



**Intellectual Property Corporation of Malaysia**

**Malaysia:  
*Current Status and Future Perspectives  
on Global IP Protection Systems***

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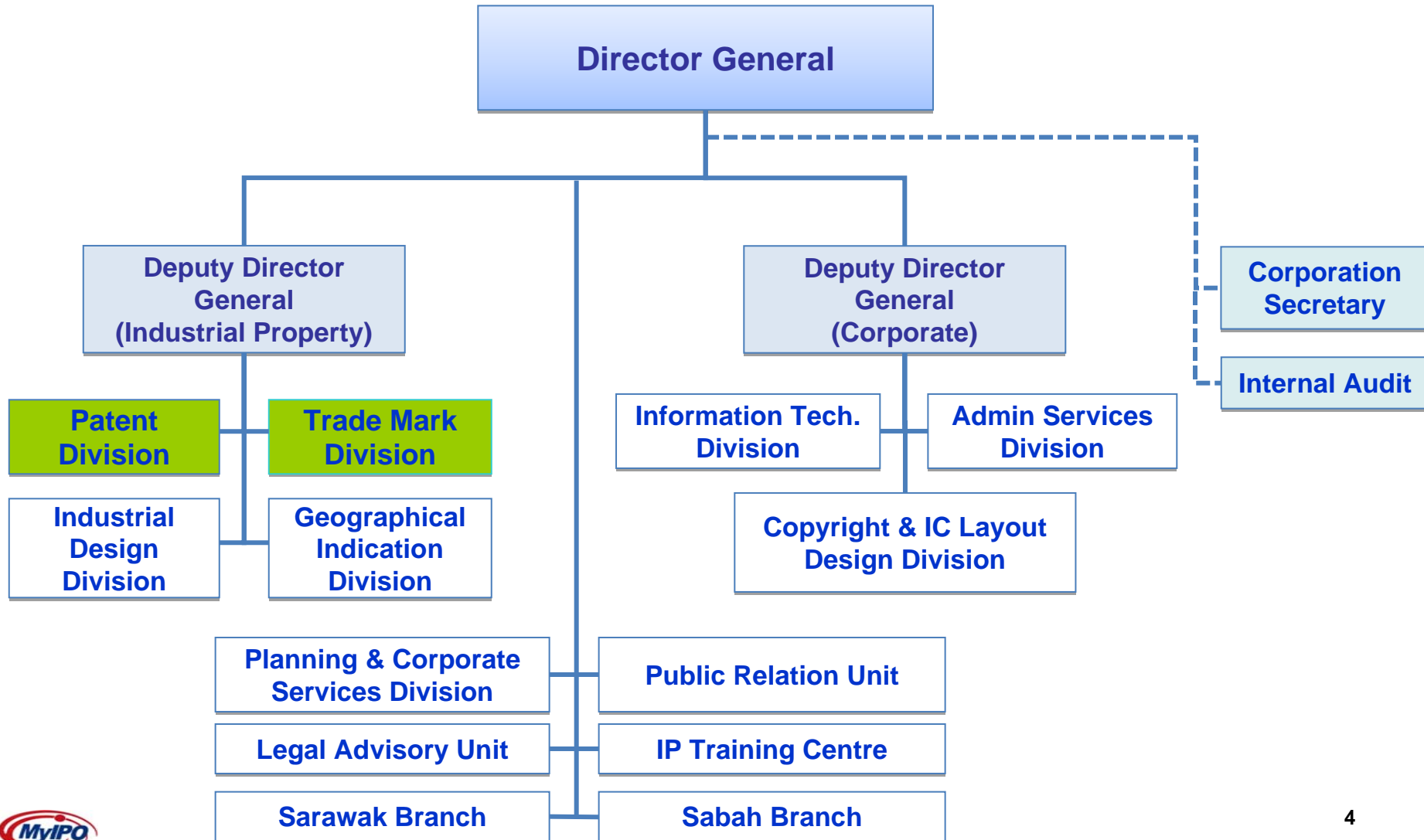
**Tokyo, Japan  
11 – 12 November 2010**

