

**The ASEAN Intellectual Property Rights Action Plan
2016-2025:**

**Meeting the Challenges of
“One Vision, One Identity, One Community” through
Intellectual Property**

ASEAN INTELLECTUAL PROPERTY RIGHTS ACTION PLAN 2016-2025

It is recognised that Intellectual Property (IP) has an important role in contributing to the achievement of national and regional socio-economic development goals. It is important for AMSs and ASEAN to view possible future IP scenarios in the broad context of the projected evolution of the ASEAN Economic Community (AEC) over the next ten years. Thus, IP, as one instrument of development, should also be considered in terms of its linkage to other components of socio-economic development strategy, including (among others) poverty reduction, health, education, industrial development, and especially trade.

In the post-2015 environment of a more competitive ASEAN, AMSs will have made significant progress in aligning national laws and policies on IP to cater to the AEC framework. National IP regimes will have achieved technical and procedural convergence, and IP Offices will have adopted modern business models and practices that enable provision of efficient and effective “world class” services to clients. It is expected that the AEC will bring about a more competitive and productive ASEAN region through the effective exploitation of IP and creativity, and at some stage could be one of the contributory factors towards increases in the volume and value of exports, increases in flows of domestic and foreign direct investment, and improved national rankings in the World Competitiveness Yearbook.

In this context, the ASEAN Intellectual Property Rights Action Plan 2016-2025, thus formulated, will have four strategic goals:

- (a) Strategic Goal 1: A more robust ASEAN IP System is developed by strengthening IP Offices and building IP infrastructures in the region;
- (b) Strategic Goal 2: Regional IP platforms and infrastructures are developed to contribute to enhancing the ASEAN Economic Community;
- (c) Strategic Goal 3: An expanded and inclusive ASEAN IP Ecosystem is developed; and
- (d) Strategic Goal 4: Regional mechanisms to promote asset creation and commercialisation, particularly geographical indications and traditional knowledge are enhanced.

INITIATIVES	DELIVERABLES & COUNTRY CHAMPIONS
STRATEGIC GOAL 1: A more robust ASEAN IP System is developed by strengthening IP Offices and building IP infrastructures in the region.	
Initiative 1. Improved patent, trademark, and industrial design services	<ul style="list-style-type: none"> 1.1. Conduct IP Diagnostics of AMS IP systems to ascertain issues and the extent of their impact on the delivery of IP services, including the backlog situation so that appropriate measures may be taken to improve the delivery of their IP services 1.2. Expand work-sharing activities for patents among AMSs 1.3. Continued implementation of the ASEAN Patent Search and Examination Cooperation (ASPEC) 1.4. Effective use of copyright system by 2025 1.5. Establish an ASEAN Copyright Notifications/Recordation Network 1.6. Update and enhance the ASEAN databases of Industrial Designs and Trademarks 1.7. Establish an ASEAN database for published applications and registered patents
Initiative 2. Promote improvement of IP services in terms of timeliness and quality of output	<ul style="list-style-type: none"> 2.1. Identify similarities and differences in practices of patent and industrial design among the AMSs 2.2. Update or draft national patent substantive examination manuals 2.3. Update or draft national industrial design examination manuals 2.4. Develop ASEAN Common Guidelines on Patent Examination 2.5. Develop ASEAN Common Guidelines on Industrial Design Examination 2.6. Regularly update, as may be necessary, the ASEAN Common Guidelines on Substantive Trademark Examination 2.7. Adopt and publish the performance pledge for IP registrations

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<p>Initiative 3. Promote excellence of CMOs in transparency, accountability and governance</p>	<p>3.1. Participate in WIPO's initiative on creating international quality assurance standards for CMOs</p> <p>3.2. Develop a compendium of transparency, accountability and governance (TAG) principles relating to the right of access to repertoire information, transparent tariff calculation, requirements regarding deductions, etc.</p> <p>3.3. Develop a set of best practices/guidelines for the certification/accreditation of CMOs</p> <p>3.4. Educate and train CMOs, with emphasis on transparency, accountability, and governance, providing guidance and assistance where requested, to reach certification</p>
<p>Initiative 4. Explore the feasibility of harmonizing formality requirements for trademarks and industrial designs across the region</p>	<p>4.1. Undertake a feasibility study for harmonizing formality requirements for trademarks and industrial designs</p> <p>4.2. Consider implementing the recommendations from the study</p>
<p>Initiative 5. Accession to international treaties: i. Madrid Protocol; ii. Hague Agreement; and iii. PCT</p>	<p>5.1 Accession to the Madrid Protocol and Hague Agreement</p> <p>5.2 Accession to the PCT by AMSs</p>
<p>Initiative 6. Endeavour to accede to other WIPO-administered international treaties (may be determined by each AMS)</p>	<p>6.1. Accession to Singapore Trademark Law Treaty as part of improvement of TM processes, or to other WIPO- administered international treaties by interested AMSs</p>
<p>Initiative 7. Develop targeted and sustainable capacity building and office-initiated client-assistance programs linked to levels of development, with special focus on CLM (Cambodia, Lao People's Democratic Republic, and Myanmar)</p>	<p>7.1 Establish an ASEAN IP Academy (based on the outcomes of a feasibility study) to increase the competency of ASEAN IP stakeholders, including practitioners (such as advisors, lawyers, engineers, patent and trademark agents, and strategists, etc.)</p>

