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Editorial

The report of the Cable and Satellite Broadcasting Association of Asia (CASBAA) reveals that cable and satellite TV services now reaching more than 50 percent of all households across Asia (about 95 percent of those in China). However, the biggest challenge facing the global pay-TV industry is piracy that has come to threaten the online video market and harm all kinds of pay-TV services.

In recent years, the industry in China has not been able to put a dollar figure on revenue losses. Governments worst hit by piracy include Thailand, Pakistan and the Philippines, which in 2010 will have lost \$87 million, \$63 million, and \$38 million respectively. In Hong Kong, there is a dramatic fall in revenue leakage to \$1.09 million in the past year. According to industry estimates, the cost of piracy in Thailand to the industry and to the government loses at least 2.5 billion baht in taxes and fees every year, with the problem growing about 20% per year.

Despite pirate hurdles, the increasing of pay-TV in Asia across the region continues on its upward course. The steady rise in pay-TV is a bonus and blessing for operators and the governments are benefiting from business taxes on millions of pay-TV subscriptions. According to the association, Thailand, Vietnam and Hong Kong have witnessed a recent surge in legal subscribers. In this environment, both of providers and related sectors needs taking various measures to deter thefts and make progress in the piracy battle. The cooperation, using all technical tools for this complicated task and enforcing laws are required for a long-term solution.

Waraporn M.

1. Hom Mali rice GI registration likely this year

(From Bangkok Post, June 25, 2011)

Bangkok – Thailand's geographical indication (GI) registration plan for Khao Hom Mali Thung Kula Rong Hai is likely to be completed by the end of this year, as Thailand has agreed to brown rice not being processed and packaged at a source of origin. Thailand submitted its application on Nov 21, 2008, but the five EU countries filed their opposition just before the two-year deadline. Pajchima Tanasanti, director-general of the Intellectual Property Department, said Thailand needed to adjust its statement in a GI registration letter this month. The five countries will send back their comments by the middle of July before submitting an agreeable conclusion between the two parties to the European Commission for final approval in the middle of October.

2. Heading to China for design spark

(From The Straits Times, July 4, 2011)

Hangzhou (Zhejiang province) – Students from the Singapore University of Technology and Design (SUTD) are working with their peers from the Massachusetts Institute of Technology and Chinese partners at the Zhejiang University (ZJU) to find out the best of East and West, and links to the world's top two economies. ZJU is regularly ranked No. 3 among China's universities, and is known for its entrepreneurial edge and expertise in industrial design. The Singapore students were taught the secret of coming up with a design that sells, and concepts like uniqueness, innovation, aesthetics and consideration for ethics and emotion. Singapore plans to send 100 students to Chinese counterpart each year, while 50 from ZJU will head to Singapore.

3. Fun Pack Song 'may have flouted copyright laws'

(From The Straits Times, July 7, 2011)

Singapore – Organisers of this year's National Day Parade (NDP) may have flouted copyright laws after they modified the lyrics of a Lady Gaga hit to create a song about its goodie bag, said lawyers. The Fun Pack Song rips off Lady Gaga's Bad Romance by using the tune but substituting lyrics that celebrate the items inside the pack such as Newater, biscuits and sweets. Mr. Lam Chung Nian, an intellectual property lawyer, pointed out that the song has a few lines that duplicate the lyrics of Bad Romance. "They reproduced a couple of lines that remind people of and draw attention to the original lyrics," he added. The song was first performed at rehearsal of the parade at the floating platform in Marina Bay. The organisers confirmed that they have shelved plans to perform the song until they get the go-ahead from music publishing firm.

4. Fun Pack Song: Copyright holders 'unlikely to pursue issue'

(From The Straits Times, July 12, 2011)

Singapore – The copyright owners of the Lady Gaga hit, Bad Romance, whose lyrics were modified for a National Day Parade (NDP) song, are unlikely to pursue the matter further, said a publishing manager at Sony/ATV Music Publishing Singapore, which owns the rights to the score and lyrics. The organisers have stopped performing the Fun Pack Song at rehearsals, have got the video removed from YouTube and are also removing the lyrics from the parade commemorative booklet. The organisers said that while they had got the performing rights they did not get the nod to change the words.

