

# LEGAL DIVISION

## E-BULLETIN



### Intangible capital generated \$5.9 tn to manufactured products

A WIPO report has found that intangible capital such as branding, design and technology, contributed \$5.9 trillion to the value of manufactured goods in 2014. According to the report, atleast one-third of the value of manufactured products sold globally comes from intangible capital contributing twice as much buildings, machinery and other forms of tangible capital to the total value of manufactured goods.

### USTR reveals IP objectives in NAFTA objectives

The Office of the United States Trade Representative (USTR) has released a 17 page document outlining new objectives for renegotiating the North American Free Trade Agreement (NAFTA), including commitments on IP protection. The document includes an aim to “reduce trade deficits with NAFTA countries”. As per the document, the Trump administration believed that NAFTA had not been a good deal for many American workers and businesses. NAFTA was signed in 1993 but the US President Donald Trump has openly criticized the deal.

### EPO and SIPO to renew patent cooperation

The European Patent Office (EPO) and China's State Intellectual Property Office (SIPO) have signed a strategic partnership agreement which sets out principles for cooperation in areas including law and policies, the patent granting process, user services, and training. This cooperation agreement reinforces a thirty year old relationship and is the first and the only agreement of its kind signed by both organisations with other patent offices. The MOU is envisaged to benefit innovators from both the regions.

### Qatar in IP trade row with UAE

The World Trade Organization has set up a dispute settlement panel to hear Qatar's complaint against the United Arab Emirates (UAE) over a trade blockade which had led to a diplomatic crisis. In August, 2017 Qatar had filed a complaint against the United Arab Emirates (UAE), Bahrain and Saudi Arabia on the same charges. Qatar claimed that the measures adopted by these countries restricted trade in goods and services from Qatar and trade-related IP rights. It specifically alleged that the UAE adopted measures which prohibited or restricted the display of and access to television content over which Qatari nationals held copyrights and related rights. It further alleged that UAE had violated Articles 3 and 4

of the TRIPS Agreement by making it impossible for Qatari IP owners to “honour their obligations” under licensing agreements and to use those rights in the UAE.

### China announces plans to scale up IP protection

China's state council has announced that it will scale up its IP protection to provide “sustained impetus for economic development” by giving equal IP protection to businesses in private sector with that in the public sector. The plan also aims to explore the establishment of a punitive fine mechanism for property rights infringement. This announcement is the last pledge to clamp down on IP infringement since US President Donald Trump signed a memorandum asking the US trade representative Robert Lighthizer to assess whether an investigation into Chinese IP theft was imperative.

### Singapore's innovation fund makes first investment

An innovation fund set up by the Intellectual Property Office of Singapore (IPOS) and private equity firm Makara Capital through its subsidiary IP ValueLab has made its first investment. Makara Capital through the Makara Innovation Fund invested S\$70 million (\$52 million) in MyRepublic, a Singapore-headquartered internet company. IP ValueLab, IPOS's enterprise engagement arm will work closely with the MyRepublic management team. The \$1 billion fund which focusses on making IP - strong business models was launched in April.

### Alibaba and China-UK business group expand brand protection

E-commerce platform Alibaba and China-Britain Business Council (CBBC) have signed a Memorandum of Understanding (MOU) to strengthen their efforts for enhancing IP protection for UK-based entities. The MOU envisages to enhance pre-emptive measures to stop infringing content from appearing online, boost knowledge sharing between UK brands, the CBBC and Alibaba and strengthen offline cross-border law enforcement cooperation.

### Starbucks trademark opposition rejected in Singapore

The Intellectual Property Office of Singapore (IPOS) has rejected Starbucks' opposition to a trademark application filed by a Japanese manufacturer of dairy products. The Japanese manufacturer had applied in 2013 to register a trademark in classes 29 and 30 relating to coffee and milk products. The trademark included a black circular logo with ‘McRainnierz’ written inside at the top and ‘Espresso & Milk’ underneath. In between the two phrases was a white-lined circle with mountain tops in the centre.

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

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