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Special Interview with

Minister of Domestic Trade, Co-operatives and Consumerism

Intellectual Property and Nation's Wealth Creation Process

Intellectual Property Monetisation Marketplace

Plain Packaging

Perspectives of the Trade Marks
Professionals

10 Inventions

That Changed The World

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EDITORIAL

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Editor's Note

Dear readers,

Co-operation. Collaboration. Joint effort. Teamwork. These all have one unifying factor – the need for each player of the group playing their part. In the field of intellectual property, collaboration between organisations means developing a close relation with each other to ensure that everything gets done effectively and the target objectives are achieved.

With this in mind, the editorial team has jam-packed this edition with several articles showcasing the importance of teamwork that range from Economy and Trading, Geography and Marketing. The article on the creation of IP Marketplace is especially interesting; it (the Marketplace) is one of the important projects that allow initial contacts between interested parties. You might want to know how MyIPO plays its roles in spearheading creativity and innovation as drivers of the nation's economic growth. With the support from the stakeholders and the public at large, it is possible, in simple words, to create wealth out of ideas.

Watch our Happenings pages if you think you have been spotted by our team at our events around the country. You can also check out our IP News-in-Brief section for interesting bite-sized updates on the world of IP. We can also witness the power of the human mind that result in inventions that have changed the world and contributed towards a better living.

Till you hear from us again, Happy Reading.

Thank you,

MyIP Bulletin Editor

Special Interview with

YB Dato' Sri Hasan Bin Malek

Minister of Domestic Trade,
Co-operatives and
Consumerism



Q1

The Government has successfully launched and implemented the IP Valuation Model and IP Valuation Training Module in 2013. The second phase for the IP Valuation Initiatives is to establish a platform for IP Marketplace in Malaysia. Could YB Dato'Sri elaborate more on IP Marketplace and what is the current status?

In 2007, when the Government introduced the National IP Policy (NIPP), we encompassed IP Transactions for the development of infrastructure as one of NIPP's strategic objectives and thorough studies have been conducted to establish a platform for IP based transaction in Malaysia. The IP Valuation Initiatives involved experts from various fields including IP, financial, legal and academician from Malaysia and foreign countries. As a result, we have formulated the IP Valuation Training Module. Two training sessions were organized in 2013 involving 55 selected participants. We have also introduced the IP Valuation Model based on the international standard that is acceptable by local financial institutions. The implementation of training module and the introduction of IP Valuation Model are the vital preliminary steps to set up a platform for IP Marketplace in Malaysia.

The IP Valuation Training Module qualifies 23 local IP valuers to evaluate IP based on the IP Valuation Model. The need for IP valuation is not only for the purpose of obtaining fund from financial institutions but also to allow the owners to trade their IP at the IP Marketplace. In setting up a platform for IP Marketplace, MyIPO has studied the establishment of IP Marketplace

in other countries and collaborated with seven agencies related to IP Marketplace in China, Hong Kong and Singapore namely (i) China Technology Exchange (CTEX); (ii) Shanghai Technology Transfer Exchange (STTE); (iii) Northern Technology Exchange Market (NTEM); (iv) Zhejiang Provincial Science and Technology Exchange Centre (ZSTEC); (v) Peking University Office of Science and Technology; (vi) Hong Kong Trade Development Council (HKTDC); and (vii) NUS Enterprise (NUS ETP), Singapore.

Early this year, MyIPO organized a Seminar on IP Marketplace in collaboration with HKTDC. The seminar aims to share information on the commercial opportunities with HKTDC and leveraging Hong Kong as a potential business hub for Malaysia's IP rights as well as to provide guidance to the potential IP marketplace players.

Our next step is to develop a portal for IP trading and to update our IP legislation by providing a provision to recognize IP as a private property that can be traded like any other tangible asset. We have amended the Industrial Designs Act 1996 which entered into force on 1 July 2013. The same provision will be included in the Patents Act and Trade Marks Act.

Q2

National IP Day is celebrated annually since 2005 and the first celebration was held in Melaka. The event was then held in Kuala Lumpur for five consecutive years from 2006 until 2010. However, in 2011, it was held in Johor and then in Pahang (2012), Melaka (2013) and for this year, Kedah is chosen to be the venue for the event. YB Dato' Sri, what will be the significant of this year's event and what does the Government want to achieve from this annual event?

A2: The celebration of National IP Day (NIPD) aims to promote awareness on the importance of intellectual property protection, to instil culture of respecting intellectual property rights as well as to encourage creativity and innovation among Malaysians. A number of activities were held during NIPD including seminars, exhibitions, forum, IP Oratory Competition, IP Concert, IP Game Show, IP Treasure Hunt and IP Run. These activities were tailored according to specific target group involving different levels of societies including organizations, industries, school children, higher learning institutions and the public. On top of that, in 2006, we introduced National IP Award (NIPA), a prestige award given to the Malaysian inventors and innovators as a recognition for their contribution in the nation's IP industry.

The Government aims to disseminate intellectual property information extensively throughout the nation and MyIPO has been tasked to implement this mission. We would like to give an opportunity to all Malaysians to celebrate NIPD and enhance their knowledge on intellectual property protection. By having NIPD in different states in Malaysia, we are bringing IP information closer to the public and also as an appreciation for their support in the development of IP Ecosystem. At the same time we can learn on the needs of different levels of societies that will enable us to strengthen our IP awareness programmes and IP transformation strategies from time to time. We want to build the nation based on IP. It may take times, but our continuous effort will move us towards achieving our transformational goal.

Q3

We understand that MyIPO in co-operation with the Ministry has been organizing a number of IP awareness programmes throughout the nation. The objective of this programme is to educate the public on the importance of IP protection and to promote creativity and innovation among Malaysians. What is Dato' Sri's view on having IP as a core/elective subject in the formal education?

A3: IP in the formal education is not new to us. In my knowledge, faculty of laws in the universities provide IP Law subject for their students. Universiti Kebangsaan Malaysia (UKM) offers Master in Intellectual Property (MIP) to non-legal graduates and MyIPO collaborates with UKM to provide an attachment programme for the MIP's students.

Currently, MyIPO collaborates with Universiti Malaysia Sarawak (UNIMAS) to introduce IP as an elective subject and will begin from September 2014. We learn that it is important to instil IP knowledge among the students from science, engineering, arts and other non-legal stream. We need to educate them not only what is IP but also how to apply the knowledge in their life and day to day job. This is because, IP exist all around us, whether in the form of product, process, design, literary works, artistic works, logo or brand. We use IP every day to make our life easier in performing our jobs. Thus, it is vital for us to know the "do's" and "don't" with regard to IP, how to protect it, what is our right as the owner

and how to respect IP rights. I believe, these are the basic knowledge that all students should have. We encourage more universities to follow UNIMAS and would offer IP as an elective subject.

MyIPO will continue organizing IP awareness programmes throughout the nation such as seminars, workshops, trainings, media action plan and IP Summer Camp. Most of the programmes are considered to be an informal education. For example, the IP Summer Camp focused on school children with fun learning activities. The objectives of the IP Summer Camp is to educate young generation on respecting IP ownership, ethics in using other people's IP and to stimulate them to be creative and innovative. We intend to transform Malaysian from IP users to IP owners in the long term. In fact we are working with the Ministry of Education to introduce IP Foster School this year. Perhaps in the second phase, we will work on introducing IP as one of the subjects in the schools.

Q4

For the last 5 years, the number of IP applications has shown an average increase of 5 percent. In Dato' Sri's view, is MyIPO ready to cope with the constant increment and increasing demand for IP registrations in the future?

A4: I was made to understand that almost 60% of MyIPO's workforce is dedicated for processing IP applications including patent, trade mark and industrial design. The examiners are given continuous training to enhance their skill and knowledge so that they will deliver efficient services in processing the applications. Under the ASEAN IPR Action Plan 2011-2015, the ASEAN member states are working together to come up with a systematic training module for patent examiners and Malaysia is the co-country champion with Singapore to lead this project.

Furthermore, at the national level, MyIPO has initiated an industrial attachment programme which enable patent examiners to be attached to major companies or organisations that are involved in the latest technology and also active in registering patent in Malaysia. The programme will be designed to enhance examiners' knowledge in certain technology that could assist them to examine patent application. On top of that, MyIPO has introduced Education Fund for them to further their studies on the latest technology.

We are aware that skilled and experienced examiners are one of the important assets for MyIPO. In this regard, MyIPO has initiated the Work from Home Pilot Project based on 'Work-Life Balance' Concept with an objective to retain skilled and experienced examiners. The Pilot Project involved selected patent examiners and trade mark examiners. The outcome of the project is very encouraging. The

productivity has shown an increase of 30 percent and MyIPO has decided to continue this project with the involvement of more selected examiners.

Another important aspect we are looking into is the enhancement of ICT infrastructures. In 2013, MyIPO has started the implementation of ICT Strategic Plan 2013 – 2017. The projects that have been completed include the implementation of 6 main systems at MyIPO branch offices, upgraded Firewall System and Work From Home, developed ICT training plan, conducted ICT training programmes and developed new ICT Policy and Procedures. This year, 13 projects will be implemented including Business Process Improvement (BPI), Integrated IP System, International Registration, Disaster Recovery Centre (DRC) and restructuring of MyIPO's ICT division. I believe that the enhancement of ICT infrastructure will enable MyIPO to cope with the increasing demand for IP registration in the future.

