



Business and IP in 2015:  
Inseparable Friends or  
Distant Bedfellows?  
*The Landscape in Southeast Asia*

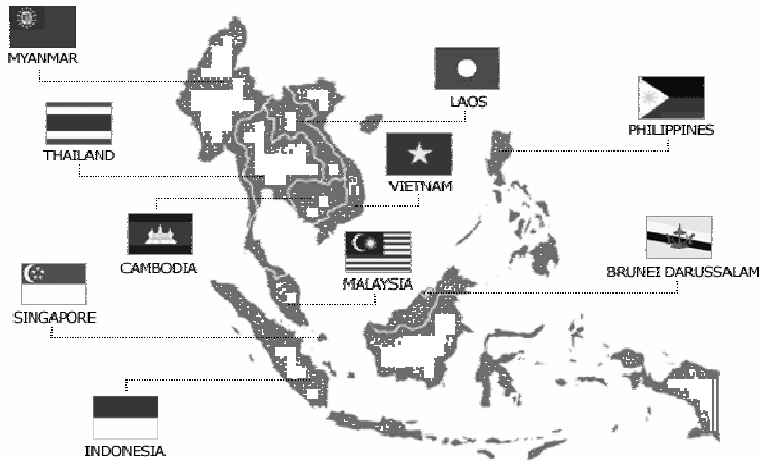
Adrian S. Cristobal Jr.  
Director General  
IP Philippines

## OUTLINE

- Brief Background on SEA
  - The region and ASEAN
  - ASEAN Economic Community
- Business and Trade Relations in SEA
  - Regional trade developments
- IPR and Business in SEA
  - Importance of IP
- Major Actors and Forces Affecting IP in SEA
- Conclusion

# INTRODUCTION: ASEAN

"One Vision, One Identity, One Community" 10 countries, 1 identity  
"The ASEAN Way"



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Total Area: 4,435,827 km<sup>2</sup>

Population: 586.6 million

Total GDP 2008: US\$1,506 billion

Ave. per capita GDP: US\$2,580

Source: [www.aseansec.org](http://www.aseansec.org)



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Country	GDP at current prices	GDP per capita at current prices	
	US\$ million	US\$	US\$ PPP
	2008	2008	2008
Brunei Darussalam	14,146.7	35,622.6	48,179.7
Cambodia	11,081.6	756.1	1,909.5
Indonesia	511,174.4	2,236.9	3,943.3
Lao PDR	5,289.0	917.8	2,406.5
Malaysia	222,058.4	7,969.6	13,748.0
Myanmar	27,182.0	464.6	1,165.7
The Philippines	166,772.8	1,843.7	3,506.8
Singapore	184,120.4	38,046.1	49,912.8
Thailand	273,666.1	4,116.4	8,705.0
Viet Nam	90,700.8	1,052.7	2,816.8
<b>ASEAN</b>	<b>1,506,192.2</b>	<b>2,580.6</b>	<b>5,319.7</b>

## ASEAN Economic Blueprint

The AEC "shall act in accordance to the principles of an open, outward looking, inclusive, market-driven economy, consistent with multilateral rules as well as adherence to rules-based systems for effective compliance and implementation of economic commitments."

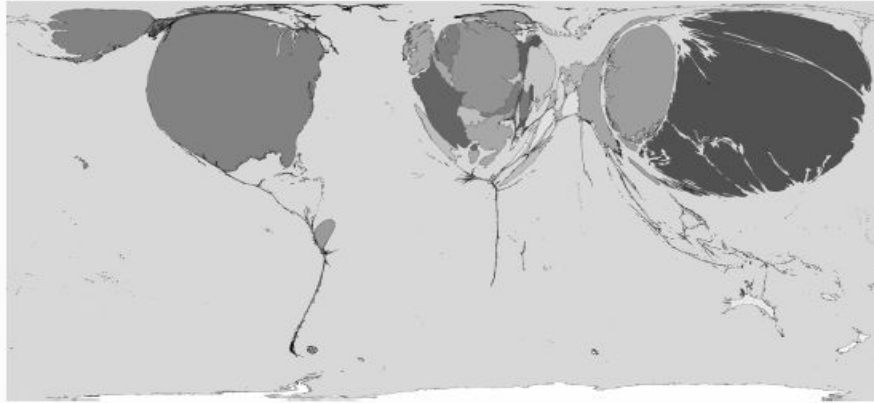
## Business and Regional Trade

Major Trading Partners (in US\$)

ASEAN	453,698.4
Japan	211,356.5
European Union-25	201,423.6
China	191,562.0
USA	178,839.8
Republic of Korea	75,369.9
Australia	51,416.6
India	47,341.8
Hong Kong, SAR	24,242.1
Taiwan	23,452.5
Total top ten trade partner countries	1,458,703.1
Others	239,408.1
Total	1,698,111.2

## IPR and Business in SEA

# Patents Granted



**Technical notes**

- Data are from the United Nations Development Programme's 2004 Human Development Report.
- In 155 territories there are fewer than 5 patents granted for every million people living there.
- See website for further information.

## HIGH AND LOW RATES OF PATENTS GRANTED

Rank	Territory	Value	Rank	Territory	Value
1	Japan	884	55	Dem P Republic Korea	22
2	Republic of Korea	490	57	Bulgaria	18
3	United States	298	57	Hungary	18
4	Sweden	235	59	TRM, Macedonia	17
5	Bahamas	208	60	Uzbekistan	16
6	Greenland	207	61	Slovakia	15
7	Germany	205	62	Kyrgyzstan	13
8	Switzerland	188	63	Ireland	9
9	Netherlands	177	64	Iceland	7
10	France	174	65	Hong Kong (China)	6

patents granted per million people in 2002\*

## IPR and Business in SEA

- AEC on Intellectual Property Cooperation
  - accession to the Madrid Protocol
  - ASEAN Patent Examination Cooperation
  - an ASEAN filing system for industrial design
  - information exchange on IPR enforcement
  - Copyrights (CMO development, A2K)
  - Traditional Knowledge, Genetic Resources and Cultural Expressions

## Major Actors and Forces

- Influence of multinational corporations
  - Drive for stronger IP protection
- Power of Major Trading Partners
  - IP and Trade Policy
  - China, India and a developmental IP view
- Political Participation
  - The revolution of rising expectations

## Major Actors and Forces

- Influence of Civil Society/NGOs
  - Advocacies on social and environmental issues (public health, access to knowledge, climate change)
- Technological advances
  - New technologies, ways of innovation, business models

## **Conclusion**

## Conclusion

- Although SEA's stake in the world patent system is minimal, IP will continue to grow important in the region
  - Global branding, creative sector, other forms of IP
  - SEA will need a clearer stake on the IP system
  
- The IP system in ASEAN will face challenges
  - Convergence/collision of interests on social issues vis a vis IP system
  - New technologies, ways of innovating, business models

## Conclusion

- Public policy will have to strike that delicate balance to maintain political legitimacy
- Political legitimacy rests on whether IP serves social and economic development objectives

## Conclusion

- IP and business in SEA: neither inseparable friends nor distant bedfellows, but strategic allies in an evolving IP system



**THANK YOU**