



# Examples of regional integration and other convergence initiatives

Ignacio de Medrano | Bridgetown, BB | 28.01.20



CARIFORUM



EU-CARIFORUM Regional project, funded by the European Union and implemented by the European Union Intellectual Property Office (EUIPO)

[www.caripi-hub.com](http://www.caripi-hub.com)

- ❑ THE EUROPEAN TRADE MARK AND DESIGN SYSTEM
- ❑ THE ASEAN REGIONAL INTEGRATION INITIATIVE
- ❑ OTHER EXAMPLES

# THE EUROPEAN TRADE MARK AND DESIGN SYSTEMS

# HOW IT ALL STARTED

- 1950. Schuman Declaration – the birth of the European Union
- 1964. First Draft Convention on European Trademark Law
- 1988. First council directive to approximate EU trade mark law
- 1993. Council Regulation no. 40/94 of the Community trade mark
- 1994. OHIM – now called EUIPO, opened its doors



# THE EU TRADE MARK AND DESIGN SYSTEM FEATURES

- 2 main ways to register a TM/DS in the EU:
  - national trade marks / designs, OR
    - EU Trade Marks (EUTM) / Registered Community Designs (RCD)
- National and EU rights and IP Offices coexist and are complementary to each other (the same TM/DS can be registered at EU and/or national level)
- The EUTM/RCD system consists of one single registration procedure that grants the owner an exclusive right in all EU countries

# LAW AND PRACTICE

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## HARMONISATION OF LAWS

- Commission Regulations
  - binding legislative act issued by the commission – direct application in all EU countries
- Directives
  - a legislative act that sets out a goal that all EU countries must achieve

## HARMONISATION OF PRACTICE

- Through closer cooperation between the EU Member states IP Offices and the EUIPO → Convergence Programme

EUIPO and its EU partners have developed the European Union Intellectual Property Network (formerly known as European Trade Mark and Design Network) .

The EUIPO provides users, through its website and [tmdn.org](http://tmdn.org), databases and free tools such as:

TMview | TMclass | DesignView | EDB | Similarity

[eSearch plus](#) | [eSearch Case Law](#) | Orphan Works Database

- Managing EU trade marks and Registered Community Designs.
- Around 160 000 EU trade marks and 111 000 community designs registrations annually.
- Observatory on infringement of IPR
- International cooperation

23 languages 24/7

## TOP 10 FILING COUNTRIES

### EUTMs

	Germany
	USA
	China
	Italy
	UK
	Spain
	France
	Netherlands
	Switzerland
	Poland



EUTMs top 10 countries represent  
71.71 % of total filings

RCDs top 10 countries represent  
78.30 % of total filings

### RCDs

	Germany
	USA
	Italy
	China
	France
	UK
	Poland
	Spain
	Switzerland
	Japan

- 44 Bilateral Agreements
- TM5 and ID5 – 5 biggest offices
- EU funded projects

## Currently active projects:

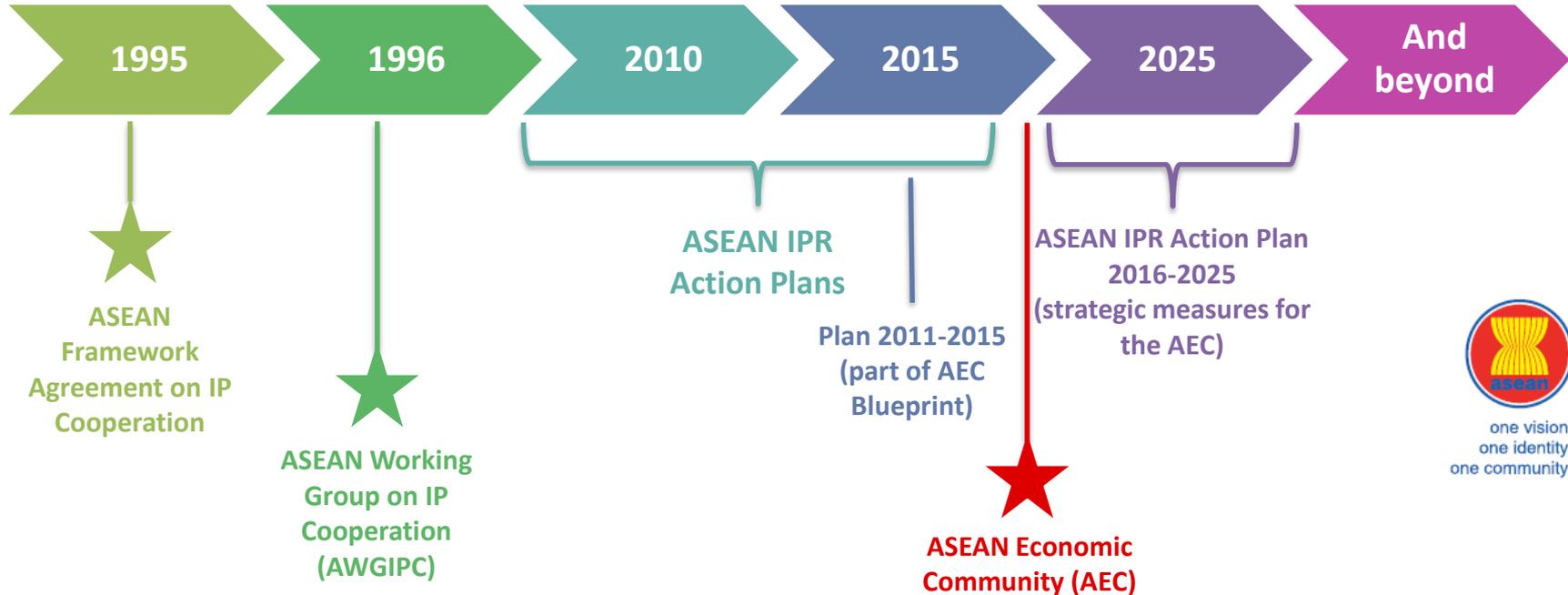
- IP Key China / Latin America / South East Asia
- ASEAN: ARISE + IPR
- CARIPI
- PAN-African IPR Action
- Georgia