I was also informed that MyIPO is studying the possibility to adopt formality automation system by having a centralized formality system for all IP applications. In the near future, MyIPO also intends to collaborate with other IP offices under Patent Prosecution Highway (PPH) and WIPO Central Access to Search and Examination (CASE) for work sharing. Work sharing with other IP offices will allow examiners to share their examination reports and speed up the examination process. We will also increase the number of examiners from time to time if necessary.

Q5

Malaysia is known as one of the 12 mega-diversity countries in the World and protection of traditional knowledge (TK), genetic resources (GR) and traditional cultural expression (TCE) are important for us. However, issues on protection mechanism for TK, GR and TCE are still being debated at the international level. Currently, how does Malaysia protect TK, GR and TCE from being exploited unethically?

A5: Malaysia has been participating actively in the discussion at the international level. Generally, we support the use of international legally binding instrument for the protection of TK, GR and TCE. We are of the view that it will ensure effective protection of TK, GR and TCE like any other intellectual property. The international instrument will also be a guidance for us to formulate protection mechanism at the national level. However, the discussion has taken quite a long time and all member states are still working towards achieving consensus on proposed draft instruments.

In this regard, we have developed the Malaysian Traditional Knowledge Digital Library (MyTKDL), a database which will

assist patent examiners in processing patent applications and to protect nation's TK from being exploited unethically by irresponsible party. As at December 2013, we have collected more than 1,600 information relating to species of medicinal plants. We appreciate the cooperation given by the relevant agencies such as FRIM and we encourage more agencies to collaborate with us in protecting the nation's TK.

For TCE, we are in cooperation with the Department of Heritage under the Ministry of Tourism and Culture to compile the TCE data. We have collected more than 200 data relating to dances, songs, handicrafts, tales and ceremonies. I was informed that MyIPO plans to develop a TCE database as a national source of information on TCE. This is our first step to ensure these data are recorded and protected systematically. We can be assured that this initiative is vital to protect our heritage for future generations.

I was made to understand that the relevant agency and ministry which responsible for the protection of GR have also taken the necessary step to protect our GR through effective mechanism.

Q6

In 2006, Malaysia acceded to the Patent Cooperation Treaty, an international filing system for patent. Does the Government has any plan to participate in the international filing system for trade mark and industrial design? What are the advantages for having an international filing system?

A6: The Government has always committed to enhance IP system in Malaysia. Our aim is to support a comprehensive business environment that will enable local business entities to expand their business abroad and to attract foreign business entities to invest in our country. This is because, the value of IP as an economic asset has been recognized globally and all business entities especially from developed countries will always ensure their IP assets are protected in the country which they wish to invest, manufacture or market their product. As we all know, IP protection is territorial in nature and if we want our IP to be protected in other countries, we need to submit our application to the IP office in each country. This may be costly and consume a lot of time. However, the international filing system offers a simplify procedure with one application, one single fees and covering more than one countries. I am of the view that this system is beneficial for our local business entities to expand their businesses in other countries without worrying about how to obtain IP protection in that country and vice versa for the foreign business entities.

It has been eight years since the PCT system was introduced in Malaysia. The international filing system for patent facilitates applicant to obtain patent protection at any PCT contracting countries with one single filing. I am of the view that, it is time for us to adopt the Madrid System, an international filing system for trade mark and the Hague System, an international filing system for industrial design. However, in depth study and consultation with the stakeholders to be conducted before Malaysia accede to the international treaty. I was informed that, study and series of consultations on Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks (Madrid Protocol) have been conducted since few years back. Now we are amending the relevant law and regulations to enable Malaysia to accede to the Madrid Protocol and to adopt the Madrid System. For industrial design, I was made to understand that MyIPO is in the midst of studying the Hague System.

Worth mentioning here that, the ASEAN Member States are moving toward adopting the Madrid System and the Hague System by 2015 under the ASEAN IPR Action Plan 2011-2015. Malaysia together with the other ASEAN Member States are determined to achieve this goal and we received encouraging support from the ASEAN Dialogue Partners.

INTELLECTUAL PROPERTY AND NATION'S WEALTH CREATION PROCESS

Tan Sri Dato' Seri Dr. Sulaiman

B. Mahbob

Former Director General
Economic Planning Unit
Prime Minister's Department

Adjunct Professor
INPUMA, Universiti Malaya

The nation's current emphasis on creativity and innovation as drivers of economic growth is very much applauded. It is the basis of the achievement of K-Economy that was initiated by our former leader, Tun Dr. Mahathir Mohamad. Hence the current pursuit of creativity and innovation is a natural progression towards that objective and the attainment of Vision 2020 objectives.

In this context, the role of Intellectual Property Corporation of Malaysia (MyIPO) in spearheading the creation and registration of intellectual properties is very significant and critical. The organisation was corporatised with the view to expediting its processing capability and decision-making process given the rising expectation for a speedier delivery of public sector services. Its corporatisation was also facilitated by the need to infuse greater flexibility in public administration amidst the policy to rein in on public finances.

“ I have confidence that MyIPO will eventually succeed in overcoming its challenges. To reach that position it may have to invest more on communications and public relations so that more people are aware of its role and significance and its aspirations being internalised by a great number of Malaysians, the Y-Generation in particular, who are our true assets of the future ”

MyIPO is now more mature, and has quite reached the time to play a more impactful role in facilitating wealth creation processes so as to assist economic growth and social development. Intellectual properties do not end in themselves; they have to be valued and treated as assets just like other forms of assets and wealth. As assets they can be owned, traded, and priced as well as bequeathed and used as collateral, just like other assets.

However, the move towards this direction is fraught with impediments. Traditions die hard, especially among bankers. This is where the emerging challenge of MyIPO is.

This direction may seem uphill. Surprisingly however, the accountants may be able to put value to goodwill, an invisible asset and thus putting shares at higher value after they put their signatures that the audited accounts are 'true and fair'.

Thus I am sure, one day, we can value and price patents, trade marks, industrial designs, copyright, and other intellectual properties, like other properties. If that day comes more wealth may be created and distributed especially among the less fortunate sections of the society whose works are based on their creativity and innovativeness, however simple they may be.

Having said this, at this very moment, the tasks to encourage more creations of intellectual properties among Malaysians is still challenging. We need to promote a culture that respects, admires



research expenses rather than their output of patentable quality. Something is not quite right here.

Having said the above, I have confidence that MyIPO will eventually succeed in overcoming its challenges. To reach that position it may have to invest more on communications and public relations so that more people are aware of its role and significance and its aspirations being internalised by a great number of Malaysians, the Y-Generation in particular, who are our true assets of the future.

It is equally important that MyIPO invests in its human capital especially in areas where the understanding of IPs is very critical.

I wish 'every success and the very best' to the leadership and management of MyIPO, an organisation that has a humble beginning but has much to offer to the future wealth creation processes in the country.



and values as well as protects intellectual property. We also need to ensure that R&D works in the country lead to creation of patents, new designs, and copyrights especially in the public sector organizations whose R&D work is funded through tax payers' money. That can be their KPIs.

Equally important is the role of the private sector in this endeavour. In the developed countries the private sector is the workshop where patents are churned and produced. Despite the many incentives given to the private sector in this country, such as tax concession, subsidized energy prices, R&D grants, training grants, the number of patents produced by them is far from satisfactory. Where do we go wrong?

Perhaps we have to examine this observation and reconfigure our incentives so as to encourage more intellectual properties being created by them. As it is we give them incentives based on their



INTELLECTUAL PROPERTY MONETISATION MARKETPLACE

IP Valuation Unit, MyIPO

Innovations and creative ideas are the lifeblood of a knowledge-based business community. Intellectual Property (IP) is the driving force for spurring innovation, stimulating creativity and disseminating knowledge and information, all of which are essential components for sustainable economic growth and development in the 21st century.

IP, like any other asset class, has a value and its rights can be bought, sold and used as collateral to raise capital or funds. Using IP assets to gain access to credit is gaining prominence globally. An increasing number of lenders and financial institutions are beginning to provide credit on the back of qualified IP assets either partially or fully collateralised by these IPs.

The Government has been steadfast in its efforts in preparing IP to be an asset class which is acceptable for use as security. The Malaysian Government has launched a

financing scheme using IP as collateral called IP Financing Scheme (IPFS) especially for SMEs to provide them easier access to credit through their IP assets. The IPFS introduced by the Government is part of the overall initiatives to improve and strengthen the IP ecosystem spearheaded by MyIPO. The IPs submitted by qualified applicants for the IPFS were valued by MyIPO under its IP valuation programme.

Building on the IP ecosystem, the creation of an IP marketplace for IP trading in Malaysia is crucial. Embracing this IP marketplace, businesses including the SMEs are offered with new opportunities to put up their IP rights for sale and monetisation. A platform for this trading will be provided through an IP listing portal for owners to market their IP, and for buyers to acquire them. This online service is to facilitate trading of IP rights and is intended to provide easy access to available IPs for sale or licensing as well as to establish initial contact between interested parties.

