



ASEAN - Australia - New Zealand Free Trade Area (AANZFTA)
Economic Cooperation Support Programme (AECSP)



AECSP Symposium: Results, Lessons Learned, and Future Directions of the AANZFTA Economic Cooperation

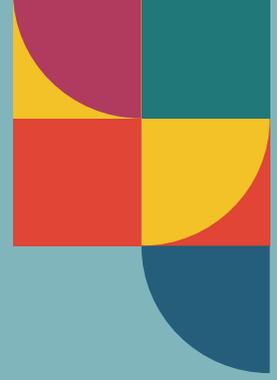
A CASE STUDY ON INTELLECTUAL PROPERTY PUBLIC EDUCATION AND AWARENESS (IPPEA) PROJECTS

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LIST OF ABBREVIATIONS AND ACRONYMS

AANZFTA	ASEAN-Australia-New Zealand Free Trade Area
AEC	ASEAN Economic Community
AECSP	AANZFTA Economic Cooperation Support Programme
AMS	ASEAN Member States
ASEAN	Association of Southeast Asian Nations
ASEC	ASEAN Secretariat
ASU	AANZFTA Support Unit
AWGIPC	ASEAN Working Group on Intellectual Property Cooperation
CCPID	Competition, Consumer Protection, and Intellectual Property Rights Division
CLMV	Cambodia, Lao PDR, Myanmar, Viet Nam
COP	Community of practice
DITTB	IPOHL Documentation, Information, Technology Transfer Bureau
ECWP	Economic Cooperation Work Programme
GI	Geographical indication
IP	Intellectual property
IPR	Intellectual property rights
IPOHL	Intellectual Property Office of the Philippines
IPPEA	Intellectual Property Public Education and Awareness
ITSO	Innovation and Technology Support Office
M&E	Monitoring and evaluation
MSMEs	Micro, small, and medium enterprises
MyIPO	Intellectual Property Corporation of Malaysia
PE&A	Public education and awareness
SMEs	Small and medium enterprises
TISCs	Technology and Innovation Support Centers
TOR	Terms of reference



EXECUTIVE SUMMARY

The purpose of this case study was to identify the key outcomes of Phase I and Phase II of the Intellectual Property Public Education and Awareness (IPPEA) Project as part of the Intellectual Property (IP) Component under the Economic Cooperation Work Programme (ECWP). It also examined how the project contributed to increasing understanding of the business community and creators of IP in the ASEAN-Australia-New Zealand Free Trade Area (AANZFTA) region on the opportunities and economic benefits of effective management of their IP assets.

At a macro level, the study highlighted features of both phases of the project based on their stated goals and objectives. More specifically, the report looked at (i) the importance of IP awareness in supporting economic cooperation and business activities in the context of implementing Chapter 13 on Intellectual Property of the AANZFTA, (ii) the relationship of the project to existing commitments, and (iii) unique design features and approaches of key activities and project and their relation to specific provisions and commitments and broader goals under the AANZFTA and AECSP. The findings of this study are based on input, output, and outcome information found in the project design, planning, and reports, as well as interviews with key stakeholders.

Findings from the study indicate that there has been a varying level of awareness on principles, methodologies, and utilisation of IP among the relatively less developed countries vis-à-vis their more developed counterparts in the region, particularly before the implementation of the IPPEA projects. It was also demonstrated that the project has addressed this gap and resulted in notable outcomes such as creating a community of IP regulators, strengthening institutional capacity, and leveraging the commercial value of IP, to name a few. The report also delved into the success factors attributed by different stakeholders throughout the project life cycles of both phases. A country case example is included in the report to illustrate the effective implementation and adoption of the program. Last, the case study identified key recommendations made by project stakeholders to ensure the sustainability of the different outcomes arising from the IPPEA projects.



1.

INTRODUCTION

The AANZFTA Economic Cooperation Support Programme (AECSP) has supported the implementation of various capacity-building activities of the Intellectual Property (IP) Component of Economic Cooperation Work Programme (ECWP), aiming to improve Parties' capacities to develop and implement sound IP frameworks, facilitate business use of IP systems in the region, and improve enforcement capacity. These objectives reflect AANZFTA high-level goals, as robust IP regimes are a prerequisite for deepened economic integration and barrier-free trade amongst Parties. The capacity building activities include the multi-year Intellectual Property Public Education and Awareness (IPPEA) projects.

The IPPEA projects was designed to assist ASEAN Member States (AMS) in the implementation of a sustained and strategic approach to intellectual property public education and awareness (IPPEA) in the region to maximise the effective use of the IP system by businesses and creators of IP.

A strong IP regime throughout the ASEAN region is a key pillar for the promotion of trade and investment within the wider AANZFTA region. Predictable, efficient, and accessible IP systems can enhance the competitiveness of AANZFTA Parties by allowing industry to flourish in a fair environment that enhances public access to a competitive market of goods and services as well as further advances regional economic integration efforts through IP.



