff three or more levels down from the CEO.

Most companies employ one of two strategies when it comes to China. They either avoid China altogether or they enter and simply accept the IP issues as a cost of doing business. In today’s world, neither of these strategies is viable.

#### 6. Beijing issues white paper on IPR protection

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

Beijing Municipal Government is going to establish and implement the mechanisms of holding press conferences on intellectual property rights protection and issuing White Papers regularly. The government has released White Paper on 2002-2003 Beijing Intellectual Property Rights Protection. Meanwhile, Beijing Intellectual Property Right Development and Protection Outline that plans the city’s intellectual property rights development direction and progression in the following four years has been delivered.

The White Paper reflected the intellectual property protection situation of Beijing in recent two years. Beijing Intellectual Property Office, Beijing Municipal Bureau of Copyright, Beijing Customs and related government organs have further strengthened protection on intellectual property.

The Intellectual Property Right Development and Protection Outline mainly cement the construction of intellectual property rights mechanism and pushes management and protection of the right. Moreover, the Outline established 69 concrete safeguard measures.

#### 7. Seminar to focus on intellectual property protection

*(from Business wire, 11 November 2004)*

Leaders of industry, government, and academia from China and the United States will participate in a seminar, November 16, focused on improving intellectual property protection in China, the Semiconductor Industry Association announced. The seminar held in Beijing.

The seminar will feature presentations on the importance of IP protection to economic development, IP protection obligations under international trading agreements, IP protection issues faced by semiconductor companies doing business in China, the World Semiconductor Council’s position on layout design protection, and enforcement issues. All aspects of

semiconductor IP – patents, copyrights, trademarks, layout designs, and trade secrets – will be discussed.

#### 8. Pen maker wins

*(from Shanghai Daily, 13 November 2004)*

The Shanghai No. 2 Intermediate People's Court ordered Shanghai Wenyihang Trade Co Ltd and five local supermarkets to pay a total of 75,000 yuan to Parker Pen (Shanghai) Ltd for violating the company's trademark. Parker said it found the supermarkets sold fake Parker pens since last August and they all purchased the pens from Wenyihang.

#### 9. EU worrying China's production

*(from AFX Asia, 15 November 2004)*

EU officials said China's production of pirated and counterfeit goods has reached "worrying dimensions" and has led to the country being listed as one of the biggest problems in the area of intellectual property rights.

The EU last week launched a strategy to improve IPR protection in non-EU countries. The new strategy includes technical cooperation, education and legal assistance for non-EU countries, enhanced political dialogue with key countries, as well as the possibility of imposing sanctions through the WTO.

#### 10. IP symposium

*(from Xinhua News Agency, 15 November 2004)*

*BBC Monitoring Asia Pacific, 16 November 2004)*

China proposed to organize next year a symposium on intellectual property with participation of experts from all 21 members of Asian-Pacific Economic Cooperation (APEC). The Chinese proposal was received with applause from all APEC delegates at the on-going Senior Officials Meeting of APEC.

The decision by the Chinese government shows its interest in advancing the intellectual property issue, which was included in the WTO general agreement 10 years ago, but has failed to get approval from many WTO members.

#### 11. China urged to crack down on trade secrets theft

*(from Reuters News, 16 November 2004)*

China must improve its enforcement of intellectual property rules in order to attract greater investment from foreign chipmakers, the US semiconductor industry said at a Beijing seminar. Theft of microchip designs and other semiconductor trade secrets has become a hot-button issue for China, which is poised to become the world's largest market for semiconductors in 2006.

Beijing should boost criminal penalties and eliminate barriers to investigations, the group said in a statement. It also urged China to join the World Semiconductor Council, an organization of global chip industries that has adopted proposals for semiconductor design protection.

#### 12. Enhancing IPR protection next year

*(from Xinhua's China Economic Information Service, 17 November 2004)*

Chinese Vice-premier Wu Yi said that China would enhance protection of intellectual property rights protection and intensify crackdowns on fraudulent commercial acts in 2005. according to Wu, major cases affecting the safety and vital interests of the public will remain the foremost targets of the rectification drive next year. Outstanding problems that impair the market economic order will be dealt with thoroughly and firmly.

In 2004, rectification has focused on food safety, illegal blood donations and supply and IPR protection. A number of major cases, including sales of fake powdered milk in Anhui Province, have been uncovered and seriously dealt with.

### 13. HK continues to protect intellectual property rights

*(from Xinhua News Agency, 17 November 2004)*

Hong Kong Secretary for Economic Development and Labour, Stephen Ip said that Hong Kong will continue with its efforts to protect intellectual property rights.