An establishment of the IP marketplace in Malaysia is substantial to instil confidence in financial sectors that IP rights are valuable and capable of being traded. A successful IP marketplace is needed to present the liquidity needed by banks and financial institutions to recognise and accept IP as collaterals against loans.

GLOBAL IP MARKETPLACE PARTNERS

To capture the international market, MyIPO has established strong networks and alliances with renowned and reliable IP marketplace players in various parts of the world. Letters of Understanding (LoU) have been signed with seven IP Marketplace players in China, Hong Kong and Singapore. Adding on, MyIPO will be exploring IP marketplace in other regions such as Europe and the Middle East. Under this cooperation, MyIPO and these IP marketplace partners shall work together to promote cooperation in support of IP rights-related marketplace activities; to promote the exchange of information and cross-fertilisation of ideas and to facilitate IP rights transactions between IP owners and potential partners. In short, these IP marketplace partners will provide opportunities for Malaysian IP rights to be recognised and traded not only locally but also internationally.

The seven global IP marketplace partners:

1. Hong Kong Trade Development Council (HKTDC), Hong Kong

AsialPEX is a free online platform and database featuring a collection of various intellectual property from all over the world developed and managed by HKTDC, a statutory body dedicated to promoting Hong Kong trade. It aims to facilitate international IP trade and connection to global IP players.



2. China Technology Exchange (CTEX), Beijing

CTEX was jointly established by Beijing Municipal People's Government, the Ministry of Science and Technology and the State Intellectual Property Office. It offers affordable and efficient professional services to support the transfer and licensing of various types of IP including trade marks and patents. It incorporates a financial services centre to address the overall credit, fund and investment considerations to support technology advancement.



3. Shanghai Technology Transfer and Exchange (STTE), Shanghai

It is the first state-level technomart operated to enable and promote trading of high-tech products and technologies between regions, industries and organisations. It provides

special attention to SMEs in assisting them to improve their innovation capability by offering customised solutions to meet their needs including helping in identifying suitable partners and technology transfers.

4. Northern Technology Exchange Market (NTEM), Tianjin

NTEM was set up in 1995 as a leading state-level technology transfer entity to facilitate the commercialisation of technology and promote the transfer of advanced technologies. It offers various services including technical intermediary service, technology property rights transaction, face-to-face business matching, information service, international cooperation, exhibition and seminar organisation.

5. Zhejiang Provincial Science and Technology Exchange Centre (ZSTEC), Zhejiang

Established in 1984, ZSTEC with Foreign Countries is subordinated to Science and Technology Department of Zhejiang Province, specializing in international science and technology exchange and cooperation. Authorized by the Government, the center provides services for the Government and the society. It is the window for science and technology exchange and cooperation of small and medium size enterprises in Zhejiang.

6. Office of Science and Technology, Peking University (PKU-SUZHOU), Beijing

Peking University is a national key university and offers comprehensive academic programmes. It serves to advance the country's socialist modernisation through the development of important scientific knowledge and subjects combined with the training and development of skilled expertise and professionals.

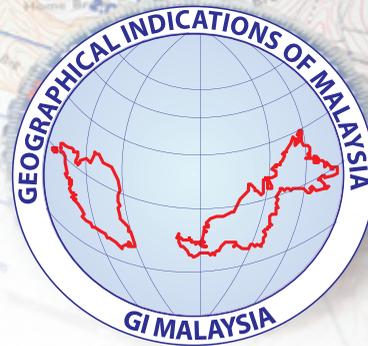
7. National University of Singapore, NUS Enterprise (NUS ETP), Singapore

NUS is a leading university in Singapore and as part of its strategic vision, developed the concept of NUS ETP as an entrepreneurial and innovative dimension to the university's core research and educational activities. It promotes the spirit of innovation and enterprise through Experiential Education, Industry Engagement and Partnerships and Entrepreneurship Support.

MEMANFAATKAN PERLINDUNGAN PETUNJUK GEOGRAFI SEBAGAI ALTERNATIF PENJENAMAAN PRODUK

Bahagian Cap Dagangan & Petunjuk Geografi, MyIPO

Petunjuk Geografi adalah satu alternatif baru untuk penjenamaan produk selain daripada pendaftaran cap dagangan. Secara amnya, petunjuk geografi ini hampir sama fungsinya dengan cap dagangan terkenal (well-known trade mark). Petunjuk geografi merupakan satu petunjuk yang merujuk tempat asal sesuatu produk dihasilkan dan produk tersebut dikenali melalui keistimewaan tertentu seperti kualiti, reputasi atau ciri lain yang terdapat pada produk tersebut. Kualiti atau ciri-ciri lain sesuatu produk petunjuk geografi adalah berkait rapat dengan faktor alam seperti iklim, tanah, hujan, bahan-bahan mentah dan juga faktor manusia seperti kemahiran, budaya dan warisan yang diamalkan secara turun-temurun. Faktor-faktor tersebut menyumbang kepada keistimewaan dan keunikan produk petunjuk geografi sehingga pengguna dapat mengenal pasti dari mana sesuatu produk itu berasal dan mampu membezakan kualiti produk tersebut berbanding produk yang sama dari tempat lain. Keistimewaan, keunikan dan kualiti produk tersebut akan membentuk reputasi yang positif terhadap produk petunjuk geografi di kalangan pengguna. Contoh petunjuk geografi yang telah mendapat pengiktirafan dalam dan luar negara adalah 'Sarawak Pepper' (Lada Sarawak) yang juga merupakan petunjuk geografi berdaftar pertama di Malaysia.



PERLINDUNGAN PETUNJUK GEOGRAFI

Petunjuk geografi di Malaysia dilindungi di bawah Akta Petunjuk Geografi 2000 (Akta 602) dan Peraturan-Peraturan Petunjuk Geografi yang telah mula berkuatkuasa pada 15 Ogos 2001. Akta 602 ini membolehkan pemilik petunjuk geografi sama ada pengeluar, persatuan atau pihak berkuasa yang berwibawa memfailkan permohonan bagi pendaftaran petunjuk geografi di Perbadanan Harta Intelek Malaysia (MyIPO).

Pendaftaran petunjuk geografi memberikan hak eksklusif kepada pemilik untuk menggunakan petunjuk geografi pada produk mereka dan mengambil tindakan undang-undang sekiranya berlaku pelanggaran hak atau pertikaian. Sijil pendaftaran yang dikeluarkan oleh MyIPO merupakan bukti hakmilik yang diterima secara *prima facie* di Mahkamah. Sijil ini sah untuk tempoh 10 tahun dari tarikh pemfailan dan boleh di perbaharui untuk tempoh setiap 10 tahun.

Petunjuk Geografi Sebagai Penjenamaan Produk
Petunjuk geografi memberi pengiktirafan bahawa sesuatu produk mempunyai kualiti atau reputasi tertentu berdasarkan asal geografinya. Selain 'Sarawak Pepper', terdapat 18 petunjuk geografi tempatan yang berdaftar dan telah dikenali di Malaysia iaitu 'Sabah Tea', 'Borneo Virgin Coconut Oil', 'Tenom Coffee', 'Sabah Seaweed', 'Bario Rice', 'Buah Limau Bali Sungai Gedung', 'Sarawak Beras Biris', 'Sarawak Beras Bajong', 'Kuih Lidah Kampung Berundong Papar', 'Tambunan Ginger', 'Terung Asam Sarawak', 'Kek Lapis Sarawak', 'Sarawak Dabai', 'Langkawi Cheese', 'Perlis Harumanis Mangga', 'Sesar Unjur Sarawak', 'Umai Sarawak' dan 'Belacan Bintulu'. Di samping itu, terdapat enam permohonan petunjuk geografi yang masih dalam proses pengiklanan di dalam warta kerajaan iaitu 'Tenun Pahang Di Raja', 'Biskut Dan San Sungai Lembing', 'Kacang Goreng Sempalit', 'Gaharu Gopeng', 'Songket Terengganu' dan 'Kain Songket Melaka'. Manakala, lima petunjuk geografi dari luar negara yang telahpun didaftarkan di Malaysia adalah 'Parmigiano Reggiano', 'Pisco', 'Scotch Whisky', 'Cognac' dan 'Champagne'. Setiap produk ini mempunyai keunikan dan reputasi yang mudah dikenali berdasarkan

tempat asal produk tersebut. Petunjuk geografi ini membolehkan pengguna membezakan produk tersebut daripada produk yang sama dari tempat lain berdasarkan nama dan kualiti sekaligus membina keyakinan pengguna terhadap jenama produk tersebut. Jenama produk berasaskan petunjuk geografi ini mempunyai nilai komersial yang tinggi memandangkan produk petunjuk geografi tersebut hanya boleh dihasilkan dari kawasan geografi asalnya sahaja. Di samping itu, pengeluar produk petunjuk geografi berdaftar perlu menjaga kualiti produk supaya reputasi produk tersebut tidak terjejas seterusnya mengekalkan keyakinan pengguna.

