

### 1. INTRODUCTION

In recent years, ASEAN has achieved significant levels of economic and industrial development. One of the reasons for such achievement is due to the modernization of the intellectual property system in the region. Today, ASEAN enterprises are not only well-organized in looking after their intellectual property assets, but many have in fact integrated intellectual property rights (IPR) into the daily operation of their business with commercial success.

In the above connection, WIPO and the ASEAN Secretariat have jointly implemented a study to compile success stories of business enterprises in the region pertaining to intellectual property portfolio management. With the support of national intellectual property offices, the study has managed to identify 20 companies as successful case studies, with two from each member country.

In the process of preparing the success stories for these companies, the study has taken into consideration the following areas;

- Background for the historical conceptualization of the business
- Types of IPR concerned such as patents, trademarks, designs and copyright
- Development and use of IP assets as a business strategy
- Impact of IP on productivity and overall performance of the company

## 2. LIST OF COMPANIES IDENTIFIED

The following are ASEAN companies that have been identified as successful case studies:

Name of Company	Address/Contact	Main Activity	Type of IPR
<u>Brunei</u>  1. Heatwave Shoes Pte Ltd	Tan Nguan Khoon Director  29, Ground Floor The Mall, Gadong Bandar Seri Begawan Brunei Darussalam  Tel: 673 2786689, 65-67329429 Fax: 673 2786278, 65-67349839 Email: <a href="mailto:sales@heatwवेशoes.com">sales@heatwवेशoes.com</a>	Retailing, wholesale, export of ladies fashion shoes	Trademark
2. DataStream Technology Group Sdn Bhd	Radin Sufri bin Radin Basiuni Head Group Regulatory Policy & Legal  Tungku Link Road BE 3619 Brunei Darussalam  Tel: 673 2410888 Fax: 673 2411371 Email: radin@simpur.net.bn	Mobile service provider, pay TV, pay phone, internet service provider etc.	Trademark

<u>Cambodia</u>			
1. LyLy Food Industry Co., Ltd.	<p>Keo Mom Director</p> <p>168A, 555 Signboard Str. Sanfkat Toek Thiar Khan Russey Keo Phnom Penh Cambodia</p> <p>Tel: 855-23 995-388, 855-16 835-388 Fax: 855-23 995-388 Email: keo_mom@hellogsm.com.kh</p>	Production of rice cracker snacks	Trademark
2. Hagar Soya Co., Ltd.	<p>Heng Rithyuth Sales &amp; Marketing Manager</p> <p>Str. 271, Lot 13 1B Sangat Boun Salang Khan Tuoi Kork Phnom Penh Cambodia</p> <p>Tel: 855-23 995-063, 855-12 902-283 Fax: 855-23 213-375 Email: <a href="mailto:rithyuth@hagarsoya.com">rithyuth@hagarsoya.com</a></p>	Production of food and beverages (soya milk)	Trademark

<p><u>Indonesia</u></p> <p>1. Indonesian Planter's Association for R&amp;D, Department of Agriculture</p>	<p>Didiek Hadjar Goenadi Technical Consultant</p> <p>Bogor Baru BVI/18A Bogor 16152 West Java, Indonesia</p> <p>Tel: 62-251-321813 Fax: 62-251-357354 Email: <a href="mailto:dgoenadi@indo.net.id">dgoenadi@indo.net.id</a></p>	<p>Manufacturing and marketing of biofertilizer products</p>	<p>Patent Trademark</p>
<p>2. PT. Instrument Metal Electro Indonesia (IMEI Co, Ltd.)</p>	<p>Tohari Chairman</p> <p>Gedung BPPT I Lantai Dasar Jl MH. Thamrin 8 Jakarta, Indonesia Tel: 62-21-7314934 Fax: 62-21-7314934</p>	<p>Production of apparatus for gas and oil stations</p>	<p>Patent Trademark</p>
<p><u>Laos</u></p> <p>1. Vientiane Steel Industry Co., Ltd. Group</p>	<p>Souksavanh Soukdala Deputy Director General</p> <p>087/12B, Salakham Km 11, Thadeua Rd. Hat Xai Fong District Vientiane, LAO PDR</p> <p>Tel: 856-21 812 166 Fax: 856-21 812-098 Email: <a href="mailto:vstco@laotel.com">vstco@laotel.com</a>, <a href="http://www.vsi-group.com">www.vsi-group.com</a></p>	<p>Manufacturing of deformed and round bars; forming steel for roofing and roofing tiles</p>	<p>Trademark</p>