On law enforcement, he said, the Customs will continue with its strategy to combat IPR violations especially those by syndicates. It will continue to strengthen its cooperation with industry players and further step up cooperation with the law enforcement authorities in neighboring places to facilitate exchanges of intelligence for fighting IPR-infringing activities.

The officials said to promote the community's respect for IPR, the Intellectual Property Department will continue to launch public awareness programs to cater for different sectors of the community through school visits, campaigns, media broadcasts, seminars, exhibitions and roadshows.

### 14. Bun maker steamed over name dispute

*(from Shanghai Daily, 18 November 2004)*

Two local steamed-bun franchisers faced off in court over a trademark dispute about the name "Babi" – a popular steamed bun locals line up to buy everyday. The Shanghai No. 1 Intermediate People's Court heard the case.

Babi food & Drinks Administration Co Ltd Shanghai, the plaintiff, is demanding Shanghai Coobie Food Co Ltd stop using its trademark "Babi" to recruit franchisees and destroy all its products and pamphlets that violated its right to use the name exclusively.

The plaintiff is also seeking 216,000 yuan in compensation and a public apology. The defendant denied it violated anyone's trademark and the name Babi has not been approved by the State Trademark Administration.

### 15. IP regulation

*(from Economist Intelligence Unit, 22 November 2004)*

The Ministry of Information Industry published a draft regulation in early November designed to strengthen the copyright protection of Internet-based intellectual property. The new rules, which are expected to be implemented by the National Copyright Administration by the end of the year, would grant performers, producers and writers dissemination rights to works distributed via the Internet.

The draft refers to copyright protection for works that are linked to, loaded, saved searched for and transmitted, among other Internet services.

#### 16. Lacoste wins trademark case

*(from Xinhua Financial Network News, 22 November 2004)*

French fashion label La Chemise Lacoste has won a copyright infringement case against a local department store in central China's Hunan province. The Changsha Intermediate People's Court in Hunan ordered the department store to pay Lacoste 5,000 yuan in compensation and to stop selling products of the Cartelo brand, whose logo is nearly identical to that of the French label.

The defendant, Changsha Parkson, has appealed the decision to a higher court, saying that since several other trademark lawsuits between Lacoste and Cartelo are still under way in other courts in the country, the action in Changsha should not be final.

Lacoste has sue4d Cartelo over trademark infringement in Beijing courts but no judgment has been reported.

#### 17. Japanese, Chinese industries to fight counterfeiting

*(from Kyodo News, 22 November 2004*

*Jiji Press News Service, 22 November 2004)*

The Japanese and Chinese electronics industries agreed to cooperate in fighting counterfeiting of electronics and other products, the Japan Electronics and Information Technology Industries Association said.

At a meeting in Beijing, JEITA, the China Electronics Chamber of Commerce and the China Electrical Equipment Industry Association agreed tat counterfeiting has seriously affected Chinese companies and consumers as well as Japanese firms. It was their first ever meeting on protects intellectual property rights.

#### 18. Working against counterfeits given priority

*(from Business Daily Update, 23 November 2004*

*China Daily, 23 November 2004*

*Xinhua's China Economic Information Service, 23 November 2004)*

China vowed in Shanghai to become an Asian-Pacific model in the fight against counterfeiting, while enhancing co-operation with the international community.

Following the First Global Congress on fighting counterfeiting held in Brussels in May, the two-day forum is one of the most significant events in the region. It also a major effort by the General Administration of Customs of China since it was nominated as vice-chair of the World Customs Organisation in June.

#### 19. Dongfeng Honda sues 11 firms over alleged IPR violations

*(from Xinhua Financial Network News, 23 November 2003*

*AFX Asia, 23 November 2004*

*Business Daily Update, 24 November 2004*

*SinoCast China Business Daily News, 25 November 2004)*

Dongfeng Honda Automobile (Wuhan) Co Ltd, Honda Motor Co Ltd's joint venture with China's Dongfeng Motor Group, has sued 11 Chinese enterprises to protect its intellectual property rights in regard to its CRV sport utility vehicles.

Over the past two years, Toyota Motor Co, Volkswagen AG and Honda Motor Co have pursued, or threatened to pursue, legal action against Chinese entities on counterfeiting claims. The explosive growth in auto sales last year made China's automobile sector particularly susceptible to counterfeiters and cases of IPR infringement are increasing.