## THE ASEAN REGIONAL INTEGRATION INITIATIVE

# ASEAN's cooperation in the field of IPR - Milestones



# ASEAN's cooperation in the field of IPR

- 1995: ASEAN's cooperation in the field of IPR started with the signature of the **ASEAN Framework Agreement on Intellectual Property Cooperation**

- Goal: foster closer cooperation in the field of IP and to explore appropriate intra-ASEAN cooperation arrangements in this field



- 1996: The **ASEAN Working Group on Intellectual Property Cooperation (AWGIPC)** was established as a the sectoral group responsible for IP issues in the region

- Composed of the IP offices of the ASEAN Member States
- Formulate the details and modalities to implement the cooperative activities
- Work based on the ASEAN IPR Action Plans (latest the ASEAN IPR Action Plan 2016-2025)



# ASEAN IPR ACTION PLAN 2011-2015

- With acceleration of ASEAN economic integration to 2015, the AWGIPC prepared a Work Plan 2011-2015 as part of the Blueprint of the AEC to reflect the new objective of ASEAN, transforming ASEAN into an innovative and competitive region through the use of IP for their nationals and ensuring that the region remains an active player in the international IP community.
- Focus on developing an ASEAN IP System that takes into account the different levels of capacity of the Member States, balances access to IP and protection of IPRs, and responds to the existing needs and anticipates future demands of the global IP system
- Main achievements:
  - Enhanced work-sharing arrangements
  - Established regional IP databases
  - Promoted the use of common guidelines for examination



# AWGIPC MAIN ACHIEVEMENTS - Regional IP databases

2011-2015



<p><b>Angklung</b> [musical instrument]</p>	
<p><b>Dastar</b> [male headdress]</p>	
<p><b>Gulai</b> [beef curry]</p>	



IPO: PH  
Appl N° PH-4-42014-7630  
TM Type: Combined  
Class 36-Real State Affairs

**ECAP III**  
Geographical Indications Database

Name: **Kampot Pepper**  
Country: **Kingdom of Cambodia**

Main characteristics: Kampot pepper is known for the richness of their soils, the freshness and complexity of their aromas and their exceptional, long-lasting taste. The Kampot pepper geographical indication comes from, not, white, and green pepper.

Production process: Kampot pepper is produced from the varieties of pepper plant (Annonaceae and Solanaceae) known locally as 'Big pepper' and 'small pepper'. Other varieties are prohibited. Pepper plantations are located on elevated land and in the form of orchards. Plantations are irrigated on fields and only with water that have good drainage capacities.

Depending on the type of pepper, harvesting occurs throughout the year or seasonally (in the black and red peppers). The harvested berries are dried, sorted and stored. They are then processed and packaged.

Harvesting should occur in the field and be in order to avoid the use of packaging bags. All GI goods are packaged within their geographical area.