<p>2. Lao Brewery Company, Ltd.</p>	<p>Bounkanh Kounlabouth Marketing Director</p> <p>Salakhm, Km 12 Thadeua Rd. Hat Xai Fong District Vientiane, LAO PDR</p> <p>Tel: 856-21 812 000 Fax: 856-21 812 049 Email: <a href="mailto:koulabouth@beer-lao.com">koulabouth@beer-lao.com</a>, <a href="http://www.beer-lao.com">www.beer-lao.com</a></p>	<p>Production and distribution of beer and drinking water</p>	<p>Trademark</p>
<p><u>Malaysia</u></p> <p>1. Petronas Berhad</p>	<p>Aizan Azrina Rosli Manager</p> <p>Level 68, Tower 1 Petronas Twin Tower 50088 Kuala Lumpur Malaysia</p> <p>Tel: 60-3-20511644 Fax: 60-3-20511583 Email: <a href="mailto:aizanr@petronas.com.my">aizanr@petronas.com.my</a></p>	<p>A petroleum corporation from upstream exploration and production of oil and gas to downstream oil refining; petrochemical manufacturing; automotive engineering; shipping etc.</p>	<p>Trademark Patent Design</p>
<p>2. Universal Music Sdn Bhd</p>	<p>Sandy Monteiro</p> <p>G01, Ground Floor Wisma Academy 4A, Jalan 19/1 46300 Petaling Jaya Selangor, Malaysia</p> <p>Tel: 60-3-79587433 Fax: 60-3-79546198 Email: --</p>	<p>Import, reproduction and distribution of music products – CDs, VCDs, DVDs, video, cassettes</p>	<p>Copyright</p>

<p><u>Myanmar</u></p> <p>1. Fame Pharmaceutical</p>	<p>Khin Maung Lwin Managing Director</p> <p>No. 20, Industrial Zone 3 Hlaing Tharyar City of Industry, Yangon, Myanmar</p> <p>Tel: 95-1-682199 Fax: 95-1-680122 Email: <a href="mailto:drkml@franspirulina.com.m">drkml@franspirulina.com.m</a> <a href="mailto:drkml@franspirulina.com.m">m</a></p>	<p>Manufacturing of natural (herbal) medicinal products</p>	<p>Trademark</p>
<p>2. Nibban Electric and Electronics</p>	<p>Aung Thein General Manager</p> <p>No. 8, Yan Naing Swe Lane (2) Tarketa Industrial Zone Yangon, Myanmar</p> <p>Tel: 95-1-547471 Fax: 95-1-547370 Email: <a href="mailto:nibban@mptmail.net.mm">nibban@mptmail.net.mm</a></p>	<p>Manufacturing of transmission antenna, inverters, voltage regulators, battery characters and protect regulators, local and overseas markers</p>	<p>Trademark</p>

<u>Philippines</u>			
1. Natures Legacy Eximport, Inc.	<p>Pedro and Catherine Delantar Directors</p> <p>Upper Cogon Compostela Cebu 6003, Philippines</p> <p>Tel: 6332-425-8399 Fax: 6332-425-8815 Email: <a href="mailto:info@natureslegacy.com">info@natureslegacy.com</a></p>	<p>Manufacturing and exporting of furnishings, home accessories, architectural components etc made from cast stones, natures cast</p>	<p>Patent Trademark Design Copyright</p>
2. Splash Corporation	<p>Rolando Hortaleza Rosalinda Ang Hortaleza Directors</p> <p>HBC Corporate Center 548, Mindanao Corner Quirino Avenues Novaliches, Philippines</p> <p>Tel: 632-984-5555 Fax: 632-453-1754 Email: <a href="mailto:gddelrosario@splashcorp.com">gddelrosario@splashcorp.com</a></p>	<p>Manufacturer, distributor and exporter of personal care and nutraceutical products based on own R&amp;D</p>	<p>Patent Trademark Design Copyright</p>