5. Thailand to push Asean patent registration

(From Bangkok Post, July 7, 2011)

Bangkok – Thailand will push for cooperation on patent examination exchange in Asean in the hopes of accelerating patent registration in the region. Pajchima Tanasanti, director-general of Intellectual Property Department, said Asean members agreed on implementing the Asean Patent Search and Examination Cooperation to reduce duplication on verification of new inventions and speed up registrations. The members will create a regional portal to facilitate investors and inventors with intellectual property protection. In the first half of this year, there were 30,623 applications for IP registration, up 4.02% year-on-year.

6. Five nabbed in raid on syndicate selling fake bedding

(From The Straits Times, July 15, 2011)

Singapore – A major syndicate selling counterfeit bedding products has been busted in a police operation. The suspects, all Singaporeans, had allegedly been supplying the products to makeshift retail stalls islandwide. More than 9,000 pieces of bedding, including bedsheets, blankets, pillow and bolster covers and mattresses, were seized in the raid. The products carried trademarks of popular cartoon characters and English Premier League clubs, including Manchester United. Those found guilty of possessing counterfeit goods intended for sale or distribution could be fined \$10,000 for each article, up to a maximum of \$100,000. They may also be jailed for up to five years.

7. Thailand innovation 'hurt by weakness in two areas'

(From The Nation, July 20, 2011)

Bangkok – The survey by the Insead business school on the Global Innovation Index 2011 showed that Thailand was ranked 71st among the 125 economies for the first pillar on institutions with weak political stability and press freedom. For the second pillar, Thailand was 94th in education with high pupil-teacher ratio. For research and development, Thailand was 83rd. For infrastructure, it was 78th. The survey aims to show the link between innovation and economic prosperity. It covered 125 economies, accounting for 93.2 per cent of the world's population and 98 per cent of the world's gross domestic product. Switzerland is ranked No 1, followed by Sweden and Singapore. Among countries in East Asia, South Korea is ranked 16th, well beyond Japan's 20th, China's 29th, Malaysia's 31st, Vietnam's 51st and India's 62nd.

8. Baidu tunes out piracy in deal with music firms

(From The Straits Times, July 20, 2011)

Beijing – China’s largest search engine, Baidu.com, announced a major licensing deal with three of the world’s largest music companies that will allow the country’s Web users to legally download hundreds of thousands of songs for free. The deal between Baidu and One-Stop China, a joint venture between the Universal Music Group, the Warner Music Group and Sony BMG, will shut down access to a vast amount of pirated music. Baidu will pay the labels on a per-play and per-download basis for all tracks, keeping the music free-but legal-for users. The labels also agreed to settlement endorsed by the Beijing Higher People’s Court. The settlement includes a donation of an unspecified sum by Baidu to the anti-piracy fund of a global music industry group, the International Federation of the Phonographic Industry.

9. 100 boxes of fake coloured contact lenses seized

(From The Straits Times, July 21, 2011)

Singapore – More than 100 boxes of fake “FreshLook ColorBlends” lenses have been seized from five optical shops by the Health Sciences Authority (HSA). They bear the trademark of American eyecare giant Ciba Vision, and have been found in HSA tests to be unsafe and of poor quality. Ciba Vision claims the genuine version of these lenses to be “the leading colour contact lens products in Singapore”, and this was the first time they have been counterfeited. The fake lense, sold in five shops at \$42 a pair, come packed in a solution which has tested positive for *Pseudomonas aeruginosa*, a harmful bacterium. HSA’s enforcement division director said this was the first instance of counterfeited health products being sold by legitimate suppliers.

10. Even staff don’t know it’s fake Apple store

(From The Straits Times, July 22, 2011)

Beijing – The store in the south-western city of Kunming, was uncovered by an American blogger who posts under the name BirdAbroad and has been living in Kunming for more than two years. Photos posted by the blogger show the employees wearing Apple’s trademark blue T-shirts with name badges. But a closer look reveals that the winding stairs going up to the chill-out area are poorly made, the walls have not been painted well, and the shopfront sign says “Apple Store” whereas the real deal just sports the now-famous fruit logo. The Apple website lists four official stores in China – two in Beijing and two in Shanghai, and none in Kunming.