1.1. Overview of Intellectual Property

As defined by a handbook produced by this project, intellectual property (IP) is a set of exclusive rights granted by state authorities to creators of new ideas. Under the general notion of IP, there are different types of exclusive rights suitable for different types of creations, including patents, trademarks, industrial designs, copyright, trade secrets, geographical indications (GIs), and domain names.¹ These exclusive rights are compensations for innovative activities, which often require not only creativity but significant costs. However, IP rights (IPR) are territorial in nature. This fundamental principle, known as the principle of territoriality, implies that a business is protected only in those countries where their IPs have been duly filed and registered. Consequently, if a business plans to export to a new country, it has to be sure to protect its relevant IP rights before entering the market.

Otherwise, the business will not be protected in the new country, and competitors would be able to copy its product or service.

As ASEAN countries attempt to transform themselves into knowledge economies, the adoption and implementation of rules on IPR will have a significant impact on the flows of innovation, investment, and trade in the region.² IPR is a core component of business competitiveness in the region, especially for small and medium enterprises (SMEs). SMEs represent more than 90 per cent of businesses in the AANZFTA region and are thus a key to enabling sustainable trade and economic growth.³ As such, IPR protection matters to businesses as it encourages innovation and guarantees legal protection over their IP assets.

¹ As defined by the Business Guide to IP Institutions, Laws and Filing Processes in AANZFTA Parties and the Handbook on IP Commercialisation: Strategies for Managing IPRs and Maximizing Value, IP publications produced as part of IPPEA Phase II

² ASEAN. (2015). *Regional IP Public Education and Awareness Strategy: Raising Awareness and Practical Knowledge of Strategic Intellectual Property Management*.

³ The SME Policy Index: ASEAN 2018 report points out that the SME sector in ASEAN account for 85-99%. On the other hand, the Office of the Australian Small Business and Family Enterprise Ombudsman notes that small businesses comprise 97.7% of all Australian businesses while the Ministry of Business, Innovation and Employment of New Zealand records that small businesses represent 97% of all firms in New Zealand.

To support the development of a strong IP ecosystem, ASEAN has in place prioritised activities that improve member capacity to develop sound and balanced IP frameworks and systems and increase public awareness about the benefits and increase business use of IP systems. Supporting this initiative, 14 IP related projects, 12 completed and two ongoing, have been managed by the AECSP under the ECWP component as of July 2021 (see Annex I). This includes the multi-year Intellectual Property Public Education and Awareness (IPPEA) projects.

The IPPEA projects address the need to increase public awareness by enhancing the capacity of businesses, including small and medium enterprises (SMEs), operating in the region in leveraging IPR to enhance their competitiveness. Moreover, the IPPEA was designed to not only strengthen legal rights but also harness the economic benefits of

leveraging their IP assets by equipping AMS with the necessary knowledge and tools to educate their respective business communities about strategic IP management.

More specifically, the IPPEA projects aimed to:

- 1** **Develop a sustained and strategic approach to IP PE&A to maximise the effective management of the IP system in the region through a community of practice (COP) and region-wide strategy; and**
- 2** **Unlock greater market opportunities for IP-savvy businesses and creators in the region through the upgrading of the AANZFTA IP Sectoral Portal and the publication of a business guide and handbook on managing IP assets.**



1.2. Relevance of IP Awareness to Regional Economic Integration and AANZFTA Objectives

By protecting original ideas and works, IP laws and regulations allow businesses, entrepreneurs, inventors, artists, and creators to flourish in a fair environment that enhances public access to a competitive market of goods and services. Thus, the promotion of IP creation and commercialisation across AANZFTA can strengthen trade and investment flows within the region which then advances deeper regional economic integration.

However, the relevance and effectiveness of regional IP systems rely on the commercialisation and use of IPR among businesses operating in the region. Increasing the understanding of regional businesses,

particularly SMEs, of the advantages of managing and commercially exploiting IP across AANZFTA members is thus required to achieve this objective.

The IPPEA projects responded to and enabled the implementation of IP and economic cooperation goals and commitments under AANZFTA and the ASEAN Economic Community (AEC). The AANZFTA Chapter 13 and the AEC Blueprint 2025 include commitments to reduce impediments to trade and investment by promoting deeper economic integration through effective and adequate creation, utilisation, protection, and enforcement of intellectual property rights.

Activities under the IPPEA projects contribute to the built-in agenda and objectives of Chapter 13 of AANZFTA by:



Improving the capacity of AANZFTA Parties to develop sound and balanced IP frameworks and systems



Facilitating business use of IP systems through the region for the purpose of economic integration



Improving public and business awareness of the benefits of sound and balanced IP regimes

Furthermore, the IPPEA projects contributed to enabling members to operationalise AANZFTA economic cooperation commitments to “promote education and awareness regarding the benefits of effective protection and enforcement of intellectual property rights” (Article 9).