<p><u>Singapore</u></p> <p>1. Merlin MD</p>	<p>Howard Califano CEO</p> <p>29 Woodlands Industrial Park #04-13/14, Northtech (Lobby 3) Singapore 757716</p> <p>Tel: 65-68920020 Fax: 65-68920080 Email: <a href="mailto:howard@eastern-gate.com">howard@eastern-gate.com</a></p>	<p>Development of products to treat and prevent strokes</p>	<p>Patent Trademark Copyright</p>
<p>2. Ya Kun International Pte Ltd</p>	<p>Adrin Loi Executive Chairman</p> <p>100 Cecil Street 11<sup>th</sup> Floor, The Global Singapore 069532</p> <p>Tel: 65-62224567 Fax: 65-62229711 Email: <a href="mailto:adrin@yakun.com">adrin@yakun.com</a></p>	<p>Manufacture of food and beverage products, kaya spread</p>	<p>Trademark Copyright</p>
<p><u>Thailand</u></p> <p>1. The Siam Pulp and Paper Public Company Limited</p>	<p>Chaovalit Ekabut Executive Vice President</p> <p>1, Siam Cement Road, Bangsue Bangkok 10800 Thailand</p> <p>Tel: 662-5865983-4 Fax: 662-5865593 Email: <a href="mailto:chaovale@cementhai.co.th">chaovale@cementhai.co.th</a></p>	<p>Manufacturing of bagasse pulp, the main raw material for paper manufacture</p>	<p>Patent Trademark Design</p>



2. Beauty Gems Group Beauty Gems Center	<p>Sunee Srriorathaikul President</p> <p>31, Saladaeng Road, Silom Bangkok 10500 Thailand</p> <p>Tel: 662-2337630-4 Fax: 662-2366784 Email: <a href="mailto:surasit@beautygems.co.th">surasit@beautygems.co.th</a></p>	Manufacture of gems and jewelry mainly in gold, platinum and silver for export to international markets	Trademark Design Copyright
<p><u>Vietnam</u></p> <p>1. Vandien Fused Magnesium Phosphate Fertilizer Company</p>	<p>Bui Quang Lanh General Director</p> <p>Vandien Town Thanhtri District Hanoi, Vietnam</p> <p>Tel: 84-4-6884489 Fax: 84-4-6884277 Email: <a href="mailto:vafco@vnn.vn">vafco@vnn.vn</a></p>	Production and trading in all kinds of fertilizers	Patent Trademark Copyright
2. Kymdan-Saigon Rubber Joint-Stock Company	<p>Nguyen Huu Tri President</p> <p>28 Binh Thoi 14 Percinct 11 District Ho Chi Minh City, Vietnam</p> <p>Tel: 84-8-8657158 Fax: 84-8-8657419 Email: --</p>	Production and trading in all kinds of foam cushions, pillows and chairs from natural rubber	Patent Trademark Design Copyright

### 3. COMPANY PROFILES

During the study project, invaluable information and data have been gathered from the companies identified. Such information and data are accordingly compiled and analyzed under the following headings;

### 3.1 Type of Ownership

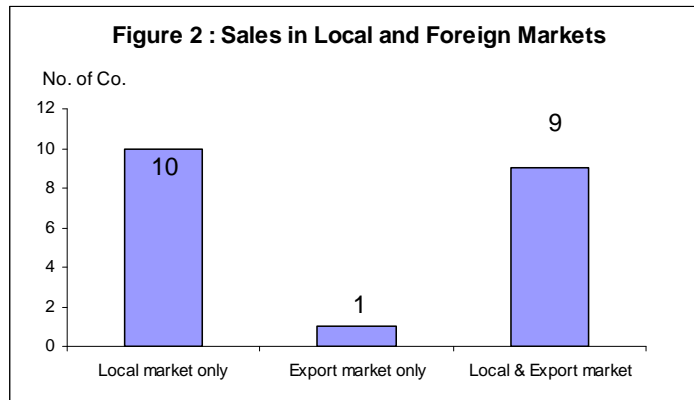
Seven of the 20 companies identified (or 35%) are sole-proprietorship companies. The remaining 13 are partnerships, of which nine (or around 70%) are fully owned by local partners with the rest involving partnership with foreign investors. It is interesting to note that nine of the 20 companies (or 45%) started operation within the last 10 years.

