

Executive Summary

Intellectual property rights (IPR) are a set of laws that protect creative and innovative products through legal rights called patents, copyrights, and trademarks. A strong IP regime is key to promoting investor confidence, innovation and consequently economic growth.

In SEANET Perspective Issue No. 8, authors Dr Sufian Jusoh and Dr Andrew Kam evaluate the IP protection regimes of 5 ASEAN countries using the Global Intellectual Property Center (GIPC) Index. The GIPC index which helps governments and businesses better understand the concrete benefits of strong IP protections, measures the level of IP protection in a country based on 30 indicators that cover the legal framework, enforcement and the ratification of international treaties.

This paper presents the state of IPR protection in ASEAN using the GIPC and ascertains why some countries like Malaysia and Singapore in particular have been more successful in safeguarding IPR compared with Thailand, Vietnam and Indonesia. In spite of this varied performance, the ASEAN region as a whole has improved its IP regime due to:

1. Cooperation between ASEAN countries in the IP field.
2. The efforts of individual countries to strengthen IP-related laws and improve the enforcement of the laws.

IP protection has a significant impact on the number of patent and trademark applications, reflected by the country's IP ratio. The analysis conducted in the paper shows that patents, copyright, market access and enforcement of IP protection correlate positively with various macroeconomic indicators including GDP, export market growth and FDI inflows.

Given the importance of strong IPR regimes, the paper then concludes with national and ASEAN level policy recommendations that governments can adopt to further strengthen IPR. At the ASEAN level recommendations include:

1. The adoption of a comprehensive IP protection framework - that refers to the IP protection areas found in the GIPC index.
2. The introduction of a regional IP framework.
3. The creation of a single IP registration system to streamline the IP registration process in ASEAN.
4. The alignment of IP laws in ASEAN with global IP standards.
5. Capacity building for human capital - to train officers in patent, trademark and design assessments.

About the Authors

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