Additionally, the IPPEA supported regional strategic ambitions under the AEC Blueprint 2025 that aim to develop a more robust ASEAN IP system and enhance the use of IPR in the region. Activities under the IPPEA strengthened ASEAN’s ability to “promote asset creation and commercialisation, including the development of supporting schemes for micros, small, and medium enterprises (MSMEs) and creative sectors” by supporting AEC priorities, including incentives schemes for MSMEs and creative sectors, IP valuation services, and the commercialisation of GI products.



2.

METHODOLOGY

The study was structured to draw on several sources of information, including primary and secondary data from desk review and stakeholder interviews. The primary data is qualitative in nature and gathered from interviews with key stakeholders using semi-structured key interview questions. Secondary data were gathered by reviewing ASEAN, AANZFTA, AECSP and IPPEA project documents.

As such, the content of this report is based on a comprehensive review of inputs, outputs, and outcome information found in planning and monitoring and evaluation (M&E) documentation for Phase I and II of the IPPEA project. Key data sources include project activity proposals, project and activity completion reports, and project outputs. Testimonies were also gathered during consultations with key informants, including project designers, implementers, and beneficiaries, to capture relevant insights and corroborate initial findings. These informants were identified based on consultation with the ASU and ASEC, with inputs from EC-SC. Substantial efforts were made to ensure representatives from a range of stakeholders were engaged, including AMS representatives from Cambodia, Lao PDR, Myanmar, and Viet Nam (CLMV) and the more advanced ASEAN countries. Moreover, the study leverages existing evidence to identify organisational and institutional outcomes as well as success factors associated with those outcomes.

This case study was complex due to its multi-year, multi-country and retrospective features. Therefore, a number of challenges and limitations involved, such as:

- 1** The number of key informants engaged was limited due to conflicting schedules. Written responses were offered to mitigate this issue. As a result, there were six key stakeholders interviewed, and one provided a written response.
- 2** As the first phase of the IPPEA projects was between 2012-2014 and the second phase was 2019-2021, it was challenging to engage with informants involved in the two project phases. As a result, most key informants were only involved in the second phase of the project. The Consultant has reviewed available documents to supplement the data shortage.





3.

KEY OUTPUTS OF THE IPPEA PROJECTS

To support efforts in increasing awareness and education on IP-related matters in the AANZFTA region, the IPPEA projects were implemented in two phases (see projects detail in Annex II):

- 1 Phase I (IP Public Education and Awareness – Community of Practice and Strategy)** focused on equipping AMS with the knowledge and tools to educate their respective business communities about strategic IP management by the formation of an IP PE&A Community of Practice (COP) and delivery of a region-wide IP PE&A Strategy.
- 2 Phase II (Regional Information Campaign and Supporting Campaign Materials)** of the project aimed to ensure that regional businesses are properly prepared to seize this important opportunity to maximise the commercial potential of their IP assets, including MSMEs.

The key outputs of the two IPPEA projects are summarised below:

3.1. Phase I of the IPPEA

Phase I of the IPPEA consisted of two key outputs: (i) formation of an IP PE&A COP; and (ii) delivery of a region-wide IP PE&A Strategy.

To facilitate these twin objectives, around 30 attendees from AMS, Australia, New Zealand, and the ASEAN Secretariat (ASEC) participated at the [IPPEA Community of Practice and Strategy Workshop](#) held in Bangkok, Thailand, from 20 to 23 May 2013. During this four-day workshop, the participants achieved tangible outputs, specifically, (i) creating the COP to enable participants future collaboration with their regional counterparts, (ii) establishing an online mechanism to continue COP communications, (iii) sharing of best practices and country case studies on IP PE&A, and (iv) agreeing on the parameters of the regional strategy. Participating communications and policy professionals from AANZFTA IP Offices were the key beneficiaries of Phase I.



AANZFTA IP Public Education and Awareness: Community of Practice and Strategy (Bangkok, 20-23 May 2013)

The second key output was the [IP PE&A Strategy and resource kit](#). The strategy provided a flexible work plan and supporting resource kit to help IP Offices to encourage IP creators and owners to incorporate IP into their business plans and management practices. The strategy also included advice on designing public education and awareness activities, including setting objectives, determining key messages, communication tools and approaches, and evaluating activities and programs. The resource kit consisted of case studies, AMS IP PE&A contacts, communication channel selection guide, low-cost PE&A activity guide, event management checklist, social media guide, media engagement factsheet, partnerships factsheet, evaluation guide, communication plan on a page, and useful links and resources.

The beneficiaries of the strategy included COP members and senior management in regional IP Offices. The strategy and resource kit provided key information to aid decision-makers when planning, executing, and evaluating IP PE&A activities and programs.

