



Promoting Intellectual  
Property Rights in the  
ASEAN Region

# Role and Involvement of Women in Community Based Industries related to IPR in ASEAN

Sanaz Javadi | 30 November 2021



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## Women & Intellectual Property System

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Men and women are equally creative and innovative. Yet, women remain under-represented in many areas all over the world and in ASEAN.

In many communities and industries, women are the principal - or sole producers of knowledge and innovation

Not only Women Scientists: innovation and patents

Copyrights: Women artists ,writers, singers, painters performers, etc.

Traditional Knowledge ,Genetic Resources and Traditional Cultural Expressions

***Women mostly with low education rate from very distant rural areas contribute to IP system development without witnessing it***

## The challenge – Insufficient Data and Persisting Gender Gaps

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Disparities exist on the use of the IP system by women

WIPO 2020 statistics reveal that only 16.5 percent of inventors named in [international patent applications](#) were women. numbers growing but, progress is slow.

WIPO estimates that, at the current pace, parity amongst PCT-listed inventors will only be reached in 2058.

Within ASEAN, women are generally less involved in direct IPR registration and in industries that are technologically innovative and IPR-intensive.

## Gender Dimension in ASEAN

The World Economic Forum Global Gender Gap Index<sup>10</sup> shows that economic participation and opportunity is the second biggest area of concern for global gender gaps



## ASEAN GENDER ISSUES AT A GLANCE



4%

of women have completed no education in ASEAN



30%

of women in ASEAN have experienced an uptick in domestic work



16%

of women in ASEAN marry before the age of 18



20%

of parliament members in ASEAN are women



11.5x

men are 11.5 times more likely to be employed in ASEAN Member States

## Women as Owners/beneficiaries of IP

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Intellectual property rights when used correctly can advance entrepreneurship by enabling

women who develop innovative ideas and products to:

- Obtain a competitive edge;
- Enhance the value or worth of a company;
- Operate beyond domestic markets;
- IP as a source of financing.

*IP system has been established in the first place to encourage the formation and growth of new businesses, irrespective of gender and size.*

## The lack of economic participation and opportunity for women in ASEAN

A big hindrance to gender parity and rural and national economic development. Utilization of IPR in community-based industry seen as a way to guarantee economic reward for these marginalized groups



## Consequences of Insufficient or lack of IP Protection

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In the absence of effective IP laws, creative works can be infringed upon, reproduced without needing the creator's permission, and sold without compensating the creator.

### [Counterfeit products to reach alarming rates](#)

More than 2.5% of global trade

Source: Forbes

## Why Women ignore IP system?

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### Challenges and Barriers

- Lack or insufficient IP awareness
- Lack of specific provisions/policy for women engagement
- Perception that the IP system is too complex
- Costs associated

***IP system and branding strategies only relevant for large companies with large available funds***



## **ARISE+ IPR Study**

### ***The role and involvement of women in community-based industries related to IPR in the ASEAN***

**Comparative analysis of key community-based and women-led industries across the ASEAN**

**An analysis of the role of women in community-based industries in ASEAN that are also IPR-producing, and how they may serve as a successful tool to promote rural and national economic development within ASEAN Member States.**

## **ARISE+ IPR Study Background**

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### **The ARISE Plus – Intellectual Property Rights (ARISE+ IPR) Project**

**a beneficiary-driven project funded by the European Union and implemented by the European Union Intellectual Property Office (EUIPO) designed based on the information provided by the ASEAN Working Group on Intellectual Property Cooperation (AWGIPC), the strategic goals of the ASEAN IPR Action Plan 2016-2025**

**A part of ARISE+ IPR's Annual Work Plan 3.**

## **ARISE+ IPR Study Objectives**

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- **To identify gaps between women and men and to see how IP could be used as a bridging mechanism to close any disparities.**
- **Seeks out a key comparison between industries that are dominated by women within ASEAN and male-dominated community industries.**
- **Focus upon similar sectors and IP Intensive Industries**
- **Raising awareness of the gender aspect of micro, small and medium-sized enterprises (MSMEs) and creative sectors whilst promoting the benefits that IPR protection provides to community-based industries led by women.**

## Study Resources

- Publications, statistics and reports from the EUIPO;
- Reports from ASEAN Organizations; NGOs on gender equality & women empowerment;
- Publications and reports from the World Intellectual Property Organisation (WIPO); International Trademark Association (INTA); International Trade Center (ITC) Shetrades Initiative; United Nations Economic Commission for Africa, Trade and Gender team
- Close consultation with actors from community-based industries
- Information from questionnaires facilitated by relevant stakeholders and interview sessions;
- Information published by ASEAN IP Offices



## Gender Equality, Women Empowerment and the Intellectual Property System in ASEAN

Today, women in ASEAN region participate on an almost equal footing as men in the labour market by raw numbers.