11. Piracy rampant in India

(From China Daily, July 22-28, 2011)

New Delhi – A study conducted by the Cable and Satellite Broadcasting Association of Asia (CASBAA) reveals \$1.60 billion is lost to “cable thieves” in the “grey market” of pay-TV in India, a country that together with China makes up 90 percent of all Asian pay-TV subscribers in Asia-Pacific. India now leads the dubious list of Asia-Pacific’s top 15 nations in pay-TV piracy. A PricewaterhouseCoopers (PwC) research reveals that India has about 25 million “leaked” subscribers and illegal connections. That means more than a third of 73 million households that have cable connections in this country use illegal networks. Other than India, the governments severely hit by pay-TV piracy in Asia include Thailand, Pakistan and the Philippines, which lost \$87 million, \$63 million, and \$38 million respectively in 2010, according to the CASBAA.

12. Thailand chairs ASEAN meeting on copyright

(From The Nation, July 26, 2011)

Bangkok – Thailand will chair the 36th meeting on Intellectual Property Cooperation in Bali, aiming to develop protection, awareness and registration for Asean intellectual property rights. Pajchima Tanasanti, director general of the Intellectual Property Department of the Commerce Ministry, said that the AWGIPC meeting would help improve Asean’s image among the international community, as IP awareness is one of the major factors for investment consideration. The AWGIPC will focus developing IP organisation standards to meet international acceptance, facilitate investors and strengthen cooperation among the 10 member states. It will support the setting up of the Asean Search and Examination Cooperation for exchanging information on patents and reducing duplication in patent registration of each country.

13. Prescription medicines set to get cheaper

(From The Straits Times, July 26, 2011)

New York – The next 14 months will bring generic versions of seven of the world’s 20 best-selling drugs, including the top two – cholesterol fighter Lipitor and blood thinner Plavix – as drugs patents expire. Top drugs getting generic competition by September next year are taken by millions every day: Lipitor alone is taken by about 4.3 million Americans and Plavix by 1.4 million. Generic versions of big-selling drugs for blood pressure, asthma, diabetes, depression, high triglycerides, HIV and bipolar disorder also are coming by then. The profit dollars used to reinvest in innovation are no longer, warns Mr Terry Hisey, of Deloitte LLP’s pharmaceutical consulting business.

14. Appeals court overturns magazine's copyright win

(From The Straits Times, July 29, 2011)

Singapore – In a copyright spat fought between two horse-racing magazines, the three-judge Court of Appeal ruled that no copyright infringement had taken place, and ordered the owners of Punters' Way to pay damages for the groundless threats of legal action made against the owners of Racing Guide. The highest court in the land has addresses issues of authorship, ownership and whether and author's copyright can be vested in an incorporated body and not just a person. The court made clear that the issue of copyright did not even arise in this case because copyright in an author can only refer to a person, not an incorporated body. Racing Guide and Punters' Way have similar content, compete for the same audience, and carry racing information

15. The real deal amid copycats

(From The Straits Times, August 3, 2011)

Singapore – PATEC, the manufacturer of metal-stamping machine, has become the first company in Singapore to develop its own design after facing several copycat competitors. Chief executive Michael Wee said the copycats could only copied the external look of the machine, not its insides, so customers realised those machines could not achieve the same results as Patec's, so they gradually returned to the company. "We faced a very difficult time from 1998 to 2000, because of all the copying, our sales dropped," Mr. Wee recalled. Spring Singapore describes this as a moving up the value chain, from being simple contract manufacturers to becoming one-stop solution providers with contract design services.

16. Copycat stores common in China

(From The Straits Times, Aug 6, 2011)

Beijing – The art of copying has risen to new levels in China, with businesses replicating, design and service as well. From crocodile menswear to karaoke chain Party World to ramen chain Ajisen, established brands have been cloned across a country. Analysts say that the widespread copying reflects a China moving very much in sync with worldwide trends and the latest gadgets. They also believe that it is a result of unmet demand in China's smaller cities. Beijing has been trying to crack down on the problem and ramping up efforts to tackle the problem, and had prosecuted 40 per cent more intellectual property rights cases last year.