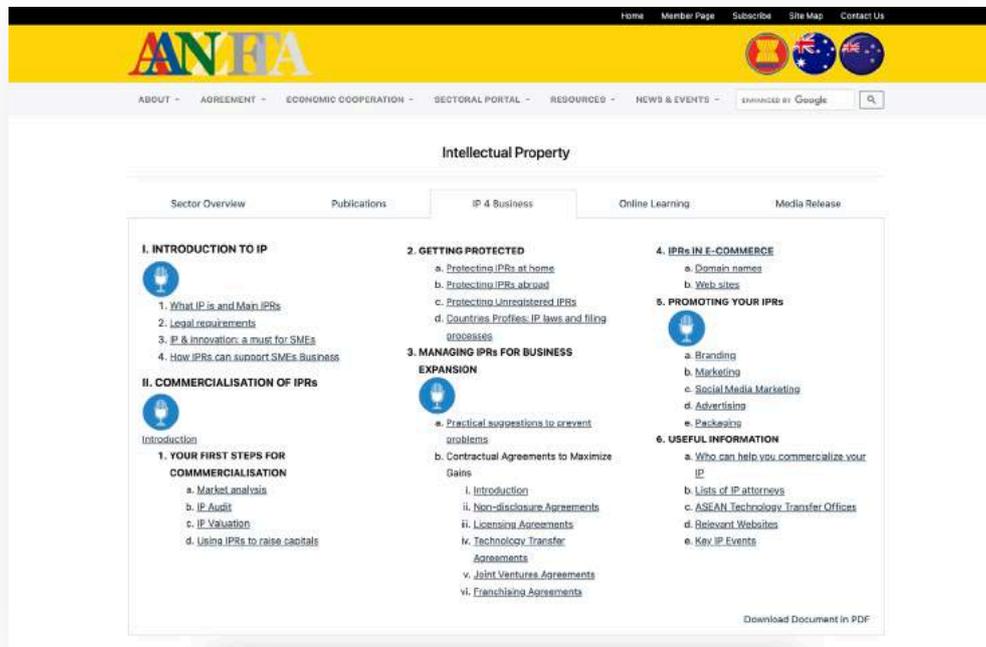
The main recommendation to implement a regional PE&A campaign prior to the formation of the AEC following the conclusion of Phase I was amended. Nevertheless, the revised target deliverables for the succeeding Phase remain in line with the thrust of the initial recommendation to promote PE&A activities in the region.



3.2. Phase II of the IPPEA

Phase II of the IPPEA consisted of two key outputs: (i) enhancement and improvement of the AANZFTA IP Portal; and (ii) production of two IP publications on business guide to IP institutions, laws and filing processes, and a handbook on IP commercialisation.

As for the first key output, the **IP Sectoral Portal of the AANZFTA** website was streamlined to host new components produced under the project, including a new [IP for Business](#) section, which contains hands-on, easy-to-read, and practical information specifically designed to meet the needs of business operators. The enhanced IP Sectoral Portal now serves as a key information platform for businesses interested in understanding the benefits of IP and learning how to manage their IP assets.



Visit: <https://aanzfta.asean.org/aanzfta-sector-portals/intellectual-property-sector>

In addition to retrofitting the website, the second phase of the project also facilitated the publication of two handy reference materials entitled the [Handbook on IP Commercialisation: Strategies for Managing IPRs](#) and [Maximizing Value and the Business Guide to IP Institutions, Laws and Filing Processes in AANZFTA Parties](#). Both publications contain relevant information to help stakeholders navigate the different IP regulatory environments in the region as well as practical information to leverage the financial benefits of IP assets. Copies of both materials were made publicly available in the IP Sectoral Portal for easier accessibility and wider reach.

Project designers and implementers have acknowledged that both deliverables exceeded the initial expectations, specifically: (i) the inclusion

of podcasts in the IP for Business section of the IP Sectoral Portal to provide summaries that were not originally included in the project's terms of reference (TOR) and (ii) the expanded coverage of the handbook and business guide as compared to what was originally required.





4.

KEY FINDINGS

The combined outcomes of Phase I and Phase II of the IPPEA projects have addressed the need for IP PE&A and have played a key role in driving IP filings in the region. During the interview process, certain attributes were also identified by stakeholders, which contributed to the overall success of the project. A country case example—the Philippines—is included in this report to illustrate the effective implementation and adoption of the projects at the AMS level.

4.1. Key Outcomes

1. Strengthened capacity of ASEAN IP Offices in encouraging IP creators and owners to incorporate IP into their practices

Multiple activities under the two phases of the IPPEA projects have strengthened the capacity of ASEAN IP Offices to encourage IP creators and owners to incorporate IP into their practices as comprehensively reflected in the flexible work plan and resource kit as part of the **IPPEA Strategy** under Phase I. Moreover, the toolkit provided advice on designing PE&A activities, including setting objectives, determining key messages, communications tools and approaches, and the implementation of activities and programs with the help of tools that includes an event management checklist, a social media guide, a partnerships factsheet, and an evaluation guide.

Workshops conducted under Phase I of the project also provided an opportunity for participating IP Offices to learn about the need for AANZFTA Parties to promote IP creation and commercialisation to develop regional markets.



Activities under the IPPEA project increased my awareness of the main IPR and different types of exclusive rights which are suitable for different types of creations. Key learnings included how to be protected, what is the contractual arrangement to maximise gains, how to use IPR in E-Commerce. Subsequently, I was able to share the knowledge that I obtained from this program and the IP portal with my IP.