ASEAN has grown to become the world's seventh-largest market and home to the third-largest labour force, half of which are women.

Women still in the minority in innovation management, employability and in their registering of IP.



## Why Less Women Entering the Workforce in IPR-Producing Industries:

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- Fewer women study scientific, technical, engineering and medical (STEM) subjects and therefore a lower number produce technical innovation.
- Prejudices and misconceptions concerning women and their role in society, often limiting them to traditional roles rather than leaders in commerce, business, science, technology and the arts.
- Women may often be less risk tolerant due to commitments that they have to their families.
- Intellectual property registrations and the commercialization of intellectual property can often be expensive without the guarantee of financial success.
- Lack of policymaking promoting innovation among women.
- Lack of flexible working arrangements



## **Women in ASEAN: Role in the Economy and IPR-Intensive Community-Based Industries**

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### **ASEAN Women and the Role IP Plays in maintaining Indigenous Knowledge and Promoting Indigenous Industry**

In many industries across ASEAN, traditional knowledge held by women often differ from those held by men

affecting patterns of access, use, and control, thus resulting in different perceptions and priorities for the innovation and use of these industries

impacting the way in which indigenous knowledge is disseminated, documented, and passed on to future generations.

## IPR-Intensive Industries in the ASEAN Economy

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### IPR-intensive industries:

Industries that have high intensity of intellectual activities, industries that protect and utilise IPRs in value creation.

In the EU's report for IPR-intensive industries and economic performance in the EU (2016), IPR-intensive industries are described as “those having an above-average use of IPR per employee, as compared with other IPR-using industries”

***IP-intensive activities generate increased employment across sectors and added contributions to international trade***



## Two Specific IPR-intensive Industries in ASEAN



**Coffee being an industry with major interest in GIs in  
Indonesia and Viet Nam  
and the textile industry in Brunei Darussalam,  
Cambodia and Lao PDR.  
being very design-intensive.**

GI and design framework a good foundation for recognition  
of the rights of indigenous women producers and guarantee  
the access to the market and improved economic benefits of  
an underrepresented group.



## The IFC project in Vietnam and Indonesia

### Integrating women producers into coffee sector

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#### **IFC project aim:**

To improve overall coffee quality and productivity by including women in the supply chain.

The policies included:

- Deploying female trainers;
- Engaging leaders of women unions;
- Creating strategy with heads of farmer associations;
- Adjusting training schedules to meet women's needs; and
- Development of gender-specific training materials

## The Role of Intellectual Property in Providing Economic Incentive

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**To provide economic incentive and making industries more profitable**

- **GI protection prevents resource piracy whilst creating a competitive advantage for producers as it guarantees a unique product, one linked to their specific locality.**
- **Design protection allows for the economic utilization of the protected asset through differentiation**

## Agricultural Industry and the Role of Women in GI-intensive Industries in Cambodia

- Agriculture a culturally and geographically rich sector within ASEAN
- Geographical indications an ideal IP right enhancing business competitiveness of the sector
- Women have major involvements in the region.

*Kampot Pepper, Kampong Speu Palm Sugar and Kampot Salt.*



## The case of Kampot Pepper & Kampong Speu palm sugar

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- Within the management committee of the Kampot Pepper Promotion Association, there is limited participation of women, around 10%.
- The work of women is more prevalent at the production level, i.e: planting pepper, maintaining pepper farms, harvesting, sorting and processing and also packaging.
- The same applies to production and preparation of Kampong Speu palm sugar in Cambodia, where women's work is most widespread in the cooking and processing of palm sap to make palm sugar.

## Koh Trung Pomelo, The Third Cambodian Product with GI status in EU

- A different experience of female involvement.
- GI status granted in 2018 by the Department of Intellectual Property, Ministry of Commerce

The majority of this committee is comprised of women. Women are also working on the fields, in planting pomelo plants, taking care of the plants, harvesting, packaging and selling


### Source:

**Interview session with Sok Sarang , Auditor and  
ECOCERT Country Representative-Cambodia**




## A GI intensive sector, led by women

According to the information from the Cambodian Department of Intellectual Property (DIP), 331 households are growing pomelo in Koh Trung, with 155 of them members of the Koh Trung Pomelo Grower Association, showing that women-led community-based industries are taking up and meeting the standards of GI protection, when granted the opportunity.



