

**THE IMPLEMENTATION OF ITEM 2.7.2(F) OF THE HANOI PLAN OF ACTION
CHECKLIST ON THE IMPLEMENTATION OF THE TRIPS AGREEMENT**

GENERAL PROVISIONS AND BASIC PRINCIPLES

	Brunei Darussalam	Cambodia	Indonesia	Lao P.D.R.	Malaysia	Myanmar	Philippines	Singapore	Thailand	Vietnam
Art 2.1	X	X	X	X	X		X	X	X	X
Art 3	X	X	X	X	X		X	X	X	X
Art 4	X	X	X	X	X		X	X	X	X
Others		X	X		X		X	X	X	X

STANDARDS CONCERNING THE AVAILABILITY, SCOPE AND USE OF INTELLECTUAL PROPERTY RIGHTS

Section 1: Copyrights and Related Rights

Art 9.1	X	X	X		X		X	X	X	X
Art 10,1-2	X	X	X		X		X	X	X	X
Art 11, 14.4	X	X	X		X		X	X	X	X
Art 12	X	X	X		X		X	X	X	X
Art 14,1-5	X	X	X		X		X	X	X	X
Others		X	X		X		X	X	X	X

Section 2: Trademarks

Art 15.1	X	X	X	X	X		X	X	X	X
Art 15.3	X	X	X	X	X		X	X	X	X
Art 15.4	X	X	X	X	X		X	X	X	X
Art 15.5	X	X	X	X	X		X	X	X	X
Art 16.1	X	X	X	X	X		X	X	X	X
Art 16.2-3	X	X	X	X	X		X	X	X	X
Art 18	X	X	X	X	X		X	X	X	X

	Brunei Darussalam	Cambodia	Indonesia	Lao P.D.R.	Malaysia	Myanmar	Philippines	Singapore	Thailand	Vietnam
Art 20	X	X	X	X	X		X	X	X	X
Art 21	X	X	X	X	X		X	X	X	X
Others		X			X		X	X	X	X
Section 3 : Geographical Indications										
Art 22.2-4	X***		X***		X		X***	X	X	X
Art 23.1-3	X***		X***		X		X***	X	X	X
Others					X			X	X	X
Section 4 : Industrial Designs										
Art 25.1	X	X	X	X	X		X	X	X	X
Art 25.2	X	X	X	X	X		X	X	X	X
Art 26.1,3	X	X	X	X	X		X	X	X	X
Section 5 : Patents										
Art 27.1	X	X	X	X	X		X	X	X	X
Art 27.3*	X	X	X	X	X		X	X	X	X
Art 28.1-2	X	X	X	X	X		X	X	X	X
Art 31	X	X	X	X	X		X	X	X	X
Art 32	X	X	X	X	X		X	X	X	X
Art 33	X	X	X	X	X		X	X	X	X
Others		X	X		X		X	X	X	
SECTION 6 : Layout-Designs (Topographies) of Integrated Circuits										
Art 35	X		X		X		X	X	X	X
Art 36	X		X		X		X	X	X	X
Art 37	X		X		X		X	X	X	X
Art 38	X		X		X		X	X	X	X

	Brunei Darussalam	Cambodia	Indonesia	Lao P.D.R.	Malaysia	Myanmar	Philippines	Singapore	Thailand	Vietnam
SECTION 7 : Protection of Undisclosed Information										
Art 39.2	X		X		X		X	X	X	X
Art 39.3	X		X		X		X	X	X	X
SECTION 8 : Control of Anti-Competitive Practices in Contractual Licenses										
Art 40		X	X		X		X	X	X	X
ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS										
Section 1 : General Obligation										
Art 41.1-5	X	X	X	X	X		X	X	X	X
Section 2 : Civil and Administrative Procedures & Remedies										
Art 42	X	X	X	X	X		X	X	X	X
Art 43,1-2	X	X	X	X	X		X	X	X	X
Art 44.1,2	X	X	X	X	X		X	X	X	X
Art 45,1-2	X	X	X	X	X		X	X	X	X
Art 46	X	X	X	X	X		X	X	X	X
Others		X	X		X		X	X	X	X
Section 3 : Provisional Measures										
Art 50.1-8	X	X	X		X		X	X	X	X
Section 4 : Special Requirements Related to Border Measures										
Art 51-59	X	X	X	X	X		X	X	X	X