Thippachan Thiphavanoe

IP Promotion and Development Division, Lao PDR

2. Facilitated the development of a community of IP Offices

The projects enabled increased coordination among the IP offices across the AANZFTA region. The establishment of the COP under Phase I was an important vehicle for the IP Offices in the region to collaborate and exchange experiences on IP PE&A. During the COP workshop, participating IP offices were able to share best practices and regional case studies with each other. This exchange improved their understanding of strategic IP management and the best approaches to engage and educate the public and business sector.

The capacity-building workshops under Phase I as well as the validation workshop conducted under Phase II enabled participating AANZFTA Parties to utilise each other's resources to critically assess existing IP PE&A projects. For example, AANZFTA members with limited experience and capabilities were able to learn from members with more sophisticated IP protection and PE&A mechanisms.



From the training, we were able to learn about IP procedures and practices in other countries. We interacted with other members as part of the process of checking and validating information about our IP regimes. Through such processes, we were able to learn about their procedures to fill and grant different types of IP. As a result, we learned a lot from other participants on the way IP is being registered and managed in those countries.

Mohamed Ikhwan

*Intellectual Property Corporation of
Malaysia (MyIPO)*



IPPEA Validation Workshop (Bangkok, 15-16 October 2019)

3. Establishment of a practical resource platform for businesses

Through the establishment of the IP Sectoral Portal in the AANZFTA website, the IPPEA projects provided a one-of-a-kind and practical IP resource platform for businesses.

The portal provided an information platform for ASEAN and AANZFTA business operators to better understand the benefits of IPR and to learn how to manage IP assets. The information includes hands-on, easy-to-read, and practical information specifically designed to meet the needs of business operators.

The IP for Business section was used by the businesses for information on IP identification, protection, utilisation, and commercialisation. An increasing number of businesses attended IP events posted on the page. Businesses also found the links to ASEAN Technology Transfer Offices, IP attorneys, and other experts useful for further consultation on IP asset management.

4. Strengthened ability of businesses including SMEs to maximise the value of their IP assets

The development of the **Handbook on IP Commercialisation** as part of Phase II of the IPPEA provided a vital resource for businesses, particularly SMEs in the region, to maximise the economic value of their IP assets.

By using the handbook, IP owners can acquire a practical understanding of the IP licensing process, opportunities to leverage strategic alliances to unlock the value of IP assets, and the advantages of

different IP valuation methodologies. This knowledge dissemination process was facilitated by contacts of domestic agencies in AANZFTA Parties, specialising in providing IP commercialisation services.

Improved knowledge on IP commercialisation allowed businesses, especially SMEs, to leverage IP assets in negotiations with other stakeholders like investors, banks, and auditors and enter licencing or technology transfer agreements that strengthen the competitiveness of their business.



The handbook focuses on the commercialisation part of IP and how to manage the IP after registration, how to manage your brand and how to prevent your brand from being diluted. At MyIPO, we knew a lot about registration, but we lacked the knowledge on commercialisation after registration. The consultant and the handbook provided us with the information relevant for us to conduct awareness programs. So, I think the content of this program is quite beneficial to us and what we are currently doing.

Mohamed Ikhwan

*Intellectual Property Corporation of
Malaysia (MyIPO)*

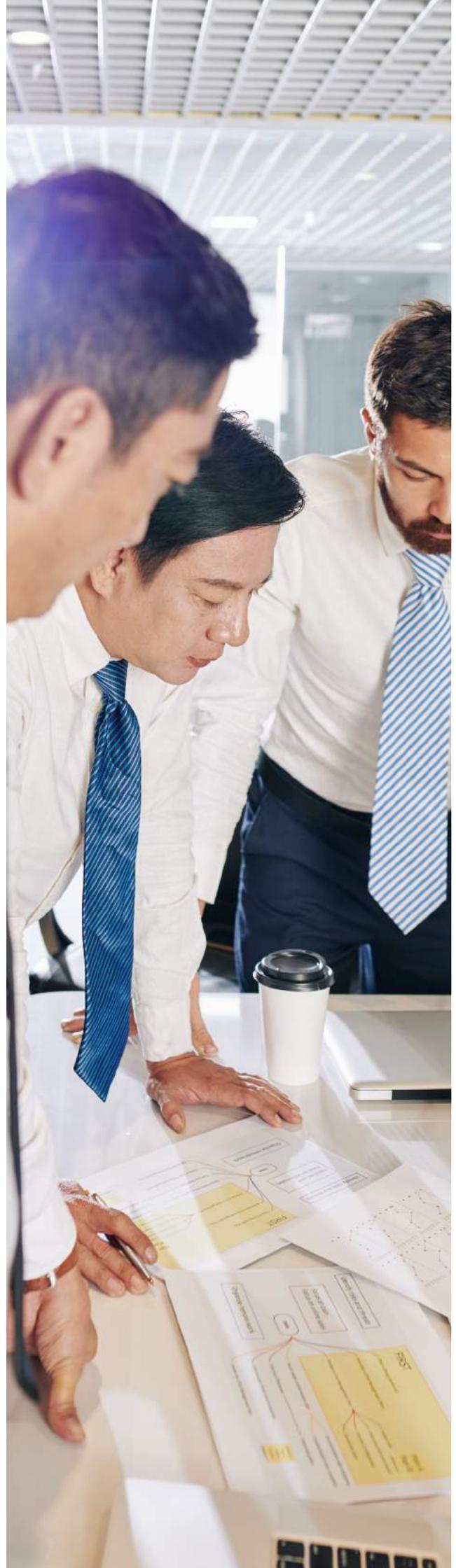
5. Increased understanding of IP institutions and policies in AANZFTA