Penggunaan petunjuk geografi ini juga dapat memperkenalkan nama tempat di Malaysia dan berperanan membantu meningkatkan ekonomi negara dalam sektor eko-pelancongan. Kebanyakan pengguna akan tertarik untuk melawat tempat asal pengeluaran produk petunjuk geografi ini bagi mengenali lebih dekat cara penghasilan produk dan keunikan kawasan geografi tersebut. Oleh itu, penjenamaan produk melalui petunjuk geografi mampu berperanan sebagai salah satu daya tarikan pelancongan negara.



Maklumat tentang kejayaan petunjuk geografi dalam penjenamaan produk oleh pengeluar-pengeluar di negara-negara lain boleh dijadikan panduan. Sebagai contoh "Teh Darjeeling" di India yang mempunyai keunikannya yang tersendiri dimana apabila dibancuh akan membangkitkan aroma semulajadi dan rasa yang tersendiri serta cahaya teh yang mempunyai kelainan. Sejak beribu tahun dahulu pengeluaran teh ini diusahakan oleh penduduk setempat dan dibantu oleh pekerja-pekerja dari Nepal. Kini "Teh Darjeeling" membawa nama negara India sebagai pengeluar teh termahsyur di dunia. "Darjeeling" pada asalnya dilihat sebagai sebuah resort kesihatan dan British

datang ke Darjeeling bagi tujuan menubuhkan sebuah sanatorium bagi tentera-tentera mereka. Dr. Campbell, Penguasa pertama Darjeeling, yang benar-benar merangsang pertumbuhan teh (walaupun secara eksperimen) di kawasan bukit Darjeeling pada tahun 1841. Eksperimen Dr. Campbell menampakkan hasil apabila pokok teh berkembang dengan besar sehingga 20 kaki dan didapati iklim di Darjeeling adalah sangat sesuai untuk pengeluaran teh. Hari ini "Teh Darjeeling" sudah menjadi satu produk termahsyur di seluruh dunia. Lembaga Teh India telah memperkenalkan Logo Darjeeling khas yang digunakan bagi mengeksport "Teh Darjeeling". "Teh Darjeeling"

juga telah didaftarkan sebagai petunjuk geografi dan penggunaan nama Darjeeling sama ada dalam bentuk perkataan dan logo perlulah memperoleh lesen daripada Lembaga Teh oleh semua pengeksport dan pedagang “Teh Darjeeling”. Usaha ini telah dapat menghasilkan pendapatan berlipat kali ganda di samping mengharumkan nama negara.

Usaha Kerajaan Dalam Menggalakkan Perlindungan Petunjuk Geografi Melalui Pendaftaran

Menyedari bahawa potensi petunjuk geografi sebagai alternatif penjenamaan produk mampu memberi sumbangan dalam ekonomi negara serta memelihara tradisi dan warisan negara, Kerajaan telah mengambil pelbagai inisiatif untuk menggalakkan para pengusaha tempatan melindungi petunjuk geografi melalui pendaftaran. Antara inisiatif yang telah dilaksanakan adalah seminar, bengkel dan taklimat di seluruh Malaysia bagi memberi pemahaman mengenai kepentingan pendaftaran petunjuk geografi terutamanya di kalangan pengusaha tempatan, persatuan dan koperasi. Kerajaan negeri turut memainkan

peranan penting dalam mengetengahkan produk petunjuk geografi di negeri masing-masing yang sememangnya mempunyai keunikan tersendiri dan reputasi yang dikenali oleh orang ramai. Bagi mengiktiraf petunjuk geografi sebagai ikon penjenamaan negara terutamanya di pasaran global, Kerajaan telah melancarkan Logo Petunjuk Geografi Malaysia pada 9 September 2013. Hanya pemilik petunjuk geografi berdaftar di Malaysia sahaja diberi keistimewaan untuk menggunakan logo ini pada produk keluaran mereka. Penggunaan logo petunjuk geografi pada pembungkusan sesuatu produk seharusnya menjadi simbol kualiti, reputasi dan keunikan produk tersebut seterusnya memperkenalkan nama negara di seluruh dunia. Bermula September 2013, setiap pengeluar produk petunjuk geografi berdaftar wajib menggunakan logo ini pada produk mereka.

Di samping itu juga, kerjasama antara MyIPO dan agensi berkaitan petunjuk geografi telah diperkukuhkan melalui Memorandum Persefahaman yang telah ditandatangani pada 2 Mac 2014 antara MyIPO dan Yayasan Pembangunan Usahawan (YPU) Terengganu. Semasa majlis tersebut sejumlah tujuh permohonan petunjuk geografi telah difailkan antaranya ‘Sampan Pulau Duyung’ dan ‘Batik Terengganu’. MyIPO turut mengadakan perbincangan dengan kerajaan negeri dan agensi-agensi berkaitan petunjuk geografi pada 26 Mac 2014 bagi memperluaskan lagi kerjasama dan menggalakkan pihak berkuasa yang berwibawa memainkan peranan dalam melindungi petunjuk geografi yang berpotensi untuk didaftarkan di Malaysia.



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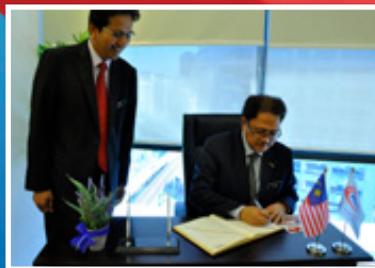
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Happenings

IPV



Lawatan KSU KPDNKK ke MyIPO



Majlis Pelancaran Buku 10 Tahun MyIPO



Majlis Pra-Pelancaran Hari Harta Intelekt Negara 2014





PRA PELANCARAN HARI HARTA INTELEK NEGARA 2014

Hari Harta Intelek Negara (HHIN) disambut pada 26 April setiap tahun bersempena sambutan Hari Harta Intelek Sedunia. Sambutan HHIN ini merupakan salah satu program kesedaran dalam mempromosi perlindungan harta intelek di Malaysia selain meningkatkan kefahaman masyarakat akan kepentingan harta intelek itu sendiri.

HHIN juga bertujuan untuk mengiktiraf sumbangan pencipta serta perekacipta dalam penghasilan idea kreatif serta inovatif bagi menggalakkan penghasilan lebih banyak harta intelek di kalangan masyarakat seterusnya sebagai sumber kekayaan baru negara.

Menyedari kepentingan ini, HHIN yang pertama telah disambut pada 2005 dengan tema "Harta Intelek - Penjana Ekonomi Masakini" di Melaka. Acara tahunan ini seterusnya diadakan di Kuala Lumpur Convention Centre dari 2006 sehingga 2009 bagi menarik penyertaan lebih ramai masyarakat awam melalui penganjuran pelbagai program seperti Anugerah Harta Intelek Negara, Kembara IP, seminar serta pameran yang turut menyaksikan penglibatan organisasi harta intelek luar negara.

Dalam usaha berterusan untuk mendekati orang awam di Malaysia, HHIN mula disambut di luar Lembah Klang bermula di Johor pada 2011, Kuantan pada 2012 dan Melaka pada 2013.

Sambutan HHIN ke-10 pada 2014 akan berlangsung di Kedah sebagai kemuncak promosi kesedaran harta intelek di kawasan utara semenanjung Malaysia. Beberapa program telah diadakan bagi menyemarakkan lagi sambutan HHIN ke-10 yang turut dihadiri oleh YB. Senator Dato' Seri Ahmad Bashah Bin Md. Hanipah, Timbalan Menteri Perdagangan Dalam Negeri, Koperasi dan Kepenggunaan.





Pada 24 April, bacaan Yassin dan Tahlil telah diadakan di Masjid Zahir Alor Setar, Kedah yang telah dihadiri seramai 400 orang penduduk di sekitar Kedah. MyIPO juga menganjurkan program Forum Perdana bertajuk “Jangan Ambil Hak Orang” yang mengupas isu-isu harta intelek dari sudut pandangan Islam. Forum ini telah diadakan di Masjid At-Taqwa, Kampung Jerlun, Kedah dan seramai 1500 orang telah hadir mendengar kupasan ahli panel jemputan iaitu Ustaz Haslin Baharim dan Ustaz Mohd Fauzi Mustaffa serta Ustaz Mohd Yusof Bin Arbain sebagai moderator. Program IP Run 2014 juga telah diadakan di Stadium Darul Aman, Alor Setar, Kedah pada 26 April 2014. Seramai 812 pelajar sekolah menengah di sekitar Kota Setar telah menyertai larian ini.

Program-program ini diharap dapat meningkatkan kesedaran awam terhadap kepentingan harta intelek bukan sahaja dari aspek perlindungan, malahan juga faedah mengeksploitasi harta intelek sebagai sumber kekayaan baru dalam usaha meningkatkan daya saing negara. Matlamat ini selaras dengan agenda transformasi negara dalam menjadikan Malaysia sebagai negara berpendapatan tinggi bertepatan dengan tema HHIN pada tahun ini iaitu “Transformasi Negara Bangsa Melalui Harta Intelek”.



PLAIN PACKAGING

Perspectives of the Trade Marks Professionals

Michael Chai

President,
The International Association for the Protection
of Intellectual Property (AIPPI)

In several jurisdictions, legislation regarding a requirement for tobacco products to have plain packaging is being considered, while in Australia such has in fact been adopted. Furthermore, there has been public debate concerning similar packaging restrictions for other legal consumer products, such as foods considered to be unhealthy and alcohol.