Figure 1: Ownership Structure of Company

Ownership Structure	No. of Company
Sole Proprietorship	7
Partnerships	
• All Local Partners	9
• Involving Foreign Partner(s)	4

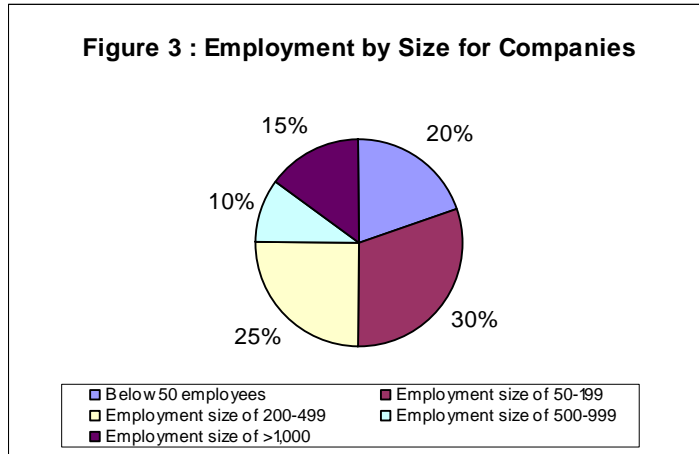
### 3.2 Sales of Products

Seven of the 20 companies identified (or 35%) commenced product sales after the year 2000. Ten companies (or 50%) are selling their products in the local market only. Nine companies (or 45%) are distributing their products in both local and export markets while the remaining company is interested only in the export market. Within the group involved in export trade, four companies (or about 45%) started exporting after 2000.



### 3.3 Companies by Employment Size

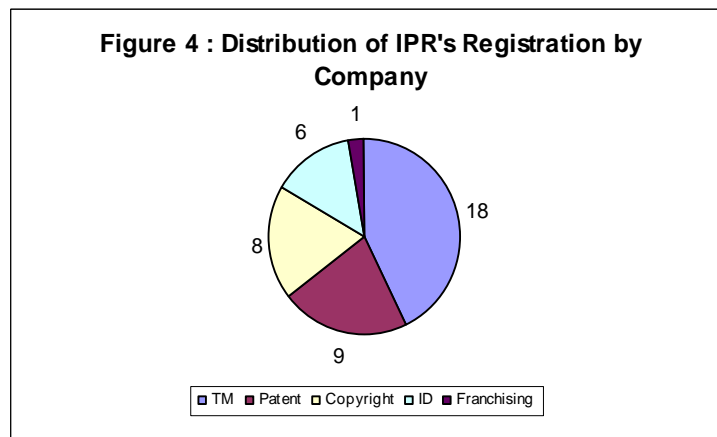
In terms of employment size, four companies (or 20%) have fewer than 50 employees, six companies (or 30%) 50 – 199 employees, 5 companies (or 25%) 200 – 499 employees, two companies (or 10%) 500 – 999 employees and three companies (or 15%) more than 1000 employees. On average, these companies showed an annual increase in employment rates of 15.2% in 2004 and 13.4% in 2005.

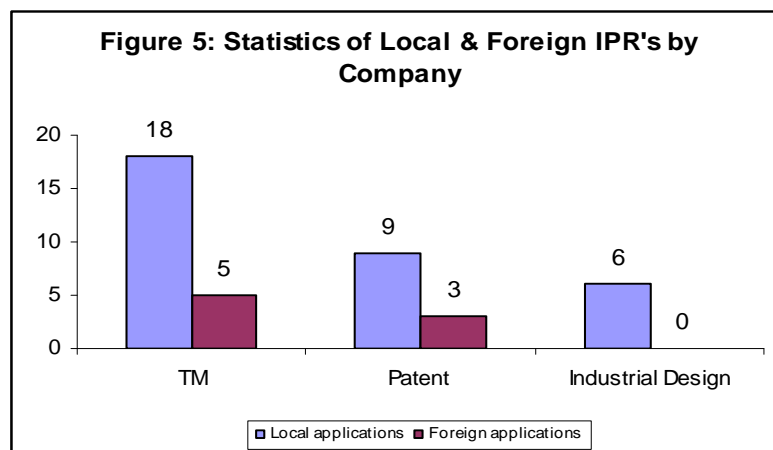


### 3.4 Type of IPR and Registration

All the companies reported that they have some kind of IPR protection for their products, processes or intellectual property assets. Trademark registration is by far the most popular choice of IPR with 18 companies (or 90%), followed by patents with nine companies (or 45%), copyright with eight companies (or 40%), industrial design with six companies (30%) and franchising with one company (or 5%).