Through the development of a **Business Guide on IP Institutions**, the project strengthened business understanding of different IP regulatory frameworks in the region. The resource equipped stakeholders with practical and concise information of key IP processes, including IP protection, requirements, and procedures in the countries where they export. The guidance does not only include practical steps to file for IP rights protection in each AANZFTA Party via domestic routes but also through international mechanisms like the Patent Cooperation Treaty, the Madrid Protocol, and the Hague Agreement Concerning the International Registration of Designs.



The IP guide and handbook contain detailed sections on the IP laws and the filing fees for each of the AANZFTA Party, which creates some sense of a resource or transparency in the protection of IP across the AANZFTA. I think it provides a resource on what are defined processes of the parties to facilitate businesses in finding out how to file in another country in AANZFTA. So, in a way, it provides transparency to conduct business.

Maslina Malik
ASEC CCPID Desk Officer



4.2. Success Factors

1. Exchange of best practices among AMS

The two phases under the IPPEA projects provided an opportunity for AMS to share their best practices and experiences during the workshops, which assisted them in improving their understanding of strategic IP management. The primary success indicator outlined in the project management plan was agreed by most participants in the COP workshop that the best practices shared as well as the resulting IP PE&A Strategy will assist them to improve business understanding of strategic IP management.

According to the project completion report of Phase I of IPPEA, the overwhelming majority of responses to the workshop evaluation survey indicated that the best aspect of the COP workshop was the relevance and quality of the content/information shared.



The openness of the ASEAN Member States to share their best practices and their experiences was great. We were able to share past experiences and ongoing activities in the Philippines and the types of hurdles that prevent entities to commercialise their IP assets. We really valued the way the project enabled increased cooperation, openness, and friendship within the ASEAN region.

Adrian Sablan

*Documentation, Information, Technology
Transfer Bureau (DITTB), IPOHL*

2. Continuity between phases of the project

Continuity between phases I and II of the projects ensured the project did not divert from its main objective and adjusted its approach and outputs to meet the IP PE&A needs of participating AMS.

Phase II of the IPPEA project was primarily driven by recommendations drafted during Phase I. Phase I of the IPPEA Strategy was presented to the ASEAN Working Group on Intellectual Property Cooperation (AWGIPC) Meeting. The AWGIPC endorsed the strategy and called for a follow-up project to develop an IPPEA campaign based on the recommendations put forward in the strategy. Objectives and outputs under Phase II were developed based on that strategy. For instance, some key recommendations made during Phase I that were adopted in Phase II included: (i) streamlining the duration of the workshops to prevent wearing the participants and (ii) clarifying the document/strategy approval process through clear determination at the beginning of each project between the project manager and ASEC.

3. Inclusive approach to AMS feedback and validation

The consultant was able to identify inclusive approaches employed by project implementers of the IPPEA project to obtain feedback and validation from AMS on key outputs. These include:

- ◆ Pairing of AMS participants during the validation workshop to corroborate relevant information spontaneously and contact colleagues in their respective offices to secure missing information.
 - ◆ Tailoring the design of the workshop to accommodate different participants of varying participation level and ensuring everyone to provide inputs. Larger group discussions were found to be more suitable for relatively active participants, while smaller group discussion formats were organised for the more relatively reserved attendees.
- “
- I had never participated in any other workshop where this kind of exercise took place. Normally, such validation is done before a workshop. However, sometimes it is very difficult to get things done once participants leave the workshop. So, I think the consultant was familiar with the behaviour of the ASEAN members and put in place a strategy that guaranteed the successful completion of the validation exercise.**
- Maslina Malik*
ASEC CCPID Desk Officer

4. Practical approach to the development of business materials

Under Phase II most project outputs were mindful of target beneficiaries, who likely had very limited knowledge of commercial nomenclature. As a result, the approach to the development of the two IP publications followed a business-friendly approach focusing on the use of simple language—avoiding technical jargon and unnecessary information—and the adoption of practical examples and visuals.



We decided to avoid a legalistic approach and technical jargon. We instead employed an elegant and neutral language that businesses speak. We directly addressed the beneficiaries with facts and included lots of visuals, since most business people do not have time to read manuals.

