

**28-30 January 2007, Sydney Australia**



**SESSION NUMBER 12**

**NAME OF SESSION** *Counterfeiting and Piracy  
in the Asia-Pacific Region*

**PRESENTER** **Barry Yen**



**trading ideas**

**THE FUTURE OF IP IN ASIA PACIFIC**



# *Counterfeiting and Piracy*

## **Background**

**APEC** - objectives

**Escalating problem** (statistics)



Barry Yen

[www.ipr.hk](http://www.ipr.hk)



## *Counterfeiting and Piracy*

### **DIGITAL PIRACY – Copyright**

# uploading (“Big Crook” Case)

- criminal (HKG, JP, SG & US)

# downloading

- criminal (JP, SG & US)

# civil (for both - most jurisdictions)



Barry Yen

[www.ipr.hk](http://www.ipr.hk)



## *Counterfeiting and Piracy*

### **DIGITAL PIRACY** – Copyright

- Online Service Providers

# voluntary co-operation

# notice & take down

# business practices

# authorization

(Aust. UK & US approaches)



Barry Yen

[www.ipr.hk](http://www.ipr.hk)



## *Counterfeiting and Piracy*

### **CHINA**

# challenges (enforcement)

- options  
(admin, civil, criminal)
- local considerations
- damages & recovery
- knowledge
- counsel



Barry Yen

[www.ipr.hk](http://www.ipr.hk)



## *Counterfeiting and Piracy*

### **CHINA**

#### # measures

- laws (lobbying)
- education (internal & external)
- marketing tactics
- actions (landlords)
- trade fairs



Barry Yen

[www.ipr.hk](http://www.ipr.hk)



## *Counterfeiting and Piracy*

### **HONG KONG**

#### **# Challenges**

- company names
- reciprocal enforcement  
(money only)



Barry Yen

[www.ipr.hk](http://www.ipr.hk)



## *Counterfeiting and Piracy*

### **HONG KONG**

#### # Measures

- education  
(retail campaigns, publicity)
- monitoring



Barry Yen

[www.ipr.hk](http://www.ipr.hk)



# *Counterfeiting and Piracy*

## **INDIA**

# challenges

(Customs, delays)

# measures

(*laws*)



Barry Yen

[www.ipr.hk](http://www.ipr.hk)



# ***Counterfeiting and Piracy***

## **Indonesia**

### ***# challenges***

- *delay, transparency, inexperience*
- *copyright*

### **# measures**

- education (talk shows, workshops)



**Barry Yen**

**[www.ipr.hk](http://www.ipr.hk)**



## *Counterfeiting and Piracy*

### **Japan**

#### *# challenges*

- *counterfeit labels & pirated discs*

#### *# measures*

- anti-counterfeiting measures
- education (leaflets, seminars, celebrity models, displays, other countries)



Barry Yen

[www.ipr.hk](http://www.ipr.hk)



## *Counterfeiting and Piracy*

### **Korea (Sth)**

# challenges – increasing

# measures

- anti-counterfeiting division
- education (media advertising)



Barry Yen

[www.ipr.hk](http://www.ipr.hk)



## *Counterfeiting and Piracy*

Philippines

# challenges

(rampant counterfeiting)

# measures

(IPR Enforcement Action Panel)



Barry Yen

[www.ipr.hk](http://www.ipr.hk)



## *Counterfeiting and Piracy*

### **Singapore**

#### # challenges

- trans-shipment
- Customs

#### # measures

- education

(HIP Alliance, mass media, movie trailers)



Barry Yen

[www.ipr.hk](http://www.ipr.hk)



# *Counterfeiting and Piracy*

## **Vietnam**

### # challenges

- slow enforcement
- limited experience

### # measures

- education  
(TV, seminars, exhibitions)



Barry Yen

[www.ipr.hk](http://www.ipr.hk)



# *Counterfeiting and Piracy in the Asia-Pacific Region*

Thank you !



Barry Yen

[www.ipr.hk](http://www.ipr.hk)