



MINISTRY OF DOMESTIC TRADE AND
CONSUMER AFFAIRS (MDTCA)
MALAYSIA

ENFORCEMENT OF INTELLECTUAL PROPERTY RIGHTS IN MALAYSIA

INTELLECTUAL PROPERTY SECTION
ENFORCEMENT DIVISION

BACKGROUND OF PRESENTATION



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Background of protection and laws of IP in Malaysia

02

Enforcement mechanism and statutes related.

03

Powers under the law

04

Statistics of cases taken by MDTCA

05

Co-ordination with other enforcement agencies

06

Gallery



BACKGROUND OF ENFORCEMENT DIVISION, MDTCA

Established on 17 April 1972 under the Ministry of Trade and Industry (MTI) – to curb inflation. On 27 October 1990, the Ministry was restructured to form two ministries namely the Ministry of International Trade and Industry (MITI) and the Ministry of Domestic Trade and Consumer Affairs (MDTCA).

MAIN CORE DUTIES:

Empowering
enforcement
to deal with
rising cost of
living.

Enforcement
and
protection of
intellectual
property
rights

Enforcement
of trade laws
and protects
consumer
rights

Enforcement
and
eradication
of
malpractices
in subsidized
controlled
goods

2258
enforcement
officers (as at
25/1/2021)

72 branches

12 Acts



BACKGROUND OF PROTECTION AND LAWS OF IP IN MALAYSIA

- Intellectual Property Corporation of Malaysia (MyIPO) is the custodian of IP law in Malaysia, but have no enforcement mechanism.

- Malaysia was placed in the USTR Priority Watch List in 2000 and 2001. In 2002, significant improvement was made on IPR protection. Malaysia was then removed from the Priority Watch List.

- In 2012 Malaysia had been removed from the Watch List.

- Enforcement of criminal IP is under the jurisdiction of MDTCC.

- Several steps taken by the government to combat piracy and counterfeit goods:
 - Special Task Force Committee (co-operation with LEAs)
 - Special Unit to tackle online piracy and counterfeit issues
 - Co-operation with brand owners (intelligence, operations, training)
 - Action also taken under AMLATFPUAA 2001



ENFORCEMENT MECHANISM AND STATUTES RELATED.

01



Copyright Act 1987

Trade Mark Act 2019 (December 2019)



02

03



Trade Description Act 2011

Optical Disc Act 2000



04



ENFORCEMENT MECHANISM AND STATUTES RELATED.

Several Efforts To Protect Copyright And Trade Mark

Clean up shopping malls, reminders to landlord / premises' owner (1,645 notices)

Arrest case, charge the accused in less than one month

Remove contents, take down infringing websites – specific section/team to monitor online matters

Business compliant; combat software piracy; campaign by the Industry (BSA)

Cripple syndicates

Amendments of the Trade Mark Act 2019

Public awareness

Awareness to shopping mall: self regulatory campaign (110 Malls, 5,242 premises)



STATISTICS OF COUNTERFEIT CASES (2016 –2020)

GOODS	YEAR					TOTAL
	2016	2017	2018	2019	2020	
FOOD / HEALTH						
FOODS AND BEVERAGES	31	18	13	21	6	89
MEDICINES	1	0	1	0	19	21
COSMETICS	21	36	38	17	4	116
CIGARETTES	17	7	1	1	1	27
LIQOUR / BEER	56	54	12	12	14	148
SAFETY						
PETROLEUM PRODUCT	8	13	19	26	0	66
ELECTRICAL GOODS	4	0	3	2	1	10
COMMUNICATION EQUIPMENT	57	38	44	28	1	168
COMPUTER EQUIPMENT	6	6	5	14	1	32
VEHICLE SPAREPART	13	10	33	15	3	74
OTHERS						
CLOTHES	194	151	147	189	46	727
WATCHES	31	25	59	23	50	188
STATIONERY	1	1	1	1	2	6
LATHER GOODS	117	156	135	101	1	510
SHOES	56	104	90	124	30	404
SPECTACLES	7	7	2	8	2	26
OTHERS	36	36	48	81	834	1,035
JUMLAH	656	662	651	663	1,015	3,647