# Outline of Presentation

- ↗ Corporate Profile
- ↗ Patent – PCT
- ↗ The Road to Madrid

# Corporate Profile

# Organizational structure



# Our Organization

## **Vision**

*“To be one of the leading IP organizations”*

## **Mission**

*“Provides effective legal infrastructure and administration regime to enhance greater creativity, protect innovation and realize the value of intellectual property”*

## **Motto**

*“Protecting Innovation – Advancing Competitiveness”*

# Functions

- Administer and enforce IP Legislations
- Administer, collect and enforce payment of prescribed fees / charges
- Regulate / supervise IP issues
- Review / update IP Legislations
- Organize training and disseminate info on IP



# Functions

- Promote cooperation program at national and international level
- Safeguard Malaysia's interest in respect of any agreement or international convention to which Malaysia is a party
- Advise the Government on IP matters
- Conduct research and studies on IP issues

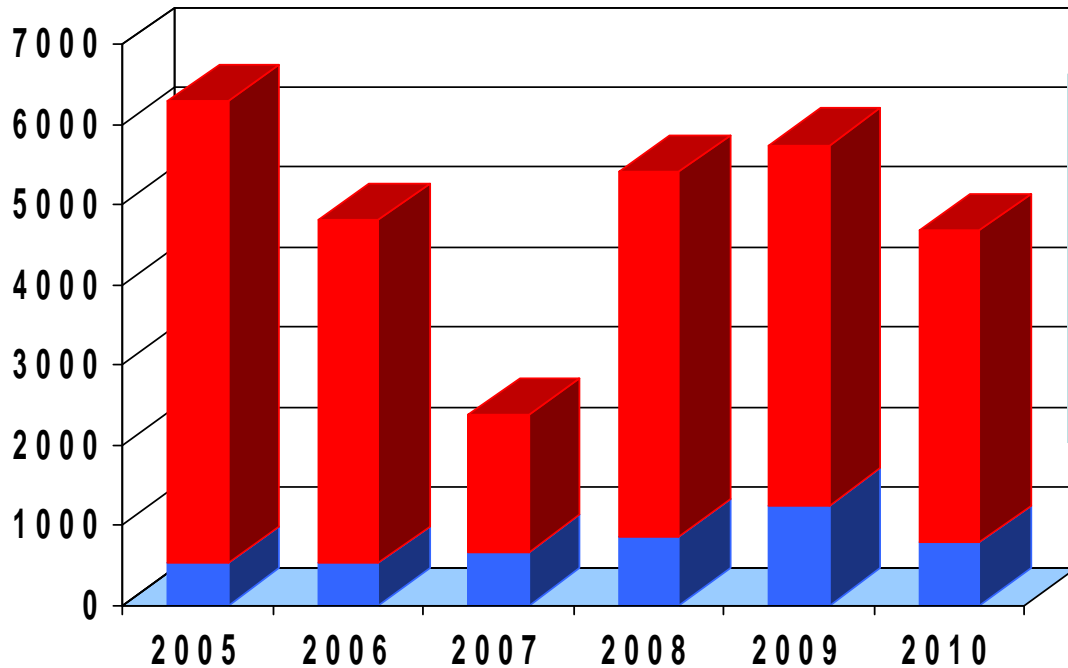
# International Treaties Acceded

- WIPO Convention (Jan 1989)
- Paris Convention (Jan 1989)
- Berne Convention (Oct 1990)
- TRIPS Agreement (Jan 1995)
- **Patent Cooperation Treaty (Aug 2006)**
- NICE Agreement (Sept 2007)
- Vienna Agreement (Sept 2007)