On the other hand, eight companies (or 40%) have filed IPR including trademarks and patents in foreign countries, with ASEAN countries being the most popular choice for registration. Within this group, five companies have registered their marks abroad and three have filed for patent protection in foreign countries including one PCT application.





### 3.5 Importance of IP to Business

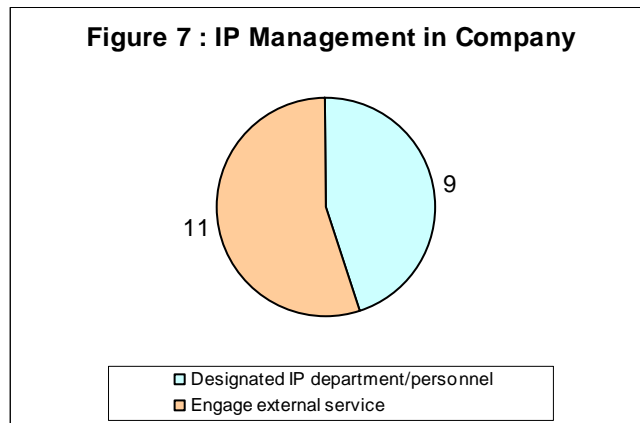
As shown below, almost all the companies considered IPR as either very important or important in enhancing the business performance of a company. The assumption that IPR has the function to exclude potential competitors as well as preventing imitation received the highest number of responses, followed by reasons that patents, new designs and technology can help enhance the corporate image of a company and that improved products and new designs were rated higher than price competition.

Figure 6: Table showing the Rating of IPR

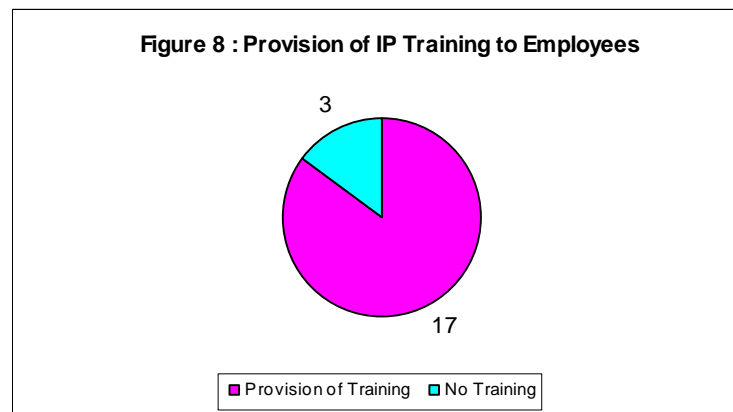
	Very Important	Important	Not Important	Not Relevant
a. Owing a patent or other IPR makes it easier to attract an investor	9	8	1	2
b. Improved products and new designs rate higher than price competition	11	9		
c. IPR has the function to exclude potential competitors as well as preventing imitation	12	7		1
d. Company can capitalize on investment by selling or licensing IPR to others	8	9	3	
e. Strategic patenting can prevent company from prosecution for patent infringement	9	8		3
f. Patents, new designs and technology enhance corporate image of company	12	6		2

### 3.6 IP Management in Company

About half of the companies, 11 out of 20 (or 55%) engage external services to manage their intellectual property matters. Nine companies (or 45%) have internal IP departments or designated personnel to look after IP issues. However, three companies (or 15%) reported that they had faced difficulties in getting competent IP services in their countries.