SEIZURE VALUE (2016 – 2020)

GOODS	YEAR					TOTAL (RM)
	2016	2017	2018	2019	2020	
FOOD /HEALTH						
FOODS AND BEVERAGES	77,451	63,245	140,900	82,724	7,079	371,399
MEDICINES	1,067	0	2,034	0	10,684	13,785
COSMETICS	141,257	292,740	226,357	72,213	100,921	833,488
CIGARETTES	3,829	927,048	530	240,000	3,380,000	4,551,408
LIQUOR / BEER	2,383,632	1,473,131	28,051	868,640	26,865	4,780,319
SAFETY						
PETROLEUM PRODUCT	18,008	18,715	105,461	1,069,757	0	1,211,941
ELECTRICAL GOODS	174,966	0	22,396	799,465	104,480	1,101,307
COMMUNICATION EQUIPMENT	556,707	331,713	388,511	157,225	5,625	1,439,781
COMPUTER EQUIPMENT	2,524,653	616,028	1,093,104	2,124,359	6,790	6,364,934
VEHICLE SPAREPART	35,703	10,541	477,368	3,375,979	45,113	3,944,704
OTHERS						
CLOTHES	1,552,546	991,872	2,354,243	2,602,476	1,499,819	9,000,955
WATCHES	313,334	1,176,272	969,037	147,924	284,293	2,890,860
STATIONERY	204	608,600	2,590	288	62,607	674,289
LATHER GOODS	1,197,836	3,159,032	943,972	1,271,395	11,700	6,583,935
SHOES	1,137,334	2,037,793	1,254,678	3,633,004	265,442	8,328,251
SPECTACLES	75,630	176,717	2,020	138,875	95,120	488,362
OTHERS	396,914	443,289	636,267	1,516,561	26,946,006	29,939,037
JUMLAH	10,591,070	12,326,736	8,647,520	18,100,885	32,852,543	82,518,754



STATISTICS OF COPYRIGHT CASES (2016 – 2020)

YEAR	ACT			TOTAL OF CASE
	APD (LCO) 2010	AHC 1987	ACO 2000	
2016	328	149	1	478
2017	163	95	0	258
2018	123	81	0	204
2019	89	71	0	160
2020	71	32	0	103
TOTAL	774	428	1	1,203

YEAR	ACT			TOTAL (RM)
	APD (LCO) 2010	AHC 1987	ACO 2000	
2016	2,156,412	6,388,006	5,500,500	14,044,918
2017	991,182	1,508,488	0	2,499,670
2018	1,074,512	1,169,083	0	2,243,595
2019	683,481	1,034,903	0	1,718,384
2020	134,084	660,550	0	794,634
TOTAL	5,039,671	10,761,030	5,500,500	21,301,201

SITE BLOCKING

- 2019 : 438
- 2020 : 644
- 2021 : 19

CONTENT REMOVAL

- 2019 : 277
- 2020 : 620



CO-ORDINATION WITH OTHER ENFORCEMENT AGENCIES

Customs (KDRM) –
border

Police (PDRM) - arrest
case, intelligence
sharing

Malaysian Communications
and Multimedia Commission
(MCMC) – online piracy /
counterfeit

Local Council –
information on
ownership of
businesses

Co-operation with IPR
owners:
- intelligence sharing
-Product training



GALLERY





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GALLERY





GALLERY





GALLERY



UTAMA MUTAKHIR GLOBAL ARENA RAP/RAPXTRA BISNES METROTV COVID-19 PKP PKS AGRO SPEKTRUM

AKADEMIA #ITMETRO NUANSA SANTAI P&P DEKOTAMAN WM ADDIN RENCANA SIHAT XPRESI VROOM GALERI INFOGRAFIK



Sumber berita bisnes harian
anda kini di sini
The Malaysian Reserve

Kesian kucing, terpaksa makan makanan tiruan

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