ម៉ាកសម្គាល់ភូមិសាស្ត្រទំនិញ

**“ក្រុមផ្គត់ផ្គង់កោះទ្រង់”**  
វសជាតិដើមពីដៃគេ



ក្រុមផ្គត់ផ្គង់កោះទ្រង់ ត្រូវបានបង្កើតឡើងដោយក្រុមប្រឹក្សាភិបាល គ្រោយពីការស្នើសុំរបស់ក្រុមហ៊ុន “ម៉ាកសម្គាល់ភូមិសាស្ត្រ” ទី ៣ ដើម្បីការពារលក្ខណៈពិសេសនៃ ទំនិញ ឆ្នាំ ២០១៤

សមាជិកភាគច្រើននៃក្រុមផ្គត់ផ្គង់កោះទ្រង់ គឺជាស្ត្រី ២០១៤ ឆ្នាំ ២០១៤

**១. ប្រព័ន្ធនៃភាពពង្សិញ្ញាញ ក្រុមផ្គត់ផ្គង់កោះទ្រង់**



- កោះមួយដែលនៅទូលំទូលាយទីក្រុង កោះទ្រង់ ត្រូវបានប្រជាជននៅទីនោះហៅថា “កោះទ្រង់”។ មូលហេតុដោយសារតែ កោះនោះមានប្រព័ន្ធបង្កាច់ទាក់ទងជាមួយ នឹងស្ថានភាពប្រជាជនដែលបានប្តូរ ប្តូរទីកន្លែងរស់នៅនៅលើកោះនោះ ដោយរកមិនឃើញ តាំងពីយូរយារ ណាស់មកហើយ។ គ្រោយមកកោះ នោះត្រូវបានប្រជាជនហៅឈ្មោះថា “កោះទ្រង់”។
- នៅលើទឹកដីពិសិដ្ឋ ដែលសំបូរទៅ ដោយពួកប្រជាជនចាស់ៗនៃទន្លេ មេគង្គ បានធ្វើឱ្យក្រុមផ្គត់ផ្គង់ដែលដាំដុះ ចេញពីតំបន់នោះ មានលក្ខណៈពិសេស ដ៏ល្អប្រាកដ។ ដោយសារតែលក្ខណៈ ពិសេសនេះហើយ បានធ្វើឱ្យក្រុមផ្គត់ ផ្គង់កោះទ្រង់មានភាពពង្សិញ្ញាញនៅទូទាំង ប្រទេសកម្ពុជាជាយូរឆ្នាំមកហើយ។
- គ្រៅពីមានលក្ខណៈពិសេស ក្រុមផ្គត់ផ្គង់ កោះទ្រង់មានប្រព័ន្ធបង្កាច់ទាក់ទង ជាមួយប្រព័ន្ធបង្កាច់ទាក់ទង ជាមួយប្រជាជននៅលើទឹកដីកោះទ្រង់ និយាយតាមភាព។

**២. គុណភាពពិសេស**

- មានលក្ខណៈពិសេស ឬផ្លែផ្អែម
- មានគ្រិនឈូឆាយ
- ពេលនិងគ្រោយពេលពួក មិនធ្វើឱ្យ ហាងមាត់នោះទេ។

**៣. លក្ខណៈ និងប្រភេទ ក្រុមផ្គត់ផ្គង់កោះទ្រង់**

- មានពីរពូជគឺ ពូជក្រុមផ្អែម (មានលក្ខណៈ ពិសេសដែលកសិករខ្លះនិយមហៅថា ពូជកំពិសសរឬពូជចៅហ្វាយឬពូជដូង ម្រី) និងពូជក្រញូត (មានលក្ខណៈពិសេស)

ផ្លែពូជក្រញូត      ផ្លែពូជក្រុមផ្អែម

- ពណ៌ស្រក បែកប្រាយ ឬបែកប្រាយ លាយពេញនិយម
- រូបរាងទាប គ្រៅ មានរាងកង្កែប ឬរាង ពងក្រពើ។

## Involvement of Women in all IP level from Registration to Management of IP Assets

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Work needs to be done as to why these discrepancies exist and policies need to be implemented to ensure that there is equal gender representation across industries, especially since it has been proven that more diverse workplaces are more likely to make more money

*Combining the training rural communities and providing them with the opportunity for employment*



## Hand-woven silk brocade, *pha mai yok dok* *Integrating the GI with modern technology, by way of a QR code*

A cultural heritage in Lamphun, Thailand, where the weaving technique has been passed on for generations among local people.