# PATENT & PCT

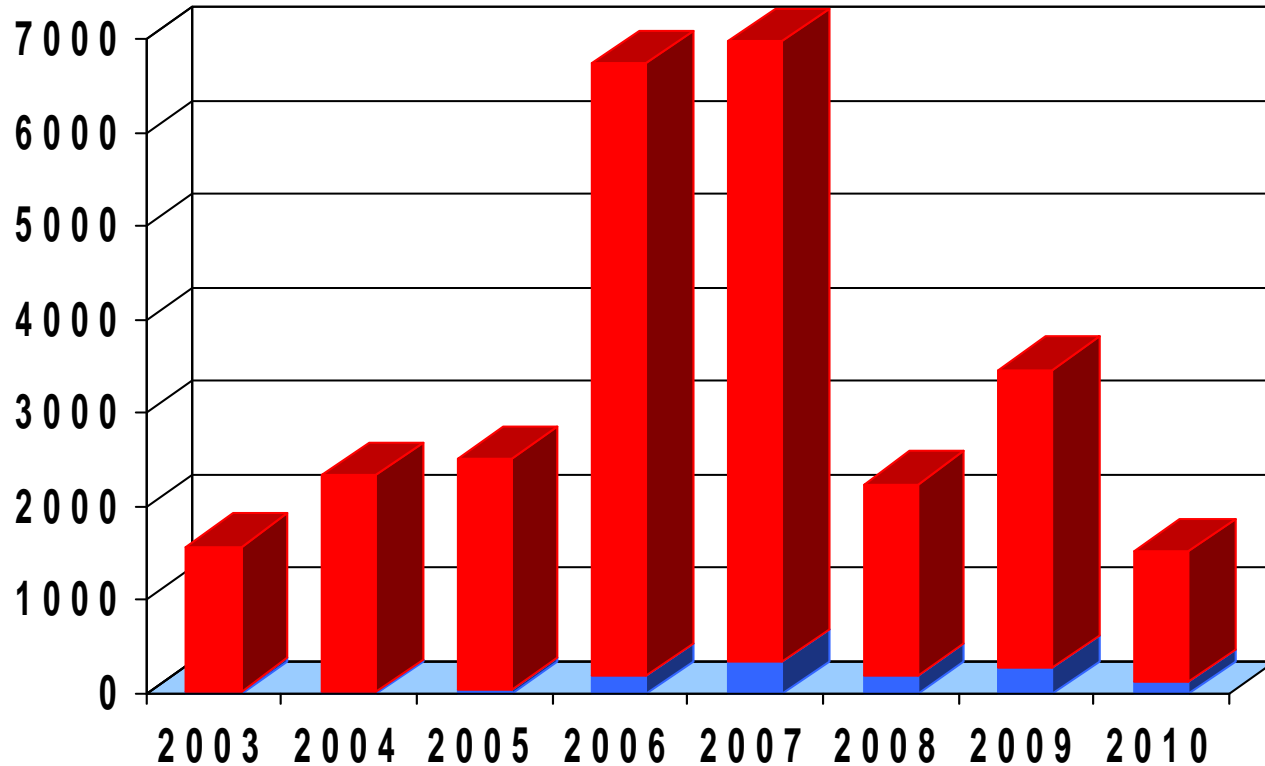
# Patent Application : 2005-2010 (Sept)



- Foreign applications outnumbered locals
- Local applications increased

Year	2005	2006	2007	2008	2009	2010 (Sep)
Local	517	524	665	850	1,241	782
Foreign	5,768	4,275	1,707	4,550	4,496	3,891
Total	6,285	4,799	2,372	5,400	5,737	4,673