Production in the GI area: Department of Intellectual Property  
Geographical Indications: [http://www.dip.gov.kh](#)  
GI rights holder(s): Kampot Pepper Promotion Association  
Contact information: Higher Order (Phnom Penh) Secretariat  
Phone: (+855) 23 888 8888  
Fax: (+855) 23 888 8888

Type of product: Pepper  
Classification: 03030101.04  
File number: 0026000101  
Module: module10000101



## ASEAN IP PORTAL

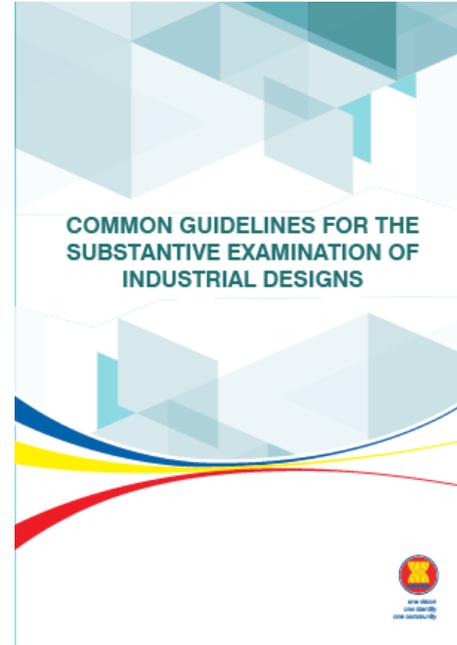
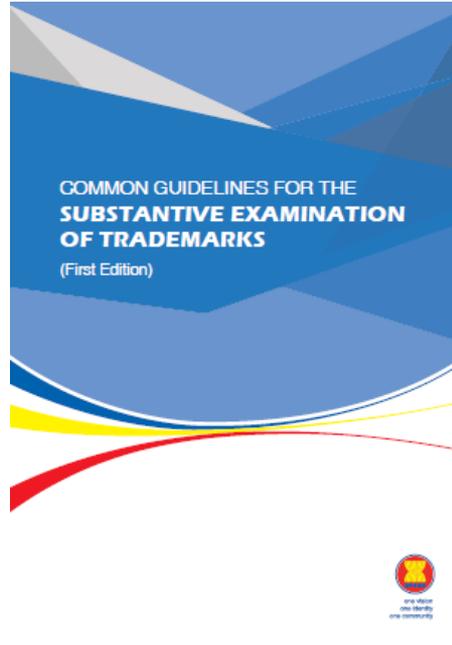
REGIONAL TMCLASS  
REGIONAL TMVIEW  
REGIONAL DESIGNVIEW  
REGIONAL GI DATABASE  
E-LEARNING  
CASE LAW DATABASE

The screenshot shows the ASEAN Intellectual Property Portal website. The browser address bar displays "Office of S... (SG) | https://www.aseanip.org" with a 50% zoom level. The website header includes the ASEAN logo and the text "ASEAN Intellectual Property Portal". A search bar is located in the top right corner. The main navigation menu consists of: HOME, ABOUT, SERVICES, RESOURCES, STATISTICS, NEWS & EVENTS, and CONTACT US. The "RESOURCES" menu is expanded, listing the following items: ASEAN IPR Action Plan 2016-2025, ASEAN IP Offices Details, ASEAN IP Utilisation Case Studies, ASEAN Case Law Database, ASEAN IP Marketplaces, Publications, ASEAN IP Training Platform for SMEs, ASEAN IPR Enforcement Action Plan, Patent Libraries - List of Focal Points and Universities, IP Public Education & Awareness - Request for Proposal, and Useful Links. The main content area features a large banner with the text "Transforming ASEAN Region Through the ASEAN Intellectual Property" and "Innovative and Competitive Intellectual Property". Below the banner, there is a "Sorting By News & Events" dropdown menu. Three news articles are displayed in a grid:

- News / Asean:** KOREA-ASEAN HEADS OF IP OFFICES MEETING. November 25 (Mon) - 27 (Wed), 2019. The Shilla Seoul, Korea. Posted on 04 Nov, 2019. Korea-ASEAN Heads of IPOs Meeting will take place in Seoul, bringing together the heads of national IP offices of ASEAN and...
- News / Asean:** ASPEC PROGRAMME (ASEAN PATENT EXAMINATION CO-OPERATION). WHAT IS ASPEC? Launch of Intellectual Property Initiatives to support ASEAN Industry 4.0. Posted on 31 Oct, 2019. The ASEAN member states IP Offices launch 2 new initiatives - the ASPEC...
- News / Singapore:** IPOS (INTELLECTUAL PROPERTY OFFICE OF SINGAPORE). Accelerated Initiative for Artificial Intelligence. Launch of AI- Accelerated Initiative for Artificial Intelligence - An Accelerated Application-to-Grant Service for Patent Applications in Artificial Intelligence. Posted on 26 Apr, 2019. Singapore to Offer Accelerated Patent Application-to-Grant for Artificial Intelligence Inventions.

