Ideas and innovation are the new capital of the day. Value of intangible assets of major businesses, of which Intellectual Property (IP) is a major component, has grown phenomenally from 17% in 1980 to 80% in 2019.1 IP tools, data and software are taking center stage on value. IP that is well managed can help to increase revenue streams of businesses and enhance shareholders’ value, in addition to protecting technology innovations, enhance brand recognition and gain competitive advantage. It is therefore imperative for businesses to complement business development strategy and drive business growth with the tools of IP protection such as (but without limitation) patents, utility models, copyright, industrial designs, trademarks, plant variety protection, integrated circuits design, genetic resources, trade secret, traditional knowledge, geographical indications and domain names.

Profile of ASEAN’s working group handling Intellectual Property

The ASEAN Working Group on Intellectual Property Cooperation (AWGIPC) is the sectoral group responsible for IP issues in the region and it is composed of the IP offices of the ASEAN member states (AMS). Established in 1996 pursuant to the ASEAN Framework on Intellectual Property Cooperation, the focus of AWGIPC is to strengthen IP services delivery; facilitate ASEAN’s work to accelerate the pace and scope of IP asset creation, commercialization and protection and to improve the regional framework of policies and institutions relating to IP.

1 Figures revealed at the Heads of Intellectual Property Office Conference (HIPOC) for South East Asia, South Asia, Mongolia and Iran (26, 29 Aug 2019).
The AWGIPC’s work is guided by the ASEAN IPR Action Plans, which is now in its third manifestation, **AIPRAP 2015 – 2025**. The implementation of the Action Plan is being carried out through country champions (intra-ASEAN collaboration) and partnership with ASEAN Dialogue Partners. It currently has 9 dialogue partners: Australia and New Zealand under the scheme of ASEAN Australia New Zealand Free Trade Area (AANZFTA); China National Intellectual Property Administration (CNIPA); European Patent Office (EPO); European Union Intellectual Property Office (EUIPO) under the ASEAN Regional Integration Support from the EU (ARISE Plus); Intellectual Property Office of the United Kingdom (UKIPO); United States Patent and Trademark Office (USPTO); and World Intellectual Property Organisation (WIPO).

Additionally, the AWGIPC also collaborates with the ASEAN Intellectual Property Association (AIPA) and the International Trademark Association (INTA). AIPA is presently working on the PAN-ASEAN Trademark Application System (PATMA) to help MSMEs.

### Strategic Goals of ASEAN IPR Action Plans

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<tr>
<th>STRATEGIC GOAL 1:</th>
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<td>A more robust ASEAN IP System is developed by strengthening IP offices and building IP infrastructures in the region.</td>
<td>Regional IP platforms and infrastructures are developed to contribute to enhancing the ASEAN Economic Community.</td>
<td>An expanded and inclusive ASEAN IP Ecosystem is developed.</td>
<td>Regional mechanisms to promote asset creation and commercialization, particularly geographical indications and traditional knowledge are enhanced.</td>
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### Initiatives

1. Improved patent, trademark and industrial design services
2. Promote improvement of IP services in terms of timeliness and quality of output
3. Promote excellence of CMOs in transparency, accountability and governance
4. Explore the feasibility of harmonizing formality requirements for trademarks and industrial designs across the region
6. Accession to WIPO- administered treaty
7. Establish an ASEAN IP Academy to increase the competency of ASEAN IP stakeholders, and practitioners
8. Develop new networks of integrated IP services for the region, including technology transfer offices and innovation technology support offices (patent libraries), Search services and online filing systems
9. Improve service delivery of AMs through connected online services, including patent, trademark, copyright and industrial design search systems, and online filing systems
10. Adopt modern information Technologies to improve quality of regional services
11. Improve and centralize the management of the ASEAN IP Portal by ensuring that IP information, including statistical data, is accurate and regularly updated
12. Implementation of a Regional Action Plan on IPR Enforcement
13. Establish an ASEAN IP Network
14. Enhance intra and extra ASEAN engagement with stakeholders and external partners including through the establishment of ASEAN IPR Helpdesk
15. Establish a Regional Accreditation for IP practitioners
16. Improve IP awareness for MSMEs and creative sectors
17. Develop IP valuation services to create awareness of the value of IP as a financial asset
18. Promote the commercialisation of GIs in ASEAN
19. Genetic Resources, Traditional Knowledge and Traditional Cultural Expressions (GRTKTE)