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STRATEGIC GOAL 2: Regional IP platforms and infrastructures are developed to contribute to enhancing the ASEAN Economic Community.	
<p>Initiative 8. Develop new networks of integrated IP services for the region, including technology transfer offices and innovation technology support offices (patent libraries)</p>	<p>8.1 Establishment of a regional network of patent libraries within schools and universities in AMSs, to increase access to global scientific and technology information for research and development</p> <p>8.2 Link the existing or new national virtual IP marketplaces of AMS IP Offices</p> <p>8.3 Hold regional IP Fair/Technology Marketplace events on either an annual or biennial basis</p>
<p>Initiative 9. Improve service delivery of AMSs through connected online services, including patent, trademark, copyright and industrial design search systems, and online filing systems</p>	<p>9.1 Implement on-line filing for patents, trademarks and industrial design applications</p> <p>9.2 Conduct a feasibility study for an ASEAN TM Registration system</p> <p>9.3. Implement online system for copyright recordation/notification for AMSs that have recordation systems</p>
<p>Initiative 10. Adopt modern Information Technologies to improve quality of regional services, including the development of an automated (including translation) system for electronic correspondence and dossier systems for trademarks; online filing; sharing of patent and copyright information through the establishment of regional patent and copyright databases; and updating an improvement of the regional industrial design and trademark databases</p>	<p>10.1 Ensure IP Offices' patent, trademark, industrial design and copyright databases and relevant information are easily accessible to their customers, partners, industry, and the public</p>
<p>Initiative 11. Improve and centralize the management of the ASEAN IP Portal by</p>	<p>11.1 Develop a checklist to ensure that relevant information is updated regularly</p>

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ensuring that IP information, including statistical data, is accurate and regularly updated (e.g., no. of filings, registrations, grants, pendency periods)	11.2. Integrated searches of ASEAN IP databases can be done from the ASEAN IP Portal
<i>STRATEGIC GOAL 3: An expanded and inclusive ASEAN IP Ecosystem is developed.</i>	
Initiative 12. Implementation of a Regional Action Plan on IPR Enforcement	<p>12.1 Information awareness activities (including development of information materials) on enforcement are undertaken in the region, and private sector involvement in anti-piracy and information awareness campaigns at the regional level is intensified</p> <p>12.2 Publicly available statistical information relating to IP enforcement, including the status of IP cases in the judiciary, is collated through a centralized coordinating unit and is accessible online in the region</p> <p>12.3 Reduced movements of pirated and counterfeit goods into and between AMSs is documented</p> <p>12.4 National internal guidelines for enforcement consistent with the civil, criminal, and administrative structures of AMSs are drawn up based on best practices identified through information sharing among national agencies in AMSs that are tasked with IP enforcement</p> <p>12.5 Workshops and symposia on enforcement issues and developments in IPR protection are held, and stronger linkages between the national IP office and the judiciary in each AMS to expedite the disposition of IP cases and other government agencies tasked with enforcement of IP rights are established</p> <p>12.6 Develop a coordination mechanism to enhance enforcement operations</p>
Initiative 13. Establish an ASEAN IP network (IP, judiciary, customs and other enforcement agencies)	13.1. Support parties in dispute, IP practitioners and judicial officers in the hearing of IP disputes, particularly complex cases by making available an ASEAN directory of local and foreign technical experts for niche technology areas
Initiative 14. Enhance intra and extra ASEAN engagement with stakeholders and external partners including dialogue	<p>14.1. Establish on-line national IPR helpdesks</p> <p>14.2. Establish an on-line ASEAN IPR helpdesk under the supervision and management of one or more AMS</p>

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partners/ consultations with the private sector/ IP associations (e.g., AIPA, INTA, WIPO Singapore Office)	14.3. Establish an IPR helpdesk for MSMEs in Business Associations identified by participating AMSs
Initiative 15. Establish a regional accreditation system for IP practitioners	15.1. Create awareness of possible accreditation system 15.2. Undertake the feasibility study on the establishment of such a system 15.3. Establish a regional accreditation system, as appropriate
<i>STRATEGIC GOAL 4: Regional mechanisms to promote asset creation and commercialization, particularly geographical indications and traditional knowledge are enhanced.</i>	
Initiative 16. Improve awareness and respect of IP to promote its protection and utilization, including development of supporting schemes for MSMEs and creative sectors	16.1. AMSs conduct a study on supporting schemes to encourage IP protection and acquisition by MSMEs and the creative sectors and the effectiveness of the various schemes with the objective of adopting suitable and relevant measures 16.2. Creative ASEAN 16.3. Comprehensive collaborative programs between the IP Offices and Science & Technology, Research & Development Institutions, and Universities to improve their capacity to identify, protect, and manage their IPs are developed
Initiative 17. Develop IP valuation services to create awareness of the value of IP as a financial asset	17.1. Design and conduct training programmes for IP valuers 17.2. Conduct a study on the best practices for IP valuation, including on the IP and non-IP legal and policy frameworks that help increase the recognition of the value of IP as a financial asset in the business community
Initiative 18. Promote the commercialisation of GIs in ASEAN by improving the capacity of the productive sector in the development of protection and branding strategies	18.1. Training in the use of GIs, certification and collective marks to create awareness to enhance value of local products and services and post registration management programme 18.2. Evaluate protection mechanisms of GIs and assist in the protection of GIs in ASEAN and foreign market
Initiative 19. Promote a protection mechanism for GRTKTCE	19.1. Conduct a preliminary study by interested AMSs, (i.e. comparison study to several countries that have laws on GR/TK/TCE) 19.2. Develop relevant national policies and laws related to GRTKTCE, for interested AMSs

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	<p>19.3. Develop a network of GR and TK databases for interested AMSs</p> <p>19.4. Implement regional cooperation agreements such as a code of conduct/MOC on the use of GR by interested AMSs</p>