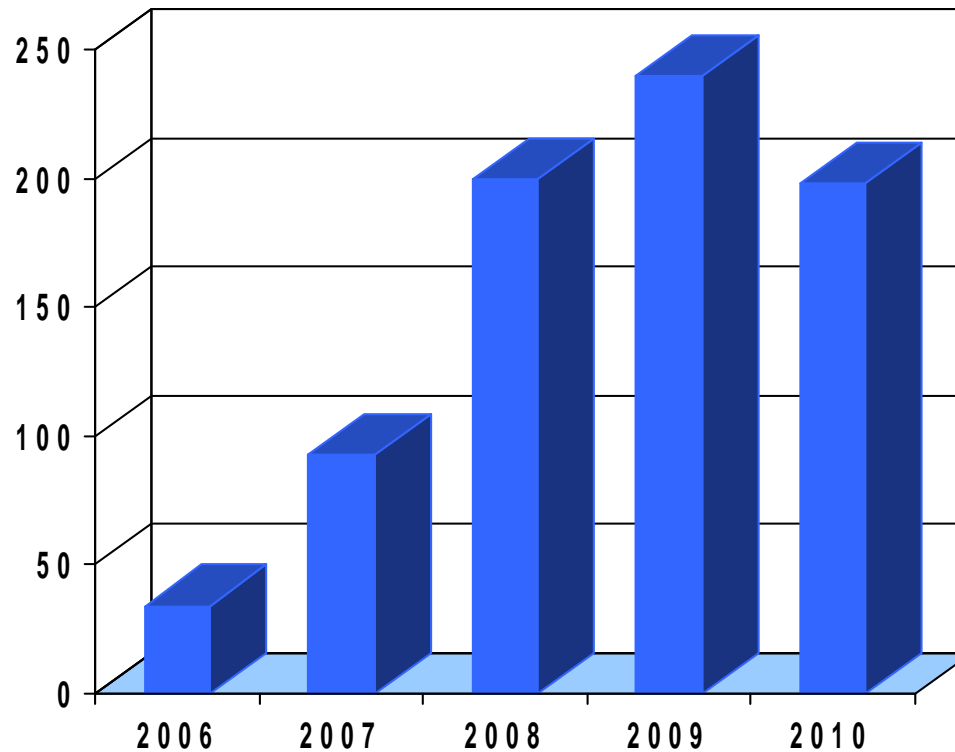
# Patent Grant : 2005-2010 (sept)



- Local owners remain small

Year	2005	2006	2007	2008	2009	2010 (sep)
Local	37	187	338	198	270	129
Foreign	2,471	6,562	6,645	2,044	3,198	1,399
Total	2,508	6,749	6,983	2,242	3,468	1,528