	Brunei Darussalam	Cambodia	Indonesia	Lao P.D.R.	Malaysia	Myanmar	Philippines	Singapore	Thailand	Vietnam
Section 5 : Criminal Procedures										
Art 61	X	X	X		X		X	X	X	X
ACQUISITION & MAINTENANCE OF IPR & RELATED INTER PARTES PROCEDURES										
Art 62	X	X	X		X		X	X	X	X
DISPUTE PREVENTION AND SETTLEMENT										
Art 63 - 64	X	X	X		X		X	X	X	X
TRANSITIONAL ARRANGEMENTS										
Art 65	X	X	X		X		X	X	X	X
Art 66 - 67	n.a	X	X		n.a		n.a	n.a	n.a	n.a
INSTITUTIONAL ARRANGEMENTS, FINAL PROVISIONS										
Art 68 - 73	X	X	X	X	X		X	X	X	X

Notes

Brunei Darussalam	Patent Law gazetted but not yet enforced. Implementing patent regulations currently being finalized
Cambodia	Law on Geographical Indication under preparation; completion scheduled within 2007. Draft Law on the Protection of Plant Varieties was completed. Trade Secret and Unfair Competition Law, and Law on Layout Design of Integrated Circuits currently being drafted
Indonesia	Trade Mark Law (containing provisions on GIs) passed. Implementing regulations under consideration. It is expected to have the regulation in force by 2007.
Lao P.D.R.	Geographical Indication in draft form under consideration. Draft Law Layout Designs and Trademarks under consideration.

	The Government has submitted the draft of IP Law which will cover section 3-5 under enforcement of IPR, Acquisition and Maintenance of IPR and Related Inter Parties Procedures, Dispute Prevention and Settlement to the National Assembly and is expected to be passed by October 2006.
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*) following countries have separate plant varieties legislation:

Cambodia (Draft), Indonesia, Malaysia, Philippines, Singapore, Thailand, Vietnam

**) following countries have separate GI legislation:

Cambodia (Draft), Malaysia, Singapore, Thailand, Vietnam

***) GI is under Trademark Law

Brunei Darussalam, Indonesia and Philippines:

Articles

General	
2.1	Compliance with Art 1-12 and 19 of Paris Convention
3	National Treatment
4	Most Favoured Nation
Copyright and Related Rights	
9.1	Compliance with Art 1-21 of Berne Convention
10, 1 – 2	Computer Programs & Compilations of Data
11, 14.4	Rental Rights
12	Term of Protection
14, 1-5	Performers, Phonographers and Broadcasters
Trade Marks	
15.1	Definition
15.3	Use
15.4	Goods & Services
15.5	Publication
16.1	Rights
16.2-3	WKM
18	Term
20	Other requirements
21	Licensing and Assignments
Geographical Indications	
22.2-4	Protection
23.1-3	Wines & Spirits
Industrial Designs	
25.1	Definition
25.2	Textiles
26.1,3	Rights
Patents	
27.1	Definition
27.3	Exclusions
28.1-2	Rights
31	Other use

32	Revocation
33	Term
Layout Designs of ICs	
35	Compliance with art 2-7, 12, 16.3 Treaty on IP in respect IC
36	Scope of protection
37	Acts not requiring authorisation of right holder
38	Term
Protection of undisclosed information	
39.2 –3	Protection of undisclosed information
Control of Anti-Competitive practices in Contractual Licenses	
40	Control of Anti-Competitive practices in Contractual Licenses
Enforcement of IPR	
41	General Obligations
42	Fair and equitable procedures
43	Evidence
44	Injunctions
45	Damages
46	Other Remedies
50	Provisional measures
51-59	Special requirements relating to border measures
61	Criminal procedures
Acquisition & maintenance of IPR and related Inter Partes Procedures	
62	Acquisition & maintenance of IPR and related Inter Partes Procedures
Transparency & dispute settlement	
63-64	Transparency & dispute settlement
Transitional arrangements	
65	Transitional arrangements
66	LDC
67	Technical cooperation
Institutional arrangements, Final provisions	
68 –73	Institutional arrangements, Final provisions
Others	If compliant with other articles in a particular section

Note: Updated 8 March 2007