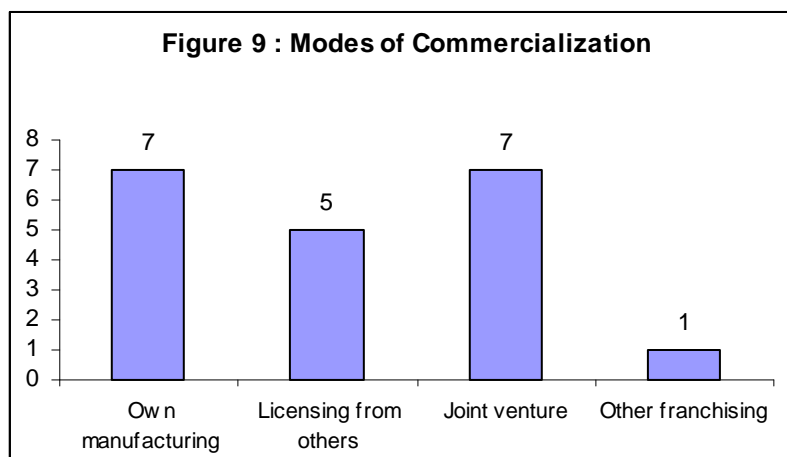


In the above connection, 17 companies (or 85%) provide IP training programs for their staff. Three companies (or 15%) do not have any training program, but one of them is considering it.



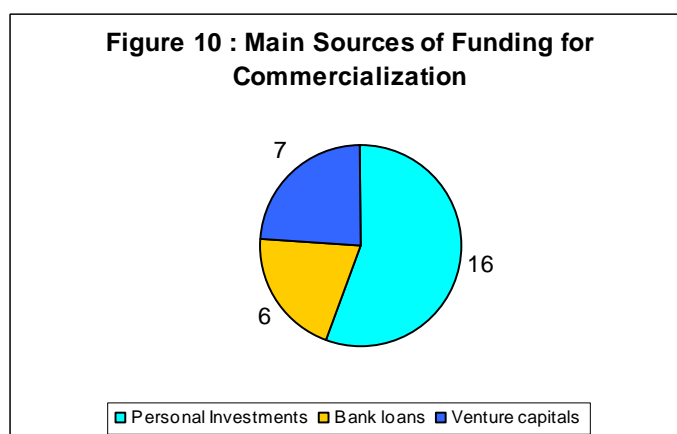
### 3.7 Mode of Commercialization

As shown below, seven companies (or 35%) are operating their business through manufacturing their own inventions or technology, another seven companies (or 35%) through license agreements with technology providers and one company (or 5%) through franchising. Another five companies have joint venture partnerships either with local or foreign partners.



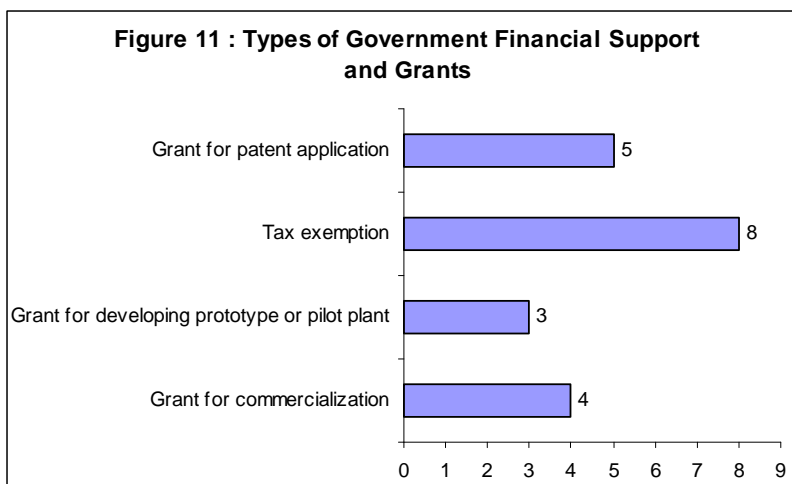
### 3.8 Sources of funding Commercialization

Almost all the companies operate with a mixture of funds including personal investment, bank loans and venture capital. Sixteen companies (or 80%) reported that their businesses are funded mainly through personal investment and bank loans. Seven companies (or 35%) reported that their businesses involved the participation of venture capital companies. Within this group, venture capital provides major investment funds in five companies (or 25%).