The example of Lamphun is an illustration of major involvement of women in all stages of the silk weaving process as well as a good tie between policy making and cultural heritage.

*First trans-national registrations for a Thai GI Handicraft product*



## Singapore-based start-up, YouTrip an illustration of women contributing in Fintech

YouTrip launched in 2018 by Caecilia Chu, a financial adviser and nominee as the Top 25 Women Leader in Financial Technology of 2020 and Top 25 Financial Technology CEO of Asia for 2020

*a leading multi-currency travel wallet and money changer in Singapore and Malaysia and Thailand.*

*with numerous trade mark registrations within the Intellectual Property Office of Singapore and across the region*

*along with trade secrets*

*<https://www.you.co/sg/>*





## Empowering Women through Intellectual Property Mentorship and Educational Resources



***Mentorship a key factor that could help to overcome prejudices and misconceptions of women involvement***

Creation and Fostering of a Network of Female Entrepreneurs(female to female mentorship )

### ***Women We Create Platform***

We Create is to establish entrepreneurial community centres in safe and centralised locations for women to gain access to the essential resources required for starting or growing their own businesses. Women We Create Centres are currently under development and in operation in Cambodia and Viet Nam

## ***Women Entrepreneurs Hub/Women Mentorship Platform***

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To connect female entrepreneurs in different countries

they can collaborate, partner, build capacity, and help integrate their products into the global supply chain.

Creating a regional network of female entrepreneurs in IP-intensive industries a good way to bridge the mentorship gap and allow for female entrepreneurs to seek likeminded individuals for advice and assistance.

***Sharing expertise, lessons learnt and substantive knowledge***

***Learning from a community leader, gaining encouragement from a person in government and being guided by business owners and leaders***

# Creating and Fostering a Network of Mentors for Community-Based Industries

#1



## Find a product with economic incentive.

Which product from the community has demand, that could conquer a niche market and that has good selling power?

#2



## Use IP protection to guarantee the economic incentive.

Geographical indications, designs, trade marks and patents are all forms of IP that can be used to guarantee the economic incentive of a product by preventing replication and piracy.

#3



## Investigate the limitations of female participants

A diverse workforce creating, selling and marketing the product must be considered as different groups bring about different ideas. Female participants must be encouraged to participate and investigating their limitations to participation can help to include them in the workforce.

#4



## Create policies and a workplace to overcome these limitations

Many women don't participate in the labour market because of a number of reasons (pressure of childcare, social stigmas preventing their participation, lack of a workplace that is suitable for women, etc) and thus active efforts must be made to overcome this issue. Creating female-friendly policies and a female-friendly workplace could serve to benefit the local economy greatly.

#5



## Disperse mentors to encourage and overcome starting issues

Studies show that workplace success for women is often tied to the development of relationships and mentorship. Mentorship will also encourage success and could also serve to monitor the progress of new female participants in industry. Mentors could be dispersed from the government or relevant private industry organizations.

#6



## Promotion and partnership

Promotion of the product and partnership with key groups who could help to bring about economic change is important in order to secure further financial incentive.

#7



## Create policies for future generations

Creating educational programmes for the young in society, creating career paths and policies to help the younger female generations can help to tackle social stigmas and help to empower young women into pursuing careers in innovative industries.

#8



## Graduate mentees into mentors

Individuals who have been mentored themselves are far more likely to become mentors for future generations. Learning from the experience of an elder in the community would be extremely valuable and mentees should be trained to become mentors themselves in the future.

## Recommendations

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- ❖ *To collect, analyse and distribute data on women's IP participation across ASEAN and relevant industries;*
- ❖ *Increased awareness among stakeholders in regional and national context*
  - ❖ *Advisory services in policy and regulatory framework*
  - ❖ *To promote gender balance in decision-making bodies on intellectual property*
- ❖ *To increase mentorship programs for women entrepreneurs at a regional and national level to benefit community-based industries*



## Recommendations



- ❖ *To ensure that regional policies that influence equivalent gender participation are installed in regional policy papers such as the post-2025 ASEAN IPR Action Plan.*
- ❖ *To create organizational programmes that embed diversity and inclusion in using IP system*
- ❖ *To close the gap between men and women for accessing IP services; and*
  - ❖ *To ensure gender lens on COVID Recovery Policies*



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