#### 20. Destroyed 11.2 million pirated CDs

*(from Xinhua News Agency, 24 November 2004*

*Xinhua's China Economic Information Service, 25 November 2004)*

Jiangsu Province in east China has intensified its efforts to crack down on the production and marketing of pirated audio and VCDs and products with pornographic contents in recent years. A total of 11.2 million pieces of illegal CDs were destroyed in different places across the province in a demonstration of the province's determination to protect intellectual property rights.

The province closed 55 stores selling pirated audio-visual products and products with unhealthy content in 2001. In 2002, the province destroyed 12 million pirated CDs.

#### 21. Pfizer in court again

*(from Xinhua Financial Network News, 26 November 2004*

*AFX International Focus, 26 November 2004)*

Pfizer Inc has launched legal proceedings against China's State Administration for Industry and Commerce (SAIC), alleging that the administration unfairly rejected its application for domestic trademark protection for its drug used in treating high blood pressure.

At the First Intermediate Court of Beijing, Pfizer maintained it twice submitted an application to the SAIC to register "envacar" as a trademark for the drug. It made its first application in September 2001.

Chinese law does not permit general terms to be used to define trademarks for specific pharmaceutical products. Pfizer claims the dictionary is not a suitable medical reference source, and should not be used by the SAIC to determine trademark licence applications. The drugmaker asked the court to revoke the rulings on the trademark application.

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## SINGAPORE

### **News in November 2004**

1. Copyright pirates may be put behind bars
2. A third of SMEs not prepared for new copyright laws
3. Big haul of pirated CDs

#### 1. Copyright pirates may be put behind bars

*(from The Straits Times Newspaper, Singapore, 17 November 2004)*

Parliament has passed legislation that provides a stronger legal framework to protect the rights of authors and composers, especially with new technologies available that can take advantage of the Internet. It marks the first time major changes have been made to Singapore's copyright law since 1999, and has been done to keep such laws here relevant.

The amendments were partly fuelled by the provisions of the US-Singapore FTA. But such protection would also give companies the confidence to base their operations here, without fear that their ideas would be stolen, and encourage Singapore's own creative community to come up with new content and work.

## 2. A third of SMEs not prepared for new copyright laws

*(from The Straits Times Newspaper, Singapore, 19 November 2004  
Business Times Singapore, 19 November 2004)*

The enforcement of Singapore's new copyright legislation takes effect in under two months. But more than a third of SMEs are still not prepared for it, a study commissioned by the Intellectual Property Office of Singapore (IPOS) has found.

Only 28.9 per cent of the SME respondents say they were very prepared for the new enforcement provisions on software copyright, while another 35.1 per cent say they were quite prepared.

Under the new copyright legislation coming into force in January, any part which is found to have infringed copyright to obtain commercial advantage, or to have done so to a significant extent can face criminal prosecution. But one positive sign was that 'SMEs might still be prepared based upon their internal company practices,' according to the study report. Many SMEs claim to have some software management practices already in place or planned.

## 3. Big haul of pirated CDs

*(from The Straits Times Newspaper, Singapore, 26 November 2004)*

Officers from the Intellectual Property Rights Branch of the Criminal Investigation Department found shops selling illegal copies of music CDs and PC and Sony PlayStation games doing brisk business with holidaying students.

This is the biggest haul of pirated optical discs this year and the first time they raided so many shops in the heartland in one go. About 60,000 pirated CD-ROMs containing computer programs, music and games were confiscated.

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## THE PHILIPPINES

### News in November 2004

1. BSA launches battle vs Internet piracy
2. RP inventors adverse to patents
3. Piracy will cost showbiz industry p9.8b this year

## 1. BSA launches battle vs Internet piracy

*(from INQ7.net, 9 November 2004)*

Anti-piracy watchdog Business Software Alliance (BSA) unveiled Asia's first Internet anti-piracy effort in the Philippines. While the BSA admits it is difficult to contain the growing threat of Internet piracy, it said an educational campaign is needed at this time to teach the younger generation to respect digital copyrights.

Tarun Sawney, BSA director for anti-piracy in Asia, said BSA has chosen the Philippines to launch the program because it is a "snapshot" of developing countries where broadband access is growing. He said illegal software is increasingly being distributed through the Internet, in particular via peer-to-peer networks that offer file-sharing services.

A BSA study shows the rate of Internet infringement cases in Asia Pacific has increased 169 per cent to 83,771 cases this year compared to last year. In the Philippines, the rate has increased 33 per cent this year versus last year's figures.

2. RP inventors adverse to patents

*(from Business World, 15 November 2004)*

Despite their scientific knowledge, savvy ideas and technological skills, a large number of Filipino inventors are ignorant of one of the most important concept in the industrial world: patents.