In view of the far reaching effect on the rights of trade marks owners, in particular how such legislations will restrict the rights of the trade marks owners, AIPPI had set up a special committee to consider this issue of plain packaging.

In the past, AIPPI has studied issues relating to restrictions of the rights of the patentee for reasons of public interest and relating to the influence of advertising restrictions on trade marks.

These studies led to the adoption of various principles and resolution of AIPPI as follows:

- a) the principles adopted in 1956 that:
 - (i) measures (other than the granting of compulsory licenses) restricting the rights of a patent holder can only be adopted when the compelling requirements of public interest are not satisfied by the granting of a compulsory license; and
 - (ii) such measures shall only be adopted provided that the patentee receives equitable compensation.
- b) the recommendation of two Resolutions in 1957 and 1958, a Resolution of the Congress of expressing the wish for a new Article 5quater Paris Convention with the purport that restricting measures more rigorous than the granting of a license shall only be



imposed if it is shown that the granting of a license is not sufficient, and if an equitable compensation is paid to the patentee, while the patentee must have the possibility of an appeal to the courts;

- c) the Resolution in 2000, which in its consideration states that concerns of social policy may justify certain advertising restrictions, which may however not be disproportionate or unreasonable, and concludes that:
 - (i) restrictions on advertising for certain products or services should not constitute an obstacle to the acquisition of trade mark rights for those products or services, nor should they constitute an independent ground for cancellation; and
 - (ii) a ban on advertising may constitute a justified reason for non-use of a trade mark under Article 5C Paris Convention.

Furthermore, on 17th December 2010, AIPPI submitted its views on the possible revision of the European Union's Tobacco Products Directive 2001/37/EC, concluding that the policy option of future legislation requiring plain packaging of tobacco products be abandoned as its implementation would raise fundamental issues under trade mark law, facilitate counterfeit trade and be inconsistent with a number of international treaty obligations. AIPPI also noted that its concerns about plain packaging extend beyond the proposed regulations for tobacco products and that plain packaging could lead to a greater restriction on trade mark use for many other products as well.

The Resolution adopted in 2013 concerns the restriction of the use of trade marks on certain products or packaging thereof, in particular when this amounts to a requirement of plain packaging.

For purpose of the study into plain packaging issue conducted by AIPPI, the term “plain packaging” (sometimes referred to as “standardised packaging”) is defined generally as:

- a prescribed shape, size and colour of packaging;
- a prohibition of all branding and promotional elements (such as trade marks, logos and product claims and other visual design elements) other than the brand name; and
- a prescribed display of the brand name, including as to typeface, font size, colour and position.

The term of references of the study includes:

- a) Article 15(4) of TRIPS and Article 7 of the Paris Convention that provides that the nature of goods or services to which a trade mark is to be applied shall in no case form an obstacle to registration of the trade mark.
- b) Article 17 of TRIPS that provides that limited exceptions to the rights conferred by a trade mark (Article 16 of TRIPS) may be imposed, provided that such exceptions take the legitimate interests of the trade mark owner and of third parties into account. However, the public interest is not explicitly mentioned.
- c) Article 20 of TRIPS that provides that the use of a trade mark in the course of trade shall not be unjustifiably encumbered by special requirements, such as use in a manner detrimental to its capability to distinguish the goods or services of one undertaking from those of other undertakings.
- d) In the context of patent law, the public interest plays a role insofar as Article 31 of TRIPS provides for the possibility of government use and compulsory licences in the case of national emergency or other circumstances of extreme urgency or in cases of public non-commercial use. However, a condition is that the right holder shall be paid adequate remuneration (Article 31 (h) of TRIPS).
- e) The continuous and extensive use of a trade mark can have an effect on its scope of protection



(see e.g. Article 16 (2) and (3) TRIPS of with express reference to Article 6bis of the Paris Convention), and can contribute to the notoriety, reputation and/or the goodwill/value of the mark. In consequence, a restriction in the nature of plain packaging amounts to a serious impairment of the trade mark rights and can cause considerable damage to the trade mark right holder.

- f) There is a public interest in promoting measures aimed at the protection or improvement of public health. At the same time, other interests may exist, such as an interest in limiting trade in counterfeit goods.

At the special committee level, the discussion considers the conflict between rights deriving from trade mark registration and/or use, and government regulation said to be in the public interest. An example is found in Section 28 of the Australian Tobacco Plain Packaging Act 2011, entitled the “Effect on the Trade Marks Act 1995 on non-use of trade mark as a result of this Act”. There are obviously issues to be reconciled as seen in the Australian legislature having taken a number of measures to attempt to reconcile domestic trade mark rights with the prohibitions on trade mark use in its plain packaging regime.

The discussion centres on the legal frameworks in national systems that limit or prohibit trade mark use in particular product classes based on stated public interest considerations, and what rights affected trade mark rights holders may have in those circumstances. Due to the diverse trade mark professionals involved in this AIPPI study, discussions were carried out in the context of TRIPS instead of the national laws, which provide the common principles of trade mark laws.

Article 15 of TRIPS provides that signs capable of distinguishing goods or services of one

undertaking from those of another undertaking shall be capable of constituting a trade mark. When a sign is not inherently capable of distinguishing the relevant goods or services, registrability may be dependant on distinctiveness acquired through use.

Article 16 of TRIPS describes the rights conferred by trade mark registration, and in particular the circumstances in which the owner of a registered trade mark may prevent third parties from using the same or similar mark for goods or services the same or similar to the goods or services in respect of which the trade mark is registered. Article 17 of TRIPS permits "limited exceptions" to the rights conferred by a trade mark provided that the legitimate interests of the owner and third parties are taken into account. Article 18 of TRIPS provides that a trade mark may be renewed indefinitely.

Articles 20 and 21 of TRIPS prohibit certain restrictions on trade mark rights. Article 20 provides that the use of a trade mark in the course of trade shall not be unjustifiably encumbered by special requirements. Examples of "special requirements" include use in a special form or use in a manner detrimental to its capability to distinguish the relevant goods or services. Article 21 expressly prohibits compulsory licensing of trade marks.

It is apparent from the TRIPS provisions relating to trade marks that use is a central concept. Article 15 of TRIPS recognises that in order to be capable of distinguishing goods or services a trade mark must be used. The rights conferred under Article 16 of TRIPS recognise the negative effects on trade mark owners' rights where the same or a similar sign is used in the course of trade by a third party. The prohibition on unjustifiable encumbrances in Article 20 of TRIPS is premised on use.

In light that "use" is a central concept of trade mark laws, prohibition of trade mark use in plain packaging clearly contradicts basic legal principle of trade marks laws, The Australian Tobacco Plain Packaging Act 2011 overcomes such contradictions with provision that trade mark applications may be made and trade mark registrations may be retained notwithstanding that most registered trade marks in respect of tobacco products may not be used for their intended purposes, that is on packaging for tobacco products or on tobacco products themselves. Notwithstanding this prohibition, an applicant for a relevant trade mark is taken to

intend to use the trade mark in Australia for tobacco products, and failure to use a relevant trade mark will not found an action for removal for non-use.

Thus, the discussion leading to the resolutions adopted by AIPPI in 2013 explore the relationship between restrictions based on stated public interest considerations and limitations on the use of trade marks, and the rights of affected trade mark rights holders.



The Resolutions adopted are:

- 1) The use of a trade mark by a trade mark right holder on products or packaging thereof should in principle not be restricted in the sense contemplated by plain packaging.
- 2) Exceptionally such use may be restricted for public interest reasons, if:
 - (i) it is documented that such public interest reason exists and the restriction at issue will likely have the intended effect; and
 - (ii) the restriction is neither disproportionate, nor unreasonable (and there are thus no reasonable alternatives); and
 - (iii) the public interest reason outweighs other interests (such as, without limitation, the interest of consumers to distinguish products, the interest in limiting trade in counterfeit goods, the interest in legal certainty and the interest of trade mark right holders to protect their investment in trade marks registered or acquired in good faith and lawfully).
- 3) A restriction in the sense contemplated by plain packaging should not constitute an obstacle to an application to register or registration of a trade mark, for those products, nor should it constitute a ground for cancellation.
- 4) Non-use or limited use of a trade mark by reason of plain packaging should not provide a basis for cancellation of a registered trade mark under Article 5C Paris Convention.

IP News in brief
Korea

UAE teams up with KIPO

Source: worldipreview.com

The Ministry of Economy (MoE) in the United Arab Emirates (UAE) has signed an agreement with the Korean Intellectual Property Office (KIPO), designed to promote and develop IP. The agreement was confirmed on 10th February 2014 after the parties signed a memorandum of understanding.

Under the agreement, a team from KIPO will visit the UAE to examine patent applications submitted to the organisation. The agreement will also facilitate the implementation of a patent unit within the MoE. The unit will be in accordance with international standards and also help to raise awareness about IP and patents across the region. It will also initiate patent-related programs and courses in the UAE. The purpose of the agreement underlined the UAE's conviction on the crucial role that IP plays in the business landscape to enable innovation and attract foreign investments.

