



# **Roundtable on Fostering South-South and Triangular Cooperation in Intellectual Property and Innovation**

## ***IP Cooperation Initiatives in ASEAN Member States***

**15 May 2023**

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(CCPID)**

**ASEAN Secretariat**



one vision  
one identity  
one community

# ASEAN: A Community of Opportunities for All

ASEAN Secretariat  
Jakarta, Indonesia







## Content

Overview of ASEAN and the ASEAN Economic Community (AEC)

Initiative 1: Trademarks and Designs Convergence Network

Initiative 2: Comparative Study on GRTKTCE

Initiative 3: ASEAN Patent Examination Cooperation (ASPEC)

Initiative 4: ASEAN IP Portal and IT Tools



# AEC

ASEAN ECONOMIC COMMUNITY



Brunei



Cambodia



Indonesia



Laos



Malaysia



Myanmar



Philippines



Singapore

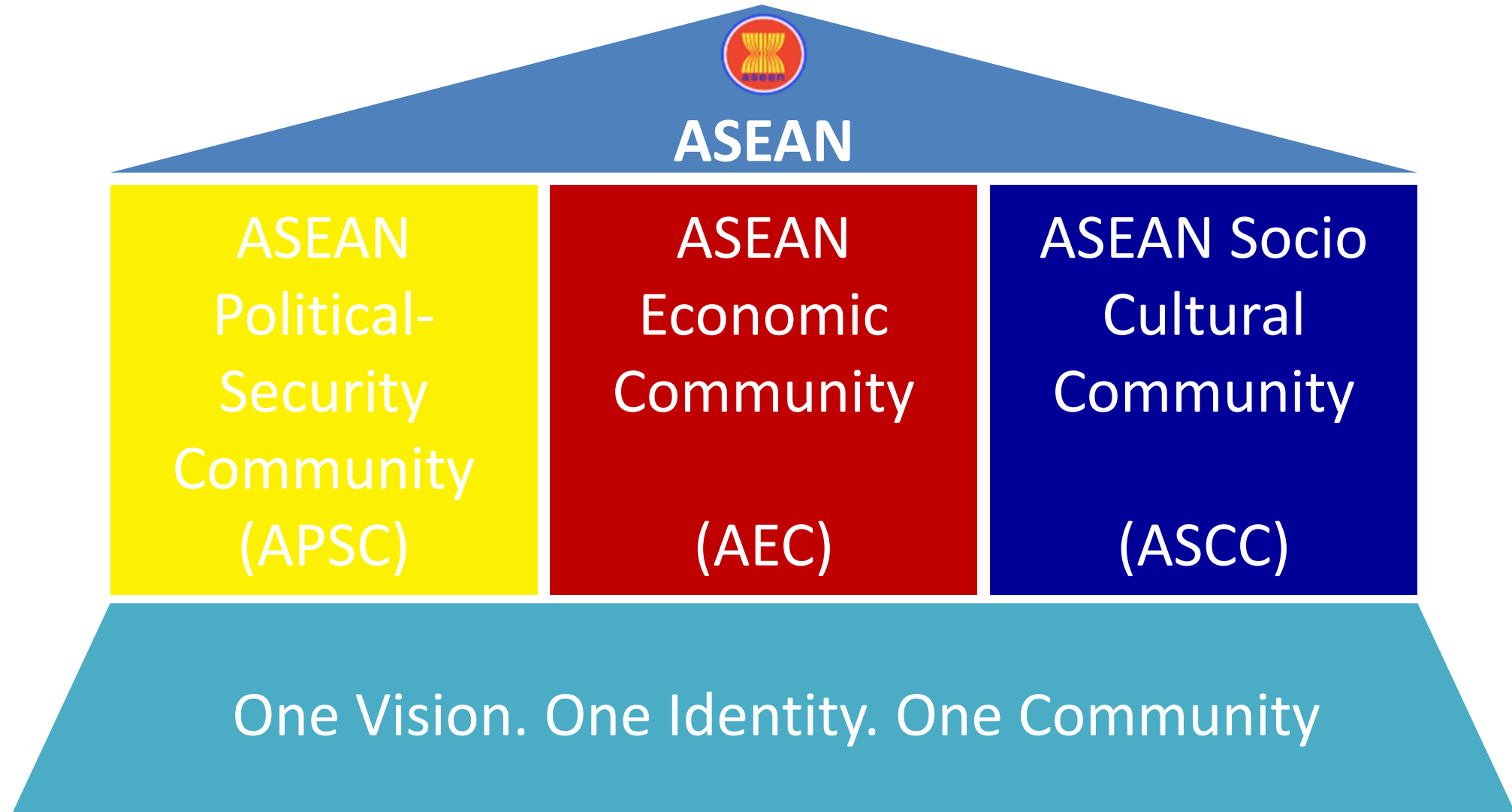


Thailand



Vietnam

# ASEAN Community Building 2025





## Goal 1: Strengthen IP Offices and Build IP Infrastructure

## Goal 2: Develop Regional IP Platforms

## Goal 3: Expand the ASEAN IP Ecosystem

## Goal 4: Enhance Regional Mechanisms to Promote Asset Creation



## ASEAN IPR ACTION PLAN 2016-2025

**4 Strategic Goals**

**19 Initiatives**

**57 Deliverables**



- ✓ Action Plan was designed based on the theme of strengthening cooperation on IP
- ✓ Overall objective is to stimulate creativity and innovation
- ✓ Implementation is being carried out through country champions (intra-ASEAN collaboration) and partnership with Dialogue Partners