Science and Technology Secretary Estrella F. Alabastro said many Filipino inventors refuse to apply for a patent or register their inventions as they distrust and harbor misconceptions. They are not very aware of the advantages they would get from the patent. Their idea, many of our traditional inventors, is that if they disclose the details about their inventions, someone else will copy it, she said.

3. Piracy will cost showbiz industry p9.8b this year

*(from Business World, 23 November 2004)*

*Manila Standard, 23 November 2004*

*Post Today Newspaper, International Economic Section, Page A11, Thailand, 24 November 2004)*

The Optical Media Board (OMB) said the movie industry will forego over P3 billion in potential income annually while video distribution is expected to forfeit P4.9 billion in revenues a year. The records and music industry, on the other hand, estimates yearly losses of P1.9 billion to P2 billion.

Forty per cent of pirated products are pornographic materials, with child pornography on the rise. From July to September, the OMB said it has confiscated 813,299 pieces of pirated movie, music, games and software discs with a total value of P224.58 million.

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## INDONESIA

### News in November 2004

1. Trademark not satisfied yet

*(from Suara Pembaruan, Page 19, Indonesia, 1 November 2004)*

Process of law enforcement in trademark counterfeiting cases until now has not satisfied yet because there has not been a perception similarity in law enforcing apparatuses realm, in this matter are police, public prosecutor, and judge who handle the case. In modification era, law enforcement is very needed to increase Indonesia's image in investor eyes.

Head of Indonesia Intellectual Property Society said that law practitioners who especially handled trademark counterfeiting cases often faced to fact that law enforcement process has not been completed, so end result thereof has not satisfied.

2. Destroyed Bin Laden VCDs

*(from Suara Pembaruan, Page 19, Indonesia, 3 November 2004)*

Thousands pieces of VCDs of Osama Bin Laden when he was a child were destroyed by Special Police apparatus of Soekarno-Hatta airport. The illegal goods wanted to be sent by using cargo plane to Denpasar, Banjarmasin, Pekanbaru, and Palembang,

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## VIETNAM

### News in November 2004

1. Vietnam literary copyright center appeared
2. Bat Trang Vietnam trademark and BTEPC launched
3. Vietnamese province sets up patent, trademark fund

1. Vietnam literary copyright center appeared

*(from Phap Luat Newspaper, No. 262, 1 November 2004)*

On 2 November 2004, Vietnam Literary Copyright Center is officially introduced in Hanoi. The center has main responsibilities including coordinating with competent authorities in timely and adequate formulation and dissemination of regulations, guidelines, policies and viewpoints of the Government relating to copyright; signing contract with partners on behalf of author, acting as a focal point responsible for collecting royalties or other physical benefits for authors being members of the Vietnamese Writers Association and other authors through a copyright transfer contract; monitoring and enforcing protection of the copyright transferred to the Center; cooperating with the foreign copyright centers in protection of interests of authors who transferred their copyrights; protecting interests of writers before the competent authorities, courts, arbitrations and other individuals and organizations; conducting other activities in accordance with the laws and the Center's charters.

2. Bat Trang Vietnam trademark and BTEPC launched

*(from IPR Strategic Information Database, 18 November 2004  
The Saigon Times Daily, 19 November 2004)*

The Bat Trang Ceramics Association announced the Bat Trang Vietnam trademark and launched the Bat Trang Export Promotion Center (BTEPC) in Hanoi. The project to develop the trademark and the center was funded by the International Finance Corporation's Mekong Project Development Facility with the aim of boosting the ceramics industry in Bat Trang.

Bat Trang trademark will ensure the position in domestic and foreign markets for more than 400 businesses operating in Bat Trang village. The Bat Trang trademark is one of the first trademarks the Ministry of Culture and Information has granted a certificated of national trademark.

3. Vietnamese province sets up patent, trademark fund  
(from *Asia Pulse*, 22 November 2004)

The southern Binh Duong Province has set up a VND500 million fund to support provincial businesses and to protect their intellectual property rights abroad. The programme is the first of its kind in the province and was passed by the provincial People's committee.

Under the project, the committee will cover the full costs for Vietnamese companies operating in Binh Duong to build up IPRs overseas. Firms will be supported in obtaining exclusive innovation patents, utility solutions patents, exclusive industrial design patents, trade label certification and original trade name usage rights.

In addition, the province will subsidise 50 per cent of the enterprises' costs in registering trademarks in the European Union, United States, Australia, New Zealand, the United Kingdom, mainland China, Japan, South Korea, Taiwan and some South-east Asian nations.

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