Giulio Zanetti
Project Consultant

5. Support from the ASU and ASEC

Support from the AANZFTA Support Unit (ASU) and ASEAN Secretariat (ASEC) throughout the IPPEA projects ensured that project outputs were delivered efficiently and on time and adjusted to better meet the needs of AMS and project beneficiaries.

Since the beginning, ASEC stakeholders and the consultants established a cooperative and flexible working relationship that facilitated smooth communications, validation of findings, and the successful completion of key project outputs. Even though there were supposed to meet only once a month, the consultants and the ASEC counterpart met almost every week and shared inputs and feedback on different parts of key project deliverables.

An example of a successful working relationship between ASEC and the consultants includes the expansion of the scope of the Commercializations Handbook beyond what was stated in the TOR.



The project went really well, partly because of the excellent relationship with the ASEC counterpart. So, I decided to expand the scope of the Guide to include topics like branding, which is the future, by allowing ASEAN countries to transform their fantastic commodities into brands.

Giulio Zanetti
Project Consultant

COUNTRY CASE EXAMPLE: THE PHILIPPINES

The IPPEA projects have strengthened the capabilities of the Intellectual Property Office of the Philippines (IPOHL) to design IP PE&A programs that strengthen IP commercialisation practices of Philippine businesses and the broader AANZFTA region.

The IPOHL has a close relationship with the Innovation and Technology Support Office (ITSO) network, a group of universities and innovation institutes that actively contribute to the enhancement of the country's IP infrastructure, similar to World Intellectual Property Organisation (WIPO) Technology and Innovation Support Centers (TISCs). This network of research institutions is key to IPOHL's IP PE&A initiatives. However, the COVID-19 pandemic has severely affected the ability of IPOHL to engage or run IP PE&A activities with the ITSOs. Quarantine restrictions did not allow the agency to visit the universities, most of which had to be closed for an extended period.

Within this increasingly challenging context, IPOHL leveraged the IP publications and other outcomes of the IPPEA projects. The regulatory body was able to forward the Handbook and Guide to its ITSO network, which has been receptive and has shown interest towards IP commercialisation and other relevant insights found in the materials.





Key outcomes of the adoption of the IPPEA project in the Philippines include:

1. Acting as a knowledge multiplier

The Handbook has been distributed by the IPOHL across its ITSO network. These centres could use the information for their benefit in commercialising their IPs. The centres could also disseminate knowledge on IP commercialisation and procedures obtained from the Handbook to other interested stakeholders.

“We gave our ITSO network copies of the Handbook, especially those that are already doing commercialisation, because we think that the book might be instructive and helpful, especially if they aim to launch international commercialisation, or if they choose to commercialise their IP in ASEAN. I believe the Handbook could help these universities, especially those that are interested to commercialise abroad, especially within the ASEAN region.”

Adrian Sablan (DITTB-IPOHL)

2. Increased awareness on IP commercialisation and IP institutions and laws

The Handbook strengthened efforts by the IPOHL to increase awareness on IP commercialisation and IP institutions and laws.

“We requested more copies of the Handbook so that we could distribute it to our partners in the ITSO network and to others who are interested in knowing about IP. In the upcoming activities with the ITSO network and with IPOHL stakeholders, the Handbook will help us encourage technology licensing and IP asset commercialisation within the ASEAN region.”

Adrian Sablan (DITTB-IPOHL)





5.

RECOMMENDATIONS

Project stakeholders have indicated recommendations as to ways forward to ensure the sustainability of the different outcomes of the IPPEA projects. Based on consultations with stakeholders, the following measures were identified as the next steps for the next iteration or other similar programs of the IPPEA projects: (i) translation of documents, (ii) higher engagement with the private sector, (iii) continuous revision of materials, (iv) continuous awareness-raising and capacity-building activities, and (v) a separate publication on IP valuation.

1. Translation of documents

Most of the beneficiaries cited the unavailability of documents in their local language as a problem since English is not their first language. For the offices to better understand and further communicate the IP procedures, the formal documentation should be translated into a language they understand. Moreover, to increase awareness on IP across the region among businesses, the Guide and the Handbook could also be made available in the local languages of AMS. This could be facilitated by the respective governments or with the help of a local consultant who is better able to assess their language needs.



When we are talking about awareness programs, we are talking about the SMEs or sole proprietors who may not have command over the English language. A few of the AMS, I remember Cambodia, Indonesia, Lao PDR, and Viet Nam, did ask for support to subsequently translate these documents into their local languages for further circulation to the smaller businesses

Maslina Malik
ASEC CCPID Desk Officer

2. Higher engagement with the private sector

The project aimed to increase engagement with the end-users which are the businesses who file for their IPR. However, Phase I saw very limited interaction with the private sector, as it aimed to primarily engage IP offices. A more systematic approach to private sector engagement will allow project implementers to set more realistic goals about the project's ability to meet the needs of businesses especially MSMEs.



I would suggest engaging a local consultant who can interact with the private sector, so maybe more engagement with the private sector who are the key beneficiaries of this entire project, not so much as IP officers, they are just the middle person. Eventually, the information needs to go out to the small businesses themselves.