# PCT Application (RO-MY): 2006-2010 (sept)

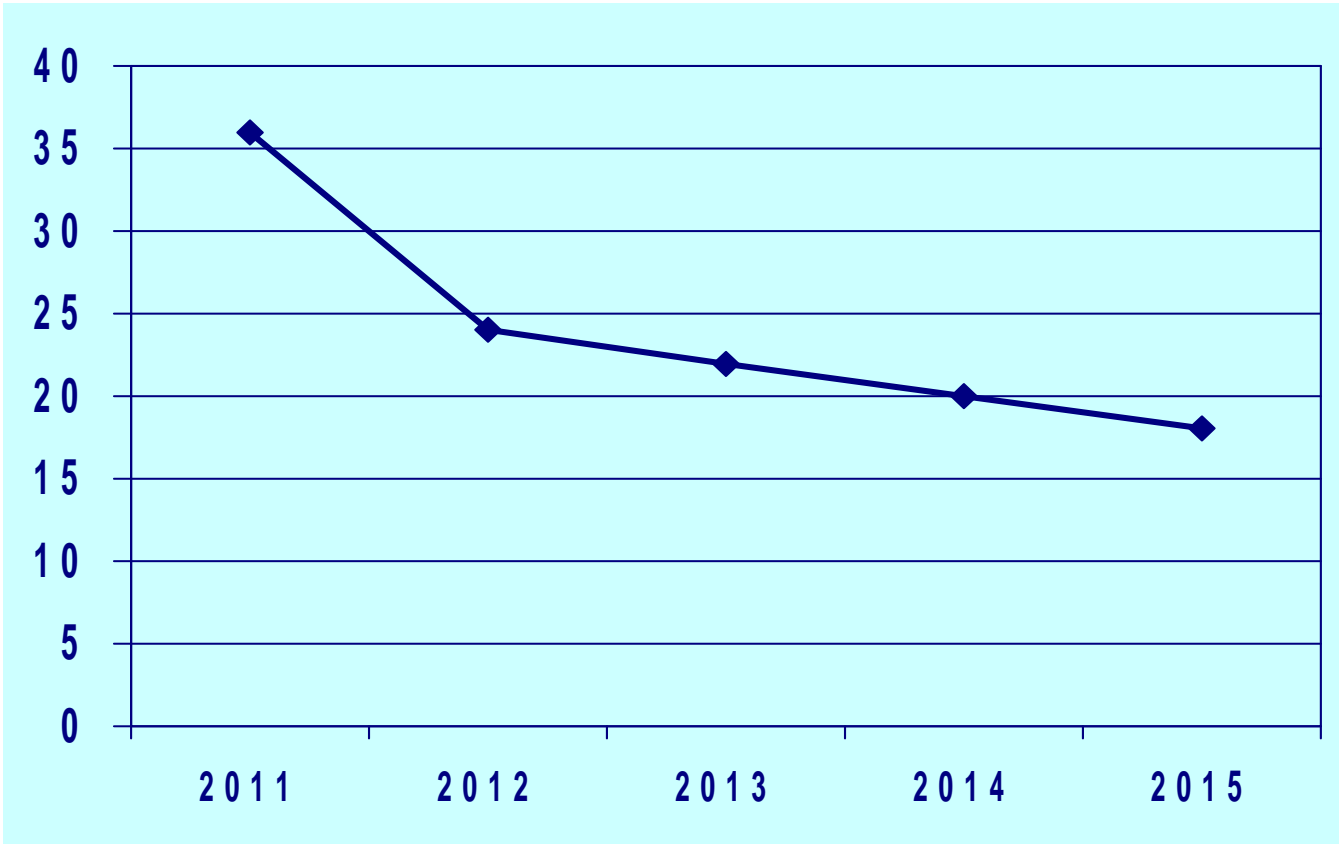


- Increase steadily

Year	2006	2007	2008	2009	2010 (sep)
Total	34	93	200	240	198

# PATENT : 5 YEAR PLAN

Month



ACTIVITY	ACTION PLAN				
	2011	2012	2013	2014	2015
To reduce the 'average pendency period' of patent examination	36	24	22	20	18



# On The Road to Madrid

# Madrid Protocol - Our obligation

- ASEAN Economic Community 2015
  - Trade Mark System in Malaysia is now entering a period of change
  - Malaysia will continue to develop active policies to propel international harmonization and a substantial shortening of the examination processing period

# Madrid Protocol - Actions Taken

- Amendments to the Trade Marks Act
- Providing training to trade mark officers/staff - additional examiners and staff
- Working Group
- ICT - significant investments in improving and upgrading the infrastructure of Trade Marks Offices
- Public Consultation



# Madrid Protocol - Issues

- The misunderstanding
- “International registration”
  - does it displace national registration
- What it actually mean
  - working mechanism similar to PCT

# Madrid Protocol - Implications to MyIPO

- Office must be quick to react
- Time period is very crucial
  - Missing the date line means registration
- Heavy reliance on ICT
- Increase of revenue to the office

# Madrid Protocol - PROSPECTS

- Accession to the Madrid Protocol will create greater awareness for foreign companies seeking registration of trade marks in Malaysia, and the local companies get the benefit to have registration of trade mark overseas.

# Madrid Protocol

## How soon can Malaysia join?

Future Direction:  
1Malaysia – People First – Performance Now

# Strategic Thrust

- **Maintaining effective IPR regime**
- **Improving IP delivery system**
- **Raising IP awareness**
- **Advancing Malaysia's IP interest through international cooperation**
- **Improving organizational efficiency**



# Our greatest challenge ...

## POLICY

- Revision of IP Acts
- FTA Negotiations (TRIPS Plus)
- IP Ethics
- New issues (TK, GR, TCE)
- New non-traditional marks (scent, sound, 3D)
- Novelty - Industrial Designs (National against world novelty)
- Copyright including ISP liability
- Pending International Treaties



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Thank You