According to KIPO, the UAE held a credible reputation for its efforts in the field of IP, which forms part of its commitment to shaping a business environment rated as one of the best worldwide for ease of doing business. KIPO will support the UAE through deploying prominent advisers, experts and technicians to the country to review previous industrial technologies and conduct substantive examination of patent applications submitted to the MoE.

IPO considers reintroducing fast-track trademark service

IP News in brief
UK

Source: worldipreview.com

The UK Intellectual Property Office (IPO) is inviting comments on whether it should reintroduce the fast-track trademark examination procedure. The fast-track service was first launched in 2008 following recommendations laid out in the Gowers Review of Intellectual Property 2006. In 2009 it was suspended due to disappointing take-up, and because the IPO was examining within five to 10 working days using its standard procedure at the time.

According to the office, the £300 premium for the service, on top of a £200 application fee and any additional class fees at £50 each, was "difficult to justify".

Fast-track service users would receive results of the office's search for conflicting marks and registration objections within 10 business days. The IPO received an average of 20 fast-track applications a month, compared with 2,600 standard applications.

Since 2009, the IPO has received an increase in trademark applications each year and subsequently examination time has fluctuated over this period. However, the introduction of a new electronic case management system, in April 2013, has resulted in applications again being examined in approximately 15 days. All interested parties are welcome to submit their comments regarding this matter before 15th April 2014.



IP News in brief
Philippines

Source: Asia IP

Philippines' Call to Be Removed From USTR Special 301 Watch List Gets International Support

The Philippines, through the Intellectual Property Office of the Philippines, has formally called the United States Trade Representative (USTR) in February to remove the country from the 2014 Special 301 Report. The call has received support from international community including the Southeast Asia Studies at the Centre for Strategic and International Studies (CSIS), based in Washington DC.

The Philippines is currently placed under the ordinary Watch List, the lowest category in the listing of countries that are considered by the US as providing inadequate protection against infringement of IP.

The Government of Philippines has taken actions in recent years to build a legal IP infrastructure and crack down on piracy and counterfeiting. The recent IPR enforcement initiatives include:

- i) the establishment of an Operation Centre that coordinates IP-enforcement initiatives;
- ii) the enactment of a new law on copyright, especially to address modern IP enforcement issues particularly those involving the internet;

- iii) the launch of new IP education and advocacy programmes;
- iv) the adoption of a stronger IP enforcement approach as proven by the higher number of raids conducted;
- v) the capacity-building initiatives in the judiciary; and
- vi) the enforcement of Anti Cam-cording Act 2010 that has recorded convictions and the Anti-Cable Television and Cable Internet Act 2013 that penalizes the tapping of cable TV and cable internet

The removal of Philippines from the Watch List will denote US's recognition in the progress made by Manila and will encourage additional steps going forward. It would also provide an incentive to other countries in Southeast Asia to implement similar reforms. The Philippines was also recently removed by the USTR in its list "Notorious Markets" for piracy and counterfeiting.

IP News in brief
EU**Delay to the Operation of New Unified Patent Court in EU**

Source: Out-law.com/UPC

The preparatory committee for the unified patent court (UPC) in European Union (EU) has confirmed that the new court system to handle disputes about unitary patents which had originally targeted in early 2015, will not be operational until 2016. According to a patent law expert, the delay of the UPC operation is due to some major issues yet to be decided. Among the issues include:

- i) the cost of renewing unified patents.
- ii) the circumstances in which preliminary injunctions will be awarded by the regional divisional courts is still unresolved.
- iii) consternation and uncertainty among businesses, as demonstrated by a range of major companies such as Google, Microsoft, Apple and Samsung in a recent open letter.

Under the new framework, businesses will be able to obtain unitary patent protection across all of 25 participating countries by filing just a single patent application at the European Patent Office (EPO). The UPC system will allow local, regional and central divisional courts to hear disputes about the validity and infringement of unitary patents.

The preparatory committee for the UPC had discussed issues on court fees and recoverable costs during its recent meeting in Brussels. The committee also discussed and decided on a proposal for a framework for the training of the candidate UPC judges that will enable the training to kick-start. The new training centre for UPC judges will be opened in Budapest.

Dato' Azizan Mohamad Sidin, the Director General of Intellectual Property Corporation of Malaysia (MyIPO) were among the nine Heads of ASEAN Member States Intellectual Property Offices (AMS-IPOs) and EPO President Benoît Battistelli signed their first regional Memorandum of Co-operation (MoC) in Siem Reap on 27th February 2014. The overall aim of the MoC is to establish an institutional framework for structured co-operation in the field of patents. Also present to witness the ceremony was the Cambodian Secretary of State of the Ministry of Commerce, H.E. OukPrache.

MyIPO and ASEAN Member States IP Offices Signed MoC on IP with the European Patent Office to Strengthen Co-operation on Patents



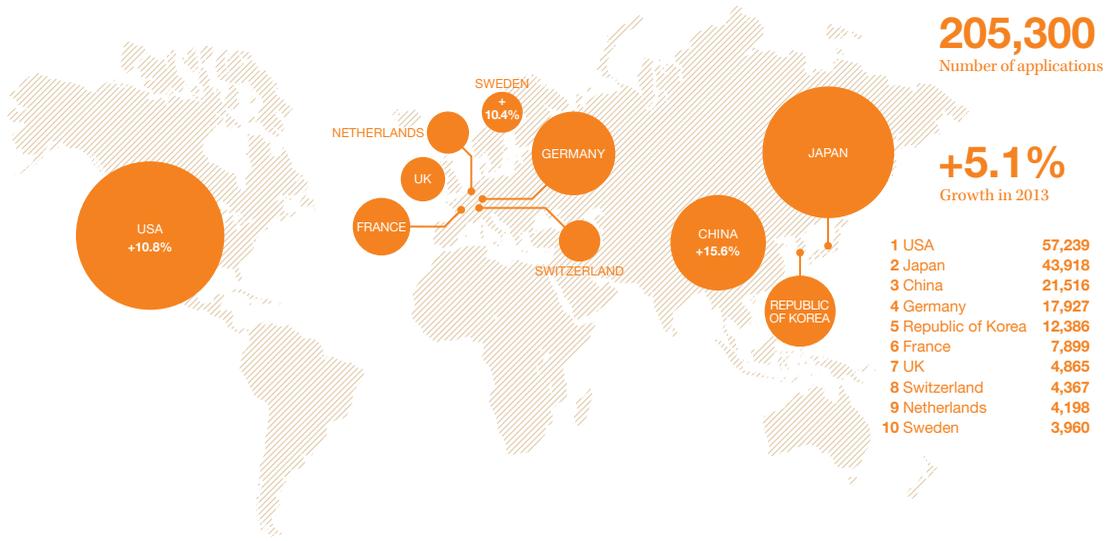
The signing of the MoC looks into enhancing the regional co-operation framework to further consolidate the development of innovation and the knowledge-based society among the Member States of ASEAN that would translate into greater market access in Southeast Asia and Europe. The MoC contains outline to support the on-going patent-related initiatives among ASEAN countries via work-sharing arrangements, patent information, and development of search and examination capacities of the ASEAN Patent Offices. Activities under the co-operation will include training of patent examiners, data exchange, patent classification, machine translation, search tools and exchange of best practices and technical/policy solutions.



WHO FILED THE MOST PCT PATENT APPLICATIONS IN 2013 ?

FILINGS UNDER THE PATENT COOPERATION TREATY (PCT)