### Recent updates on IP initiatives in ASEAN

#### Global Protection System

The majority of AMS are members of the following international agreements:

- Nine AMS are members of the Madrid Protocol, which is an international system for trademark protection. Myanmar plans to accede to the Madrid Protocol in 2021.
- Brunei Darussalam, Cambodia, Singapore and Vietnam are members of The Hague Agreement concerning the international deposit of industrial designs. Similar to the Madrid Protocol, Myanmar plans to accede to the Hague Agreement in 2021.
- Nine AMS are members of the Patent Cooperation Treaty.

Countries accede to these international agreements to take advantage of international IP protection extended to other member countries when companies were to register in their respective countries.
Regional Platform

Currently, the AWGIPC has two regional platforms:

1. ASEAN Patent Examination Cooperation (ASPEC), which is the first regional patent work-sharing programme among 9 participating AMS IP Offices to reduce duplication and share search and examination results; and to produce quality reports.

2. ASEAN IP Portal, which comprises information on ASEAN IP systems, comparative IP-related data, and web links to ASEAN IP Offices in a consolidated platform.

Regional Database

Seven regional databases are accessible online through ASEAN IP Portal, namely:

1. ASEAN TMview – Trademark information platform of AMS

2. ASEAN DesignView – Industrial design information platform of AMS

3. ASEAN Patentscope with the attributes as follow:
   a. Patent dossier information from AMS IP Offices;
   b. Data Sharing Platform with international global IP systems, such as WIPO CASE for patent examiners, WIPO PATENTSCOPE and IPS Global Dossier Systems (USPTO, EPO, JPO, KIPO, and CNIPO) for public users;
   c. Online Search Services powered by WIPO Publish; and
   d. Enhanced ASEAN Cross-border collaboration among stakeholders, including research community.

4. ASEAN TMclass – An online, multi-lingual, consultation tool offering free-of-charge access to a database of terms accepted by the participating ASEAN IP Offices to identify goods and services for marks registration of marks.

5. ASEAN GI Database – Geographical indications platform of AMS

6. ASEAN IP Training Platform for MSME – A one-stop learning tool on IP to improve the capacity of ASEAN MSMEs to create, protect and manage their own products through the use of IP

7. ASEAN IP Case Law – AMS IP decisions

ASEAN Common Guideline

There are three ASEAN Common Guidelines, namely on Substantive Examination Trademarks (2017); Industrial Designs (2018); and Patent (ongoing). These three Guidelines supplement the internal guidelines and manuals of AMS and support a convergence of the examination standards and criteria applied by the ASEAN designs offices.

Business Guide to Intellectual Property (IP) Institutions, Laws and Filing Process

This recent publication aims to help businesses learn key IP concepts, including their legal requirements. It also has a brief overview of the two modalities, namely international and national routes, to obtain IP protection and country-by-country profile information on their respective domestic IP offices, status of accession to treaties and international conventions, and IP legislative framework with visual description of IP filing processes.

Handbook on IP Commercialisation: Approaches to Maximizing Value for MSMEs

Through this Handbook, business users would be able to learn how IPRs can support their business and how effective management of IP assets can make businesses more profitable. Other issues dealt by the Handbook include guidance on how to carry out an IP audit and IP valuation to start their commercialization efforts; and how to conceive a branding strategy for their products and services.

IP 4 Business Portal

The IP 4 Business Portal is a platform for business operators in the ASEAN region, as well as Australia and New Zealand, who want to enhance their skills and knowledge on how to innovate and protect the outcome of their innovation, with a view to enhancing their commercial success. This portal can be used as a key information resource for businesses to better understand the benefits of
IP and learn how to manage their IP assets in an engaging and user-friendly manner.

**Private sector engagement with the AWGIPC**

The abovementioned information is important for the private sector to obtain a good understanding of the work being done by the AWGIPC, in particular, to fully utilize the initiatives relevant to businesses. Any private sector recommendations or proposals should ideally be aligned with the priorities of the AWGIPC. This is to ensure that the engagement can be done in an effective and productive manner.