# **Initiative 1**

## **ASEAN Trademarks and Designs Convergence Network**



# ASEAN Trademarks and Designs Convergence

- Strategic Goal 1 of the ASEAN IPR Action Plan 2016-2025 - A more robust ASEAN IP System
- Deliverable 2.5 – Develop **ASEAN Common Guidelines on Industrial Designs**
- Deliverable 2.6 – Update the **ASEAN Common Guidelines on Trade Marks**.
- Convergence Network established in 2019
- Supported by the EUIPO through ARISE+IPR
- 4 Convergence Meetings to date
- Ongoing initiative for ASEAN IP Offices



# ASEAN Trademarks and Designs Convergence Network

## Roles and Responsibilities

Convergence Network  
(Country Champion)

- Draft questionnaires.
- Share with ASEAN Task Force for revision

ASEAN TM/DS  
Task Force

- Revise the questionnaires
- Submit to ASEC

ASEC

- Gathers all questionnaires
- Submit them to the ASEAN TM/DS Convergence Network Meeting

Convergence  
Network (IPOs)

- Receive and start gathering data to fill-in the questionnaires



# ASEAN Trademarks and Designs Convergence

## Network

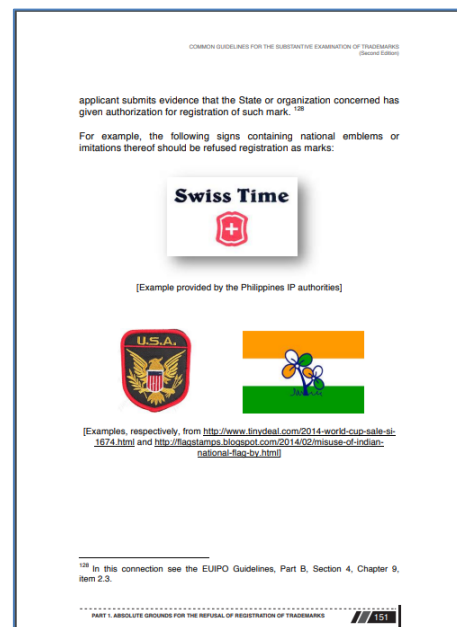
### Benefits of the ASEAN Common Guidelines

(<https://www.aseanip.org/resources/publications>)

- Foster a sense of ASEAN Identity
- Facilitate convergence of practices among ASEAN IP Offices
- Provides consistency on decisions
- Provides guidance for internal staff and also other stakeholders (better understanding, transparency)
- Practical tool for conducting training

### Challenges:

- Ensuring continued involvement of ASEAN IP Offices
- Require technical expertise to facilitate the discussions
- Ensure timeliness of updates to the Common Guidelines