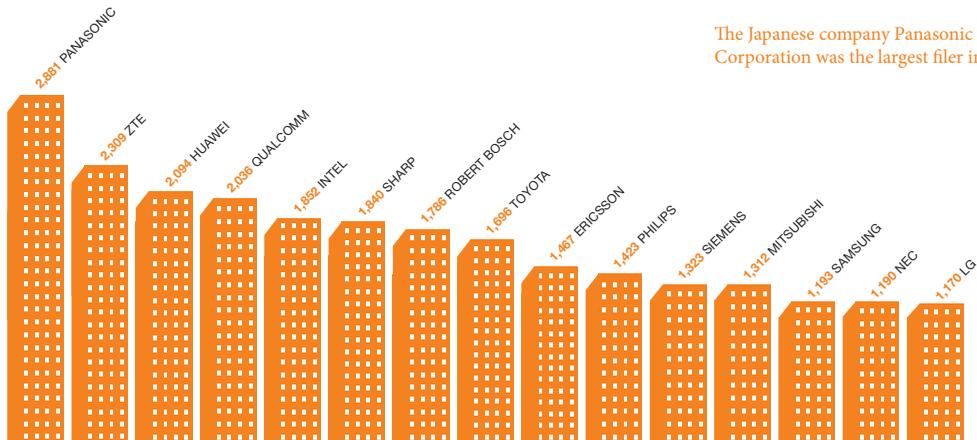
TOP 10 COUNTRIES



TOP 5 TECHNOLOGIES



TOP 15 PCT APPLICANTS

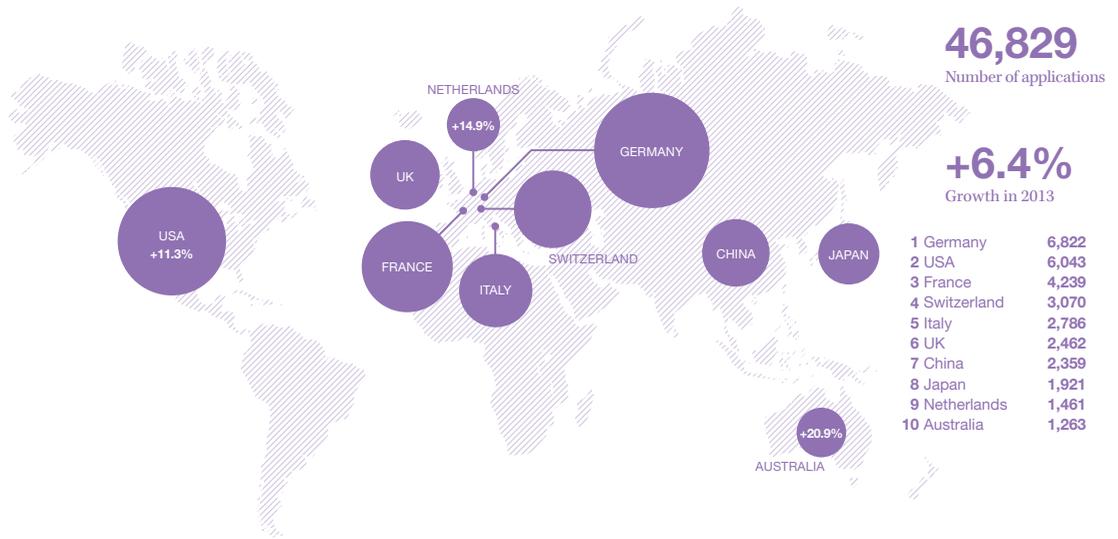


Source : WIPO

WHO FILED THE MOST MADRID TRADEMARK APPLICATIONS IN 2013 ?

FILINGS UNDER THE MADRID SYSTEM FOR THE INTERNATIONAL REGISTRATION OF MARKS

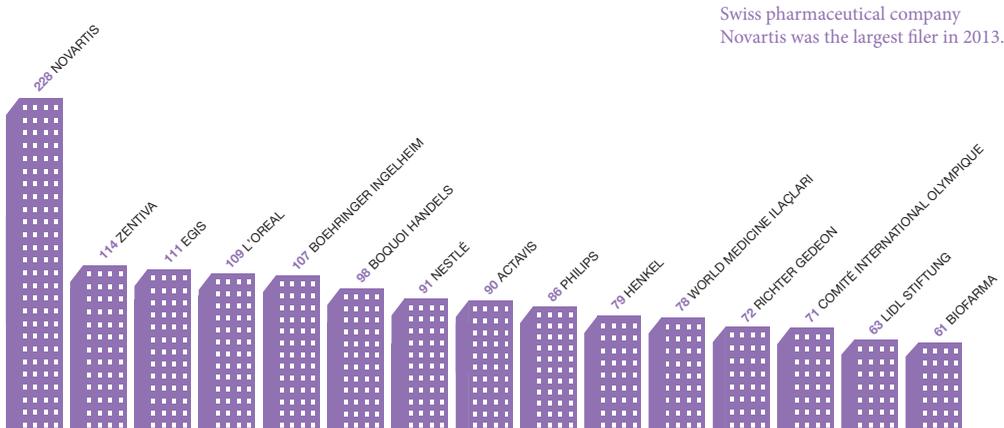
TOP 10 COUNTRIES



TOP 5 CLASSES



TOP 15 MADRID APPLICANTS

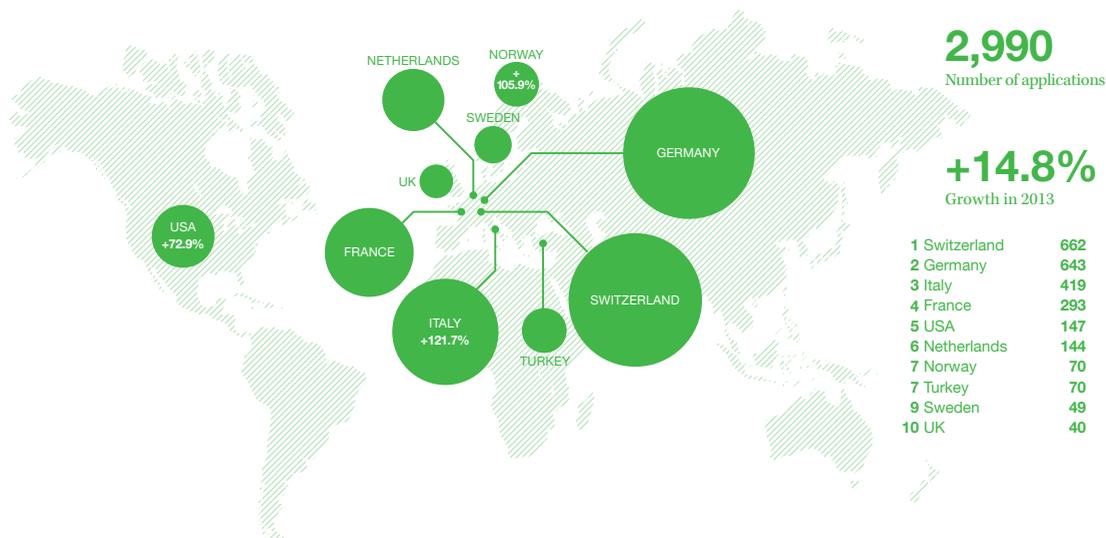


Source : WIPO

WHO FILED THE MOST HAGUE DESIGN APPLICATIONS IN 2013?

FILINGS UNDER THE HAGUE SYSTEM FOR THE INTERNATIONAL REGISTRATION OF INDUSTRIAL DESIGNS

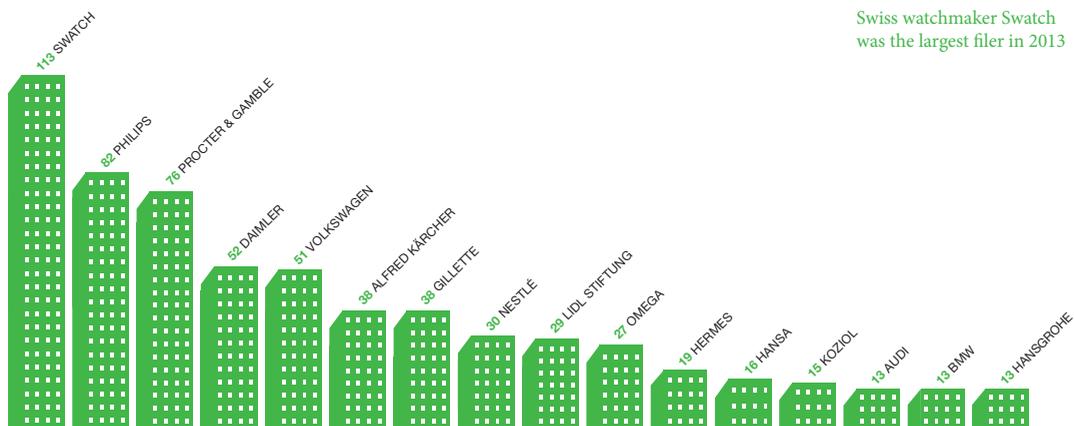
TOP 10 COUNTRIES



TOP 5 CLASSES



TOP HAGUE APPLICANTS



Source : WIPO

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Mini Karnival Upin & Ipin di Amanjaya Mall baru-baru ini membuktikan sambutan luar biasa dari warga utara sepanjang 2 hari penganjurannya. Menjadi lokasi yang penuh ama buai tahun ini, Mini Karnival Upin & Ipin merangkaikan pelbagai [...]

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10 INVENTIONS THAT CHANGED THE WORLD

(geniusstuff.com)

1. The Plow



It's a simple cutting tool used to carve a furrow into the soil, churning it up to expose nutrients and prepare it for planting. No one knows who invented the plow or when it came to be. It probably developed independently in a number of regions, and there is evidence of its use in prehistoric areas. Plows made the work easier and faster. Improvements in the plow's design made farming so efficient that people could harvest far more food than they needed to survive.

The wheel is another ancient invention that we have no way of knowing who first developed it. The wheel made the transportation of goods much faster and more efficient. A wheel can be used for a lot of things other than sticking them on a cart to carry grain, though. Other inventions required wheels to function, from water wheels that power mills to gears and cogs that allowed ancient cultures to create complex machines. Modern technology still depends on the wheel, like centrifuges used in the chemistry and medical research, electric motors and combustion engines, jet engines, power plants, etc.

2. The Wheel



3. Printing Press



Johann Gutenberg, 1430s invented the printing press, who actually improved on pre-existing technologies and made them useful and efficient. The Chinese had paper and block printing as early as 11th century but the complexity of their language limited popularity. Gutenberg combined the

idea of block printing with a screw press (used for olive oil and wine production). He also developed metal printing blocks that were far more durable and easier to make than the hand-carved wooden letters in use previously. Finally, his advances in ink and paper production helped revolutionize the whole process of mass printing.

4. Refrigeration



It's difficult to pinpoint a single inventor of the refrigerator, because the concept was widely known and gradually improved over the course of about 200 years. Some credit Oliver Evans' 1805 unproduced design of a vapor-compression unit, while others point to Carl von Linde's 1876 design as the actual precursor of the modern refrigerator in your kitchen. Dozens of inventors, including Albert Einstein, would refine or improve refrigerator designs over the decades.

