

LEGAL DEPARTMENT E-BULLETIN



China to overtake the US in patent registration

China is set to overtake the United States as the largest user of international patent systems, says the World Intellectual Property Organization which has also announced a record number of “cybersquatting” cases.

Registrar of Copyright to be appointed by Trump

Bob Goodlatte, Chairman of the House Judiciary Committee, and ranking member John Conyers have introduced a congressional bill called the Register of Copyrights Selection and Accountability Act which would make the U.S. Registrar of Copyrights a presidential appointee. The bill is part of the broader aim to modernize the US Copyright Office to “meet the challenges of the 21st century”.

Counterfeit Tech-goods

The OECD has reported that nearly 20% of mobile phones and 25% of video game consoles sold internationally are counterfeit, and the numbers are rising. Counterfeit is a trademark violation, a fake product packaged to look like the real thing. The report found China to be the leading source of counterfeit information and communication technology (ICT) goods and United States technology to be the hardest hit. Based on the latest 2013 data, on average, 6.5% of ICT products are fakes with a value on lost sales of US\$ 143 billion and rising.

Jordan joins Patent Cooperation Treaty

Jordan became the 152nd member of the Patent Cooperation Treaty - a patent system administered by the World Intellectual Property Organization (WIPO) that enables patent applicants to seek patent protection in 152 countries through a single window clearance system.

“Record breaking” month for trademark applications in UKIPO

The UK Intellectual Property Office (UKIPO) had a record breaking month for trademark filings as per Steve Rowan, the Director of Trademarks and Designs of the UKIPO. Rowan reported this at the Chartered Institute of Trade Mark Attorneys (CITMA) spring conference in London though he did not disclose the exact figures.

Trump opposes ‘Make America Great Again’ Trademark

Trump has filed a trademark opposition application against the trademark ‘Make America Great Again’ owned by Springs Global US - a textile manufacturer at the Trademark Trial and Appeal Board (TTAB). As per the opposition application, Trump was the owner of the trademark ‘Make America Great Again’

over a number of categories of goods such as clothing, political campaign services, headwear and advertising signs.

UN Report calls for global IP reforms

The United Nations issued - “Human Development Report 2016” has called for reforms to the global IP rights regime including finalizing the World Trade Organization’s (WTO) Doha Round of negotiations which are currently stalled. The Doha Round seeks to achieve substantial reforms to the global trading system by introducing lower trade barriers and revised trade rules.

Public hearing to the Special 301 process concludes

The public hearing to the annual Special 301 process concluded last week where national governments, industry groups and not – for – profit organizations testified before the United States Trade Representative (USTR). It is a public indictment of countries whose intellectual property framework is an impediment to international trade for US corporations.

EU decision has wide implications

A recent Court of Justice of the European Union (CJEU) ruling relating to TV internet broadcasts from the UK underscores tight restrictions in place for content streaming in the European Union (EU) and possibly for the world, legal scholars say.

Rock star Jimi Hendrix estate in trademark row with brother

Rock star Jimi Hendrix’s estate has sued his brother Leon for trademark infringement. As per the complaint, Leon Hendrix and another defendant - Andrew Pitscalis attempted to hijack various trademarks such as ‘Jimi Hendrix’ and ‘The Jimi Hendrix Experience’ belonging to Jimi Hendrix’s estate for personal gain despite the courts repeated prohibition on such activities.

Walt Disney targeted in copyright infringement suit

The Walt Disney Company has been sued for copyright infringement over its film “Zootopia” by a US screenwriter. According to the suit, Disney had infringed the screenwriter’s copyright and an implied-in-fact contract.

Marrakech Treaty in heavy seas

The Marrakech Treaty is under threat as the EU prepares to ratify it. Reports suggest that intense lobbying by the publishing industry is influencing the debate. Prior to the treaty, it was very difficult to share special formal books between countries, which was creating what was described as “a book famine” in developing countries for people with visual impairment. Among the specific lobbyists are the Federation of European Publishers, the International Publishers’ Association and the International Federation of Reproductive Rights’ Organisations.

The E-Bulletin of the ABU Legal Division is a fortnightly initiative to bring news and other updates to members.

Editor: **Mr Nawaz Dookhee**; Contributor: **Ms Sharma Seemantani**

To subscribe please email: **Ms Sharma – seemantani@abu.org.my**