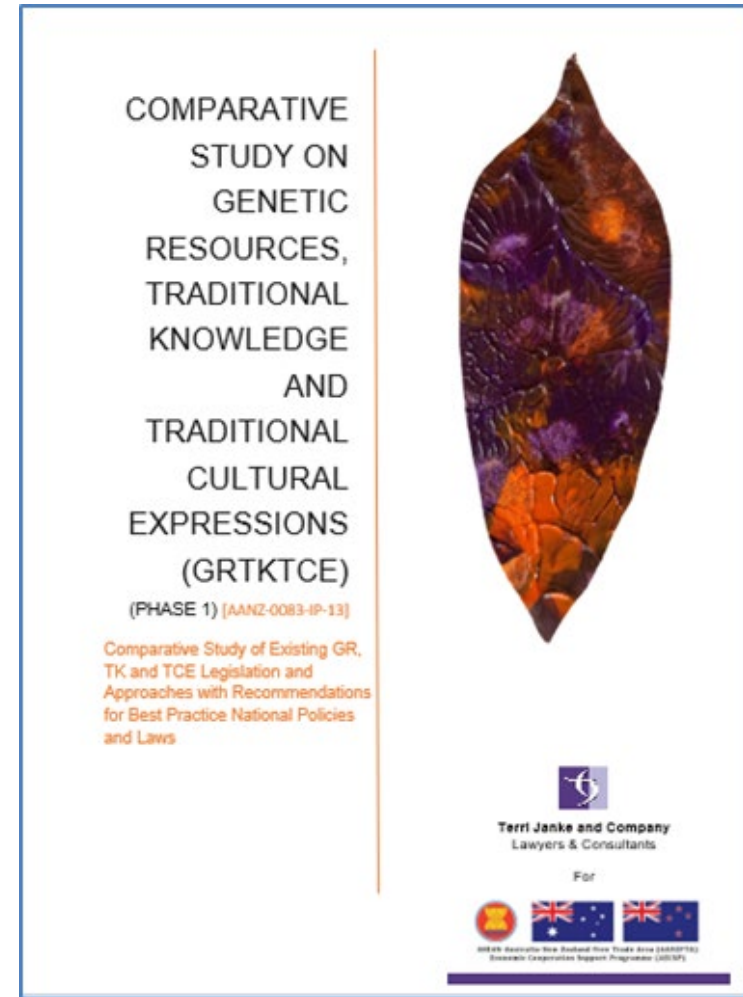


## **Initiative 2**

# **Comparative Study on GRTKTCE**

# Comparative Study on GRTKTCE

- *Strategic Goal 4 of the ASEAN IPR Action Plan 2016-2025 - Regional mechanism to promote asset creation and commercialization*
- *Deliverable 19.1 – Conduct a comparative study to review the existing legislation and approaches*
- Conducted in 2020 - 2021
- Supported by the ASEAN Australia New Zealand FTA (AANZFTA) Economic Support Work Program (ECWP)
- Objective is to **enhance understanding and awareness** of the AANZFTA Parties on the **approaches to protection and promotion of GRTKTCE** and the **policy issues that need to be considered** in developing national policies and laws on IP-related aspects of GRTKTCE



[https://www.aseanip.org/docs/default-source/asean-ip-publications/comparative-study-grtktce\\_final-for-public.pdf?sfvrsn=90ebf633\\_1](https://www.aseanip.org/docs/default-source/asean-ip-publications/comparative-study-grtktce_final-for-public.pdf?sfvrsn=90ebf633_1)