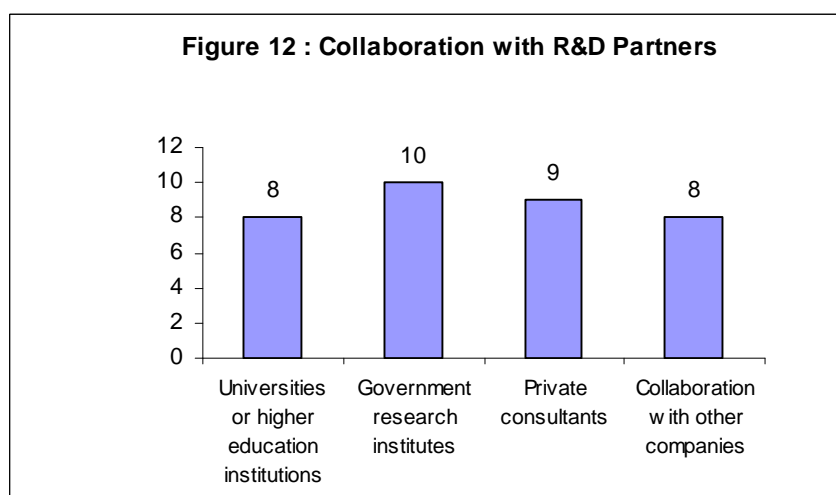
### 3.9 Government Financial Support

About half of the companies reported that they did not receive any financial support from the Government in terms of tax exemption, grants for commercialization, for developing prototypes or for IPR application. Within the group that receives financial support from the Government, tax exemption is the most common incentive with eight companies (or 40%), followed by A Grant for Patent Application with five companies (or 25%), A Grant for Commercialization with four companies (or 20%) and A Grant for Developing Prototype or Pilot Plant with three companies (or 15%).



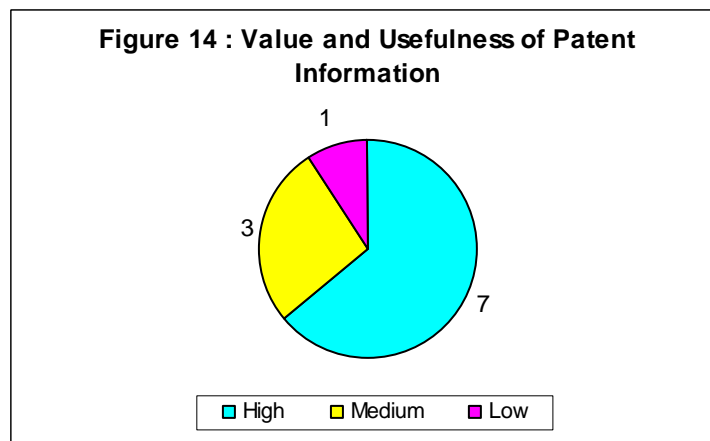
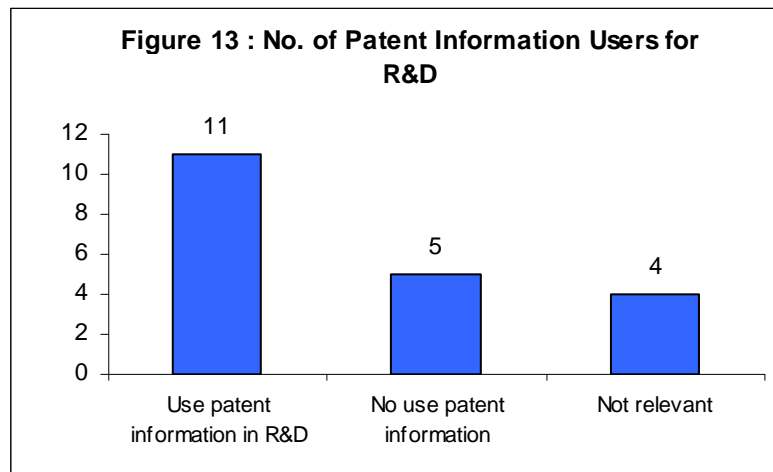
### 3.10 Research and development partners

The majority of the companies (16 companies or 80%) reported that they were involved in some kind of R&D project with the following partners i.e. universities, research institutes, private consultants and other companies. These choices of R&D partners are quite evenly distributed. Government research institutes are slightly more popular but closely followed by private consultants, universities and collaboration with other companies.