In order to facilitate the engagement with the private sector, a formal request needs to be submitted to the chair of the respective working groups and/or committees. The next step will be to be mindful of their meeting schedules, which are held three times a year, traditionally in the months of March, July and November.
ASEAN Economic Ministers statement on the Coronavirus Disease (COVID-19)

ASEAN Economic Ministers (AEM) issued a statement on 10 March 2020 to address the economic impact of the COVID-19 outbreak. The statement highlights AEM's commitment to strengthen coordination and to take collective action to mitigate the economic impact of the COVID-19 outbreak, as well as to ensure that ASEAN remain open for trade and investment. The ministers also stated the commitment to work closely with industry stakeholders to instil confidence in Southeast Asia as a trade and investment hub.

The 26th ASEAN Economic Ministers Retreat Meeting

The 26th AEM Retreat Meeting was held on 8-11 March 2020 in Da Nang, Viet Nam. The AEM considered and endorsed Viet Nam's priority economic deliverables for its chairmanship in 2020. Key areas of focus are initiatives on e-commerce, trade in goods, energy, information technology, agriculture, sustainable development, finance, statistics and innovation. In addition, the Ministers also endorsed the timeline for the implementation of the ASEAN-wide Self-Certification (AWSC) Scheme, with the target date of 1 September 2020. The AEM also held consultations with the ASEAN Business Advisory Council (ASEAN-BAC) on various issues in relation to the ASEAN Economic Community including the council's priorities in 2020 and the economic impact of the COVID-19 to businesses.

ASEAN accelerate its effort in protecting consumer rights on e-commerce.

The ASEAN Committee on Consumer Protection (ACCP) launched two key initiatives in protecting consumers engaged in e-commerce. The initiatives are the ASEAN Online Business Code of Conduct that provides guidelines for online businesses in ASEAN on their responsibility towards consumers, and the Regional Information Campaign on Online Shopping, which aims to educate consumers and also businesses on the importance of safe and secure online shopping. More information on consumer protection in ASEAN is available at www.aseanconsumer.org.

ASEAN health sector enhance regional collective actions against COVID-19

In responding to the COVID-19 outbreak, the ASEAN health sector continues to enhance its collective response against the spread of the disease in the ASEAN region and beyond. As part of this effort, a dedicated page on the ASEAN website is available to update information on the prevention, detection, and response efforts of the ASEAN Health Sector to COVID-19. The regularly updated information includes the regional Risk Assessment Reports for the International Dissemination of COVID-19 to the ASEAN region that provide highlights and situation overview in ASEAN and globally, information on air travel flows between AMS and countries with cases and outbreaks, travel restrictions, and the evolution of the ongoing outbreak.

37th High Level Task Force on Economic Integration (HLTF-EI) Meeting

The 37th HTLF-EI Meeting was held on 12-13 February 2020 in Ha Noi, Viet Nam. Attended by senior economic officials from deputy minister level of all ASEAN member states, the meeting discussed the Mid-Term Review (MTR) of the AEC Blueprint 2025, progress of the Regional Comprehensive Economic Partnership (RCEP), and also preparation for the development of the ASEAN consolidated strategy on 4IR.

50th Meeting of the Working Group on Technical Matters for the ASEAN Single Window (TWG-ASW)

TWG-ASW held its 50th meeting on 18-21 February 2020 in Yangon, Myanmar. Attended by officials from AMS’ national single window office, customs, and ministry of commerce, the meeting discussed the ASW priorities for 2020 and the progress of the inclusion of ASEAN Customs Declaration Document (ACDD) and e-Phyto to the ASW live operation in September 2020.
Dear Colleagues,

Due to the COVID-19 pandemic, a number of ASEAN meetings are being postponed to a later date. The ASEAN Secretariat is continuously working with the relevant sectoral bodies to monitor the situation and to determine the new schedule and arrangements for the meetings.

Therefore, should you need further information on specific ASEAN-related meetings or events, feel free to contact the editorial team through email to suryo.nugroho@asean.org and lukman.oesman@asean.org.

Thank you for your understanding.

ASEAN for Business Bulletin Editorial Team