

LEGAL DEPARTMENT E-BULLETIN



China accounts for 8 % of patent growth : Report

A report by the World Intellectual Property Organization (WIPO) has revealed that China witnessed a 8 % patent growth during the year 2016 making it a world leader in global innovation and branding. According to the report, a total of 240,600 additional patent filings were made in the year 2016 with China accounting for about 98% of the total patent filings. The WIPO Director General Francis Gurry remarked that the latest figures indicated the monumental role played by China in innovation.

Singapore asked to reduce piracy

The Coalition Against Piracy (CAP) has requested Singapore to combat online piracy in the country. It pointed towards a report by the Singapore based Sycamore Research which reported that atleast 14% of Singaporeans admitted to accessing pirated content via illicit streaming devices (ISDs). This compares to 6% in all households in North America who currently have TV boxes configured to access illicit content. Neil Gane, the CAP President explained that Singapore faced similar challenges as other countries with respect to surge in popularity of illicit streaming devices.

UK man fined for illegal broadcasting

A supervisor of a British hotel was fined £15,400 for illegally broadcasting football matches on Sky Sports. The hotel supervisor was sued by the Federation Against Copyright Theft (FACT) which released a statement announcing the fine. As per the official statement, these cases sent a clear warning to pub owners and licensees which broadcasted Sky broadcasts without a commercial subscription that such illegal broadcasting would not be tolerated. It further said that Sky was committed to visiting every licensed premises reported by other publicans and/or organisations for illegally showing content.

Copyright directive talks on verge of causing 'irreparable damage'

The negotiations on the EU copyright directive for the Digital Single Market are on the verge of "causing irreparable damage" to Europe according to various organizations such as the Computer & Communications Industry Association (CCIA) and the Electronic Frontier Foundation (EFF). Some of these organizations have warned the EU Competitiveness Council that these negotiations could damage Europe's fundamental rights, economy, competitiveness, education, research, innovation, creativity and culture. One of the most controversial aspects of the proposal was the provision on

neighboring rights for news publishers which could charge services like Google for displaying parts of a work in search results. Another part of the proposal aims to curb down on copyright infringement by forcing online platforms that allow users to upload content to work with content providers to filter uploads for infringing content.

Teenage arrested in France over TV piracy claims

A 16 year old owner of an illegal website has been arrested in France for allegedly providing access to pirated TV channels. The site which was created in April 2017 apparently offered access to 176 free and paid for French TV channels such as Canal + Group, M6 Group, TF1 Group, France Télévision Group, Paramount, Disney and Fox . The site also offered the option to download a mobile application to view TV programmes on mobiles and tablets. The owner of the website generated (\$3,500) a month in advertising revenues.

EU, Japan and US unite to combat distorting trade practices

The European Union, Japan and United States have signed a joint memorandum to combat market-distorting trade practices, such as forced technology transfer. The announcement was made on December 12th, 2017 on the sidelines of the World Trade Organization's (WTO) ministerial meeting in Buenos Aires, Argentina. Although China was not named in the announcement, press reports have indicated that the alliance was a warning shot to the country over its trade practices.

UPC legislation on the verge of approval

The United Kingdom took one step closer to ratifying the Unified Patent Court (UPC) Agreement after the draft legislation was heard in the House of Lords. It came after the motion on the Unified Patent Court (Immunities and Privileges) Order 2017, the final legislative step in UK's ratification was approved by the House of Commons on December 4th, 2017. Lord Henley, the Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy, moved the motion. He explained that the patent system across Europe was fragmented and costly for businesses and that the UPC was an innovative way to challenge patents in upto twenty-six European countries with a single court action. UKIPO has clarified that the ratification of the UPC was without prejudice to UK's position on the jurisdiction of the Court of Justice of the European Union (CJEU) after Brexit.

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

Contributor: Ms Seemantani Sharma

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