

Building the ASEAN Community

INTELLECTUAL PROPERTY RIGHTS (IPRs)

Nurturing creativity and innovation in ASEAN



A well-functioning Intellectual Property (IP) system would foster an environment in which creativity and innovation can flourish, by affording protection of creations and inventions and providing avenues for commercialisation and allowing financial benefit from such IP assets. Over the past several years, ASEAN has been working towards the development of the IP system in the region through the ASEAN Working Group on Intellectual Property Cooperation (AWGIPC).

ASEAN's work in the area of IP has focused on improving IP administration including lowering turnaround times for applications and approvals and accession to World Intellectual Property agreements. Currently, four ASEAN Member States (AMS) are members of the Madrid Protocol and eight AMS have acceded to the Patent Cooperation Treaty (PCT). ASEAN has also undertaken a number of regional initiatives to further improve IP services delivery. These include the ASEAN Patent Examination Cooperation (ASPEC), Common Guidelines for the Substantive Examination of Trademarks (Common Guidelines) and the ASEAN TM View

ASPEC is a regional patent work-sharing program that provides a platform to share search and examination results among the nine participating AMS (except Myanmar) to allow applicants to obtain corresponding patents faster and more efficiently. Patents are granted according to domestic laws, and the territorial nature of patents means that businesses need to file applications for the same patent in countries where protection is sought. ASPEC enables search and examination work done on a corresponding application to serve as a useful reference in producing quality reports, potentially reducing duplication of work and saving time and effort.

The Common Guidelines is a reference document prepared by AMS IP Offices to enhance the quality and transparency in the substantive examination of trademark applications. It contains principles and standards that could be applied regardless of the manner in which the individual AMS IP Offices carry out the examination process according to their domestic laws. Usage of the Common Guidelines is intended to focus the practices of the AMS IP Offices to enable a higher level of consistency in the decisions of examiners. This will reduce average turnaround time for the registration of trademarks and expedite examination of trademark applications filed by businesses seeking protection of their brands in the region.

The ASEAN TMView is an online platform that provides users with a practical tool to obtain data on trademarks in the ASEAN region. It contains more than 2 million trademarks applications and registrations having effect in participating AMS (except Myanmar and Vietnam). The ASEAN TMView will provide guidance to businesses in their product launches and provide them with informed decisions to avert any disputes with their competitors.



TO LEARN MORE

1. [The ASEAN Intellectual Property Rights Action Plan 2011-2015](#)
2. [The Madrid Protocol](#)
3. [The Patent Cooperation Treaty \(PCT\)](#).
4. [The ASEAN Patent Examination Cooperation \(ASPEC\)](#)
5. [The ASEAN TM View](#)

For more information, please visit <http://www.asean.org/communities/asean-economic-community/category/intellectual-property> or send an email to aimo@asean.org.