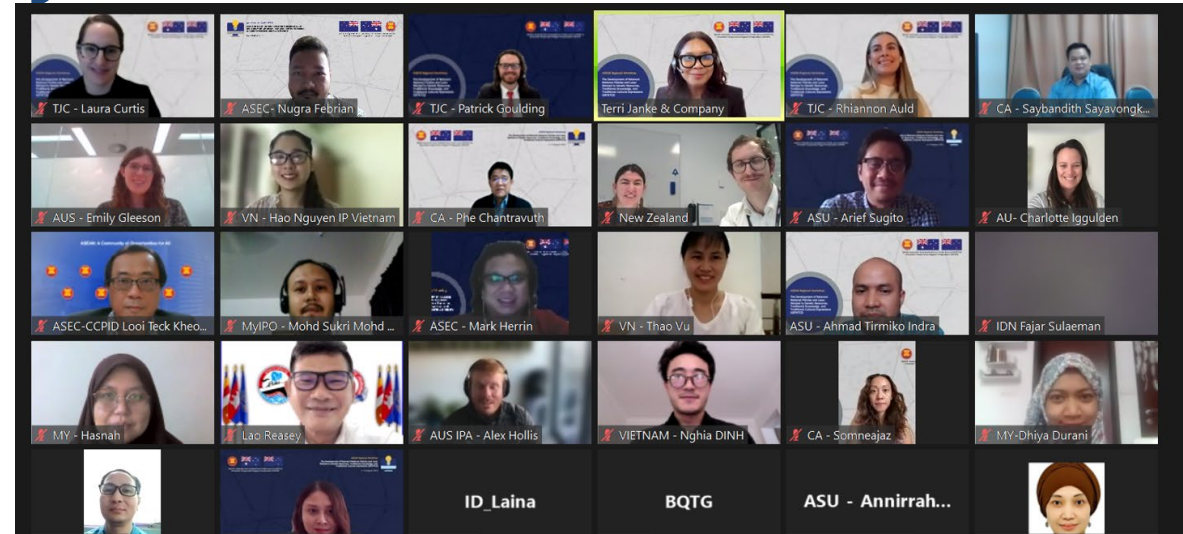
# Comparative Study on GRTKTCE

## Key Outcomes

- **Recommendations amending IP Laws**
  - Access and Benefit Sharing
  - Recognition of Communal Rights
- **Recommendations on non legal measures**
  - Development of regional practical guide
  - Increased engagement with beneficiaries
  - Establish govt entity / independent body to promote GRTKTCE rights
  - Develop regional protocols or code of conduct
  - Consider regional model laws

## Challenges:

- No specific regulations on GRTKTCE for ASEAN
- Different levels of priority for GRTKTCE across ASEAN



## Next Steps (2023 -2025)

*Deliverable 19.2 – Develop relevant national laws related to GRTKTCE (**cooperation with AANZFTA**)*

*Deliverable 19.3 - Develop network of GRTK databases (**cooperation with CNIPA**)*

*Deliverable 19.4 – Implement regional cooperation agreements such as code of conduct on use of GR (**cooperation with CNIPA**)*





## **Initiative 3**

# **ASEAN Patent Examination Cooperation (ASPEC)**

# ASEAN Patent Examination Cooperation (ASPEC)



- *Strategic Goal 1 of the ASEAN IPR Action Plan 2016-2025 - A more robust ASEAN IP System*
- *Deliverable 1.3 – Continued implementation of the ASPEC*
- Launched in 2009
- ASPEC is a regional patent work-sharing programme among 9 AMS - **Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, the Philippines, Singapore, Thailand and Viet Nam.**
- **Benefits** - By using an earlier search and examination report issued by another participating IP Office, an applicant can:
  - ✓ Accelerate examination in all other participating IP offices
  - ✓ Higher chance of patent grant

# ASEAN Patent Examination Cooperation (ASPEC)

- ASPEC aims to enhance the
  - ✓ efficiency and quality of the patent examination process
  - ✓ reduce the workload and costs for patent applicants seeking protection in multiple ASEAN member states
  - ✓ Reduce duplication on the search and examination work done, thereby saving time and effort.
- ASPEC requests can be filed online - [https://www.aseanip.org/services/asean-patent-examination-co-operation-\(aspec\)/online-application](https://www.aseanip.org/services/asean-patent-examination-co-operation-(aspec)/online-application)

The screenshot displays the 'ASEAN PATENT EXAMINATION COOPERATION (ASPEC) REQUEST FORM' online application page. The breadcrumb trail at the top reads: 'Home > Services > ASEAN Patent Examination Co-operation (ASPEC) > Online Application'. The form is labeled 'Form 1' in the top right corner. Below the title, it states 'Estimated maximum time to complete the form: 5-10 minutes'. The form is divided into four sections: 'Section 1: Third Party Details' with a checkbox for 'I am a Patent Agent / Attorney filing for ASPEC on behalf of the applicant(s)'; 'Section 2: Applicant(s) Details' with a checkbox for 'Multiple Applicants' and input fields for 'Applicant Name', 'Mailing Address', 'Email Address', 'Phone Number', and 'Fax Number'; 'Section 3: Patent Utilization Entry - First AMS Office Details' with a checkbox for 'Multiple First AMS Offices' and a 'Country' dropdown menu; and 'Section 4: Patent Utilization Entry - Second AMS Office Details' with a checkbox for 'Multiple Second AMS Offices' and a 'Country' dropdown menu. A blue 'SUBMIT' button is located at the bottom left of the form area.



# ASEAN Patent Examination Cooperation (ASPEC)

Total no. of ASPEC requests submitted: 1367 (as of Dec 2022)

Average pendency rate to first office action after ASPEC request:  
reduced from 8.05 months - > 8 months

Allowance rate at final decision: 97.15%

## Challenges:

- **Limited Participation:** The ASPEC program is still not fully implemented by all member states.
- **Differences in Patent Laws and Examination Standards:** While participating ASEAN member states have agreed to share search and examination results, patent laws and examination standards are still different.
- **Limited Resources:** The ASPEC program requires significant resources, including human resources and technical infrastructure, to effectively implement and operate.