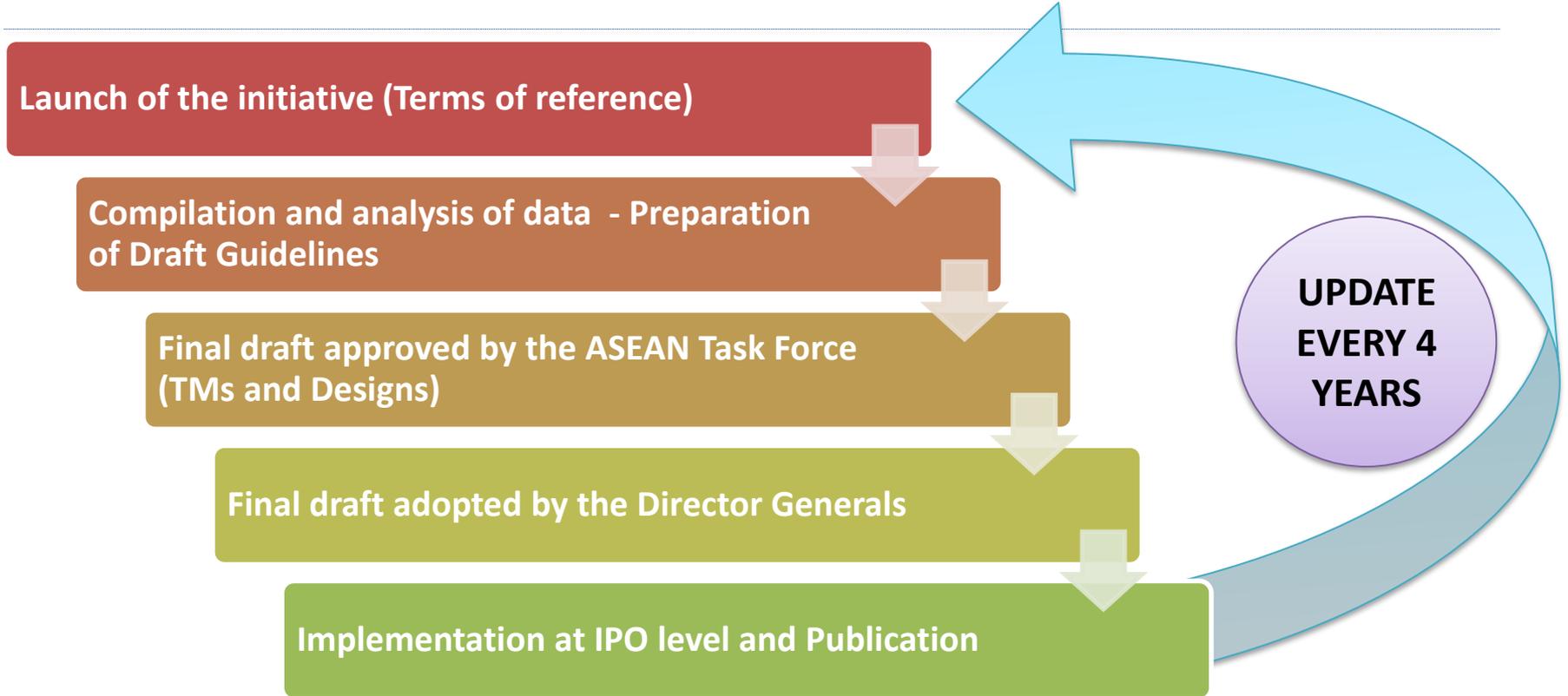
# AWGIPC MAIN ACHIEVEMENTS - Common Guidelines

2011-2015



one vision  
one identity  
one community

# Common Guidelines - Methodology



# ASEAN IPR ACTION PLAN 2016-2025

- Vision: the implementation of the strategic goals under the Action Plan 2025 will facilitate improved IP systems and services delivery with a higher level of confidence in the integrity and transparency for IP users
  - A more robust ASEAN IP System (strengthening IP Offices and building IP infrastructures)
  - Regional IP platforms and infrastructures to contribute to enhancing the AEC
  - An expanded and inclusive ASEAN IP Ecosystem
  - Enhanced regional mechanisms to promote asset creation and commercialization, particularly geographical indications and traditional knowledge



## OTHER INTEGRATION EXAMPLES

# OTHER REGIONAL INTEGRATION EXAMPLES

- ✓ BENELUX (covering 3 countries)
- ✓ ARIPO (19 countries)
- ✓ OAPI (17 countries)
- ✓ EAPO (9 Eurasian countries)





THANK YOU



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