5. Communications



Samuel Morse invented the electric telegraph in 1836, which building on the prior work of others. This development of communication technology has been a continuum of increased utility and flexibility and effectively shrank the world. Transmitting signals wirelessly using electromagnetic waves was a concept worked on by many inventors around the world, but Guglielmo Marconi and Nikola Tesla popularized it in the early 20th century.

6. Steam engine

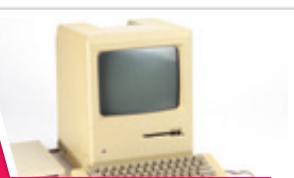


The concept of using steam to power machines had been around for thousands of years, but Thomas Newcomen's creation in 1712 was the first to harness that power for useful work (pumping water out of mines, for the most part). In 1769, James Watt modified a Newcomen engine by adding a separate condenser, which vastly increased the steam engine's power and made it a far more practical way to do work. He also developed a way for the engine to produce rotary motion, which may be just as important as the efficiency gains. Thus, Watt is often considered the inventor of the steam engine.

If the steam engine mobilized industry, the automobile mobilized people. Karl Benz's 1885 Motorwagen, powered by an internal combustion engine of his own design, is widely considered the first automobile. Henry Ford's improvements in the production process and effective marketing brought the price and the desire for owning an auto into the reach of most Americans and Europe. The automobile's effect on commerce, society and culture is hard to overestimate.



7. Automobile



9. Computer

There is no single inventor of the modern computer, although the ideas of British mathematician Alan Turing are considered eminently influential in the field of computing. Mechanical computing devices were in existence in the 1800s but electronic computers were invented in the 20th century.

10. Internet



DARPA (Defense Advanced Research Projects Agency), the research and development arm of the U.S. military, created ARPANET in the late 1960s. This network of computer-to-computer connections was intended for military and academic research. Other computer networks began to cross the globe in the next few years, and by the late 1970s computer scientists had created a single protocol, TCP/IP, that would allow computers on any network to communicate with computers on other networks. This was, essentially, the birth of the Internet, but it took 10 or so years for various other networks in the world to adopt the new protocol, making the Internet truly global.



8. Light Bulb

We immediately think of Thomas Edison as the electric light bulb's inventor, but dozens of people were working on similar ideas in the 1870s, when Edison developed his incandescent bulb. Joseph Swan did similar work in Britain at the time, and eventually the two merged their ideas into a single company, Ediswan.

IP Facts & Figures

Global Patent Prosecution Highway Launches



A new Global Patent Prosecution Highway Pilot (GPPH) has been launched on 6th January 2014. A total of 13 intellectual property offices have participated in this pilot programme. Under the GPPH, an applicant having a patent application at a participating office can request for accelerated processing of a co-pending application in another participating office, provided that at least one claim has been found patentable and other applicable eligibility criteria are met. The GPPH will enable the participating offices to share work products, thus streamlining the patent examination process, and reducing patent backlogs.

The participating IP offices include those from Canada, Finland, Denmark, Russia, United Kingdom, Australia, Republic of Korea, USA, Portugal, Spain etc.

(Source: lexology.com)

Norway Makes Copyright Protected Books Available For Free



The National Library of Norway has made more than 100,000 of its books still protected by copyright available online for free. The project, called Bookhyla (Bookshelf), is a partnership between the Oslo-based library and Norwegian organisation Kopinor, an umbrella group which represents authors and publishers. The website is only available to Internet users in Norway and more than 115,000 books from its collection have already been read online.

(Source: worldipreview.com)

Google Takedown Notices Surge 711,887 Percent in Four Years



A new paper published in the Virginia Journal of Law and Technology shows that the number of Digital Millennium Copyright Act (DMCA) notices received by Google increased 711,887 percent in four years, from 62 in 2008 to 441,370 in 2012. The increase can be credited to a few copyright holders and industry groups such as the Recording Industry Association of America (RIAA), who started an avalanche of takedown requests after the Stop Online Piracy Act (SOPA) and PROTECT IP Act (PIPA) bills died in Congress.

(Source: torrentfreak.com)

US Tops Latest GIPC Index



The US has topped the US Chamber of Commerce's Global Intellectual Property Centre (GIPC) International Intellectual Property Index for the second time in a report linking the IP environment of jurisdictions with growth and development. The report, Charting the Course: GIPC International IP Index, was released on 28th January 2014 by the GIPC and surveyed 25 jurisdictions.

(Source: iprotheinternet.com)

Microsoft: Pirated Software to Cost Businesses \$491 Billion in 2014



Microsoft has released a new study from International Data Corporation (IDC) and the National University of Singapore (NUS) that warns businesses of the risks of running unlicensed software. The study is based on a survey of 1,700 IT professionals, government workers and consumers in 15 markets. The study, sponsored by Microsoft, revealed that enterprises are particularly hit hard by malware introduced via pirated software. This year, IDC forecasts that businesses will spend \$127 billion dealing with security issues and \$364 billion dealing with data breaches. In total, businesses will spend nearly half a trillion dollars (\$491 billion) cleaning up after pirated software in 2014.

(Source: eweek.com)

UK Gives Musicians 20 More Years' Copyright



Effective from 1st November 2014, the term of copyright protection for sound recordings and performers' rights in UK is extended from 50 to 70 years after the recording is published. However, only records released on or after 1st January 1963 fall under the new regulations.

(Source: worldipreview)

US Customs Seize Counterfeit Goods Totalling \$1 Billion



US border officials carried out more than 24,000 seizures of counterfeit and pirated goods valued at more than \$1 billion in total in the 12 months to October 2013, official figures show. Around 68 percent of all seizures were items imported from China. However, the Department for Homeland Security (DHS) also stopped imports from countries including India, Korea, Singapore and Vietnam. The DHS said it averaged more than 66 seizures a day in the fiscal year ending 1st October 2013, with each haul having an average retail value of more than \$70,000. The figures represent an increase of almost seven percent from the previous fiscal year's total.

(Source: ipnews.acaciapat.com)

Applications Up to 1.9M at World's 5 Big Patent Offices



Almost 1.9 million patent applications were filed at the world's five largest patent offices in 2012, a growth of 11 percent over 2011, according to a statistical report published by those five offices. It also said that together they granted almost 924,000 patents for inventions in 2012, an increase of 17 percent. The IP5 Statistics Report, 2012 Edition was published jointly by the European Patent Office, the Japan Patent Office, the Korean Intellectual Property Office, the State Intellectual Property Office of the People's Republic of China and the United States Patent and Trademark Office. The group also said approximately 92 percent of the 1.8 million patent applications filed worldwide in 2011 originated in the IP5.

(Source: corpcounsel.com)

China Proposes New IP Court



The Chinese government plans to set up a new court dedicated solely to IP matters. The proposal is part of a plan for policy reform outlined on 15th November 2013 by China's Communist Party and the country's President Xi Jinping. Under "The Decision on Major Issues Concerning Comprehensively Deepening Reforms", proposals across a range of policies include a system to "encourage and strengthen" IP. The report says there are plans to "strengthen IP application and protection and explore ways to set up an IP court".

(Source: ChinaDaily)

UK Announces IP Court Rebrand



As of 1st October 2013, the UK Patents County Court is known as the Intellectual Property Enterprise Court (IPEC) and sits within the Chancery Division of the High Court in London. The change in name has been administered by the UK government in order to clarify that the court covers all aspects of IP and is not solely restricted to patent cases. These changes also make it easier and cheaper for businesses in the long run as they are now better able to understand and navigate the specialist IP courts if a dispute occurs. This will reduce the cost of legal services and level the playing field for smaller business.

(Source: worldipreview)

RIM



**RECORDING
INDUSTRY
ASSOCIATION
OF
MALAYSIA**

www.rim.org.my



www.aim.org.my

Represents the Malaysian music recording industry to:

- (a) protect intellectual property rights, raise public awareness of music copyright, enhance the existing legal framework in cooperation with relevant government agencies and other industry associations, and take anti-piracy enforcement measures against unlawful use of music recordings.
- (b) develop better business conditions in digital/new media, export, live concert, artiste management, merchandising and other revenue areas including by organizing and participating in music events and international tradeshows with the objective of exporting Malaysian music and talents to foreign markets.
- (c) collect and distribute royalties for public performance, broadcast, reproduction and commercial rental of music recordings in accordance with global best practice whilst maintaining a central music recording and performer information database and content system.
- (d) promote understanding of the music industry not just to the local music community but Malaysians at large through dissemination of information via publications, social media, talks and seminars.
- (e) celebrate quality and encourage industry unity by organizing Malaysia's premier music award event, the "Anugerah Industri Muzik" or AIM. Already in its 20th year, AIM recognizes achievements in the local music industry and presently organized in different language formats - Malay (including English), Chinese and Indian.

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Public Performance Malaysia Sdn Bhd (PPM)

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www.rpm.my

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One Stop Music Bhd (OSM)

representing independent record label members of RIM to provide digital licensing convenience to its members and music content aggregators.

www.onestopmusic.com.my

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