## **Initiative 4**

# **ASEAN IP Portal and IT Tools**

# [ASEAN IP Portal](http://www.aseanip.org)

[www.aseanip.org](http://www.aseanip.org)



**ASEAN**  
Intellectual Property Portal

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## Transforming ASEAN Into An Innovative and Competitive Region Through the Use of Intellectual Property

I am..





I wish to...














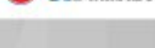
## ASEAN IP Tools

ASEAN Tools	URL	Country Lead	Logo
ASEAN TMView	<a href="http://www.asean-tmview.org/tmview/welcome">http://www.asean-tmview.org/tmview/welcome</a>	Philippines	
ASEAN DesignView	<a href="http://www.asean-designview.org/">http://www.asean-designview.org/</a>	Philippines	
ASEAN TMClass	<a href="http://www.asean-tmclass.org/ec2/">http://www.asean-tmclass.org/ec2/</a>	Malaysia	
ASEAN GI Database	<a href="http://asean-gidatabase.org/gidatabase/">http://asean-gidatabase.org/gidatabase/</a>	Indonesia	
ASEAN Patentscope	<a href="http://ipsearch.aseanip.org/">http://ipsearch.aseanip.org/</a>	Indonesia	
ASEAN IP Case Law Database	<a href="http://asean-ipcaselaw.org/search">http://asean-ipcaselaw.org/search</a>	Brunei	

# ASEAN IP Resources – ASEAN IP Tools



More links



  
  
  
  


Office information

Number of trade marks in ASEAN TMview 3784836

Find term

SearchClear




Advanced search

ASEAN TMview is the common online trademark information platform of the ASEAN Member States aimed at making ASEAN trademark data widely available and easily accessible to all interested stakeholders.


ASEAN TMview offers free of charge online access to information on trademark registrations and trademark applications having effects in the participating ASEAN countries. These are indicated in green in the panel below.

ASEAN TMview has been developed by the Intellectual Property Offices of the ASEAN Member States with the support of the EU-ASEAN Project on the Protection of Intellectual Property Rights (ECAP III Phase II) administered by the European Union Intellectual Property Office (EUIPO).


Trade mark offices

 BN


Brunei Darussalam ( BN - 46960 )

 ID

Indonesia ( ID - 832873 )

 MY

Malaysia ( MY - 819386 )

 PH

Philippines ( PH - 458836 )

22

# ASEAN IT Tools

- Each country lead is responsible for hosting and maintaining the IT Platform, troubleshooting problems
- Each AMS is responsible for ensuring data is updated in a timely manner.

***ASEAN TM View and Design View – Philippines***

***ASEAN GI Database and Patentscope – Indonesia***

***ASEAN IP Case Law – Brunei***

- **Challenges:**
  - Country Lead require dedicated resources to host, maintain the online platform
  - Delays in submission of data from AMS
  - Infrastructure and IT issues due to legacy system

## **Next Steps (2023 onwards) :**

- Support from WIPO
- Ownership and management by ASEAN
- Tools provided by WIPO
- ASEAN IP Register hosted on WIPO Cloud
- Coordination mechanism via ASEAN-WIPO cooperation

## Proposal



- One-stop-shop to search all ASEAN IP rights
  - 10 countries
  - Patents, Trademarks and Designs
  - Potential to add GI, Copyright and other IP rights
- Improvements to existing systems
  - Timeliness of Data (daily/weekly/monthly updates)
  - Quality of Data
  - Status Information
  - Accessible, mobile-friendly



# ASEAN IP Register



## e-ASPEC

Access ASPEC to share, search and examination results between participating offices



## ASEAN TMview

Free online access to information on trademark registrations and trademark applications



## ASEAN PatentScope

Free online access to information on patent filings



## e-ASPEC

Access ASPEC to share, search and examination results between participating offices

## ASEAN IP REGISTER

Free online access to trademarks, patents, and industrial designs applications and registration data from all ASEAN IP offices

Thank you!



[www.asean.org](http://www.asean.org)

[www.aseanip.org](http://www.aseanip.org)

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[asec-ipr@asean.org](mailto:asec-ipr@asean.org)