### 3.11 Use of patent information

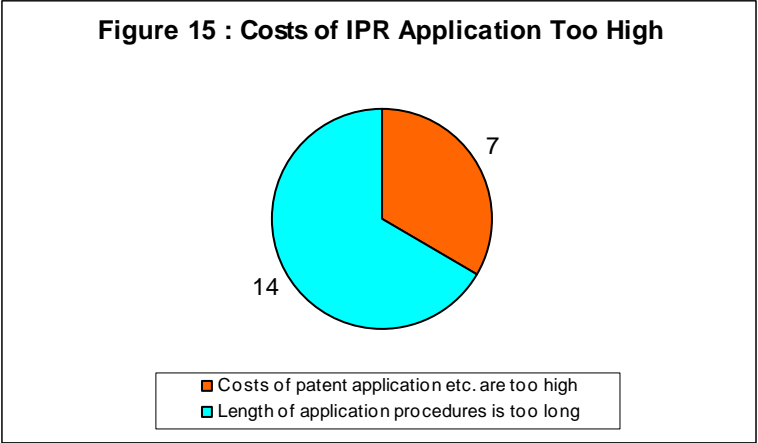
More than half of the companies (11 companies or 55%) reported that they have the requisite experience in using patent information for R&D projects. Five companies (or 25%) reported that they have never used patent information while four companies (or 20%) said that patent information is irrelevant to their work. Within the group of companies that uses patent information, seven users (or 64%) consider patent information as highly useful, three users (or 15%) consider its value as average and one user considers its value as low.



### 3.12 Obstacles in obtaining IPR

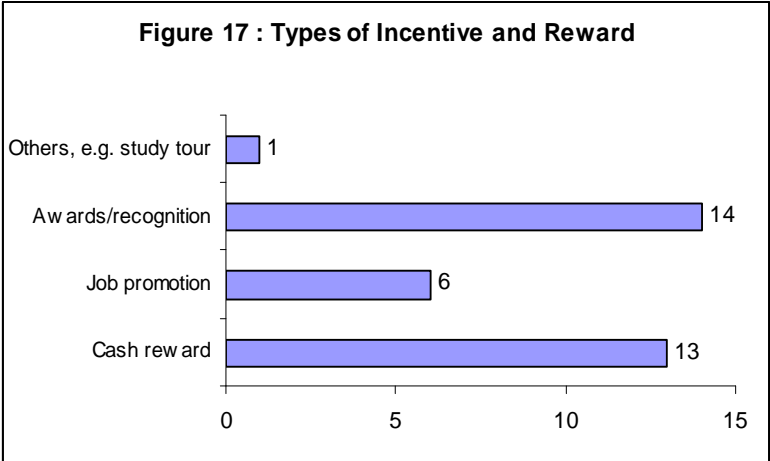
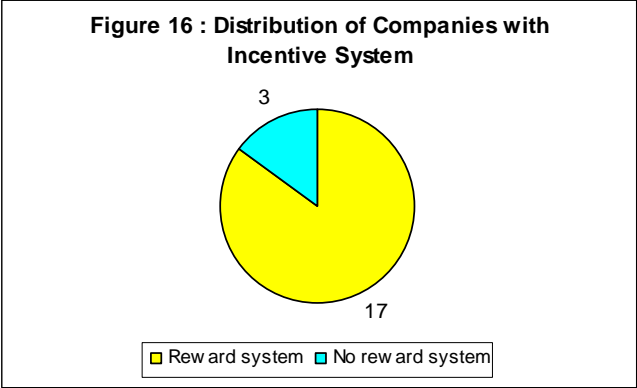
Seven companies (or 35%) are of the opinion that the costs of patent or other IPR applications are too high. Fourteen companies (or 70%) are of the opinion that the long period taken for processing IPR applications is a real obstacle. Within this latter group of companies, seven of them also agree that the costs for application are high.





3.13 Incentives for creative employees

It is interesting to discover that 17 companies (or 85%) have some kind of incentive system in place within their organization to motivate creative employees. Three companies (or 15%) do not have any reward system at the moment but are thinking of implementing one. Within the group of companies that has incentive systems, awards and recognition are the most commonly-used method, followed by cash rewards, job promotion and others.



## 4. ASEAN COUNTRIES REPORTS

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