Maslina Malik
ASEC CCPID Desk Officer

3. Continuous revision of materials

The IP laws keep evolving and the landscape keeps changing, which requires a constant revision of the material, especially the Guide on IP Institutions. To ensure that materials remain relevant, the portal needs to be updated whenever there are regulatory developments so that the businesses are well informed.



The information that we included in the handbook about trademarks is not relevant anymore, because we had a new Act at the end of 2019. So, we need to have revision in terms of this handbook, so people can rely on the fact that the information given is accurate.

*Mohamed Ikhwan
Intellectual Property Corporation of
Malaysia (MyIPO)*

4. Continuous awareness-raising and capacity-building activities

Both Phase I and Phase II of IPPEA saw the facilitation of knowledge products (e.g., communication platforms, online tools, publications) necessary to equip stakeholders in the region with the resources to strategically manage and leverage the commercial value of their IP assets. Increasing public outreach to disseminate these materials will ensure the sustainability of the program. Such exercise could include collaborating with chambers of commerce and other business associations in their respective jurisdictions as well as creating dedicated social media pages and hosting online public events to reach a wider audience.



We have these publications, which is great, maybe there could be some level of follow-up. Let's make sure that these tools are operationalised and used.

So, the richness is there. We just need to make sure that people are aware that these are available.

*Giulio Zanetti
Project Consultant*

5. Separate publication on IP valuation

While project beneficiaries found the comprehensive coverage of the IP publications highly relevant, other elements could be further explored such as IP valuation. There is a need to craft a standalone manual on IP valuation principles, methodologies, and best practices in the region to enable stakeholders, particularly end-users, to better understand and determine the value of their intangible assets.



There were three (3) IP valuation tools introduced in the IP Commercialisation Handbook which could be discussed more extensively.

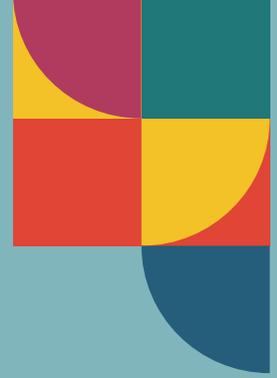
I hope that the next project can focus on IP valuation alone, integrating the different aspects of IP valuation and at the same time integrating the best practices, from private companies for example, or even universities within the ASEAN region.

Adrian Sablan

*Documentation, Information, Technology
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REGULATIONS

ANNEXES

Annex I: List of Projects under ECWP IP Component

No	Project Title	Timeline
1	AANZFTA Intellectual Property (IP) Crime Conference	2010-2012
2	IP Training for SMEs 2011-2012	2011-2012
3	Accession to Madrid Protocol Accession Workshop	2010-2011
4	Accession to Madrid Protocol Phase 1	2011-2014
5	Accession to Madrid Protocol Phase 2	2014-2015
6	Accession to Madrid Protocol Phase 3	2016-2017
7	Regional Patent Examination Training (RPET)	2012-2018
8	Capacity Building for Patent Examiners – An Ideal Training Model	2012-2018
9	Regional Patent Examination Training Mentoring (RPET Mentoring) Program	2017-2021
10	IP Public Education and Awareness (IPPEA) Phase 1	2012-2014
11	IP Public Education and Awareness (IPPEA) Phase 2	2019-2021
12	Policy Workshop on IP and Genetic Resources (GR), Traditional Knowledge (TK) and Traditional Cultural Expressions (TCEs)	2013-2015
13	Comparative Study on Genetic Resources, Traditional Knowledge, and Traditional Cultural Expressions (GRTKTCE) (Phase 1)	2019-ongoing
14	Enhancement of Trade Mark Quality Management Phase I	2021-ongoing

Annex II: Summary of the IPPEA Project

	Phase I	Phase II
Objectives	To develop a sustained and strategic approach to IP PE&A in AMS in order to maximise the effective use of the IP system by businesses and creators in the region	<ol style="list-style-type: none"> 1. Increase the awareness of business and IP creators in the ASEAN region of the opportunities that the AANZFTA and the AEC create for IP savvy businesses 2. Increase requests for IP information and resources, to improve understanding of IP issues 3. Improve the impact of existing IP public awareness activities.
Expected output/ outcomes	<p>Formation of an IP PE&A COP</p> <p>Delivery of a region-wide IP PE&A Strategy</p>	<p>Enhancement of the AANZFTA IP Sectoral Portal</p> <p>Delivery of two IP publications (i.e., business guide and handbook)</p>
Timeline	December 2012 to January 2014	June 2018 to December 2019
Main activities	A workshop was held in Bangkok, Thailand 20-23 May 2013 to establish the COP and develop the region-wide strategy.	A workshop was held in Bangkok, Thailand last October 2019 to obtain feedback and validate the drafts of the two IP publications as well as the structure and format of the new IP for Business section of the IP Sectoral Portal in the AANZFTA website.
Participating AMS	All AMS	Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Thailand, Viet Nam



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