

Study on the Needs for Intellectual Property Research in ASEAN Region and the Feasibility Study on the Establishment of ASEAN Intellectual Property Research Institute*

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This research focuses on the theme of intellectual property research on the protection and utilization of intellectual property that supports further development in the ASEAN region. In order to solve various problems related to intellectual property, we will explore issues of intellectual property research that should be promoted in the future. Specifically, in order to promote economic development in the ASEAN region, we will collect problems related to intellectual property that should be solved through questionnaire surveys and extract the research needs required to solve them. The results of the questionnaire survey will be quantified by numerical analysis, and further examination will be conducted through interviews, which will clarify the theme of intellectual property research that should be promoted in the future. These findings will be used as the basis for further intellectual property awareness and intellectual property policy in the ASEAN region. In addition, based on the knowledge obtained, we will proceed with specific discussions regarding the establishment of the Institute for Intellectual Property. The survey results of research needs in the ASEAN region and the idea of establishing an Intellectual Property Institute will serve as a basis for improving mutual understanding and support in this region.

I. Background and purpose of this research

1. Background

Various growth strategies are being developed on a global scale, such as improving the international competitiveness of industries, creating innovation, industry-academia-government collaboration, improving productivity through the use of IT, and actively responding to globalization. In order to appropriately promote these measures, it is necessary to strategically create, protect, and utilize intellectual property, which is taken up as one of the important agenda items for multilateral

* This is a summary of the report published under the 2019 Collaborative Research Project on Harmonization of Industrial Property Right Systems under a commission from the Japan Patent Office.

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and bilateral negotiations. And in many countries, intellectual property education has been vigorously conducted in order to spread the intellectual property rights system on a global scale. It can be said that a great deal of educational support from developed countries has produced many results so far. However, in order to plan and execute measures related to intellectual property, in addition to the intellectual property education so far, analysis of the current situation surrounding intellectual property, analysis of issues to be solved, and discussion of specific solutions is necessary. Indeed, the enhancement of intellectual property research is required. The subjects of intellectual property research are very diverse, including case studies, legal studies such as law amendment, research on various procedures, research on international institutional harmony, factor analysis of quality and efficiency improvement of examination procedures, analysis of intellectual property information, intellectual property evaluation methods, industry-academia collaboration, corporate organization reform, intellectual property strategy, etc. However, the research institutes responsible for these intellectual property studies are limited to some developed countries. The current situation is that research institutes that specialize in intellectual property systems, which are an important pillar of industrial development in the global economy, are not yet fully developed.

(1) Importance of ASEAN

In terms of Japan's policies for improving industrial competitiveness, overseas support policies, and international contributions, ASEAN exists as a neighboring region and from a historical background. Therefore, there is no doubt that the development of intellectual property research in this region is an important point for both sides. Furthermore, economic integration within the ASEAN region has been gaining momentum due to the AEC (ASEAN Economic Community) established at the end of 2015. It has been expanding its activities in a wide range of fields such as politics, economy, trade and energy, and at the same time it is entering the stage of promoting external negotiations with awareness of the ASEAN Initiative.

(2) IP activities in ASEAN region

In 1996, the ASEAN Working Group on Intellectual Property Cooperation (AWGIPC) was established. Since 2004, it has developed an ASEAN Intellectual Property Action Plan. And until 2015, they have been working hard to realize various plans. With the acceleration of ASEAN economic integration from 2016 to 2020, a new Action Plan has been created. Among ASEAN activities, actions of AWGIPC, a working group on intellectual property rights, are becoming more active.

(3) Situation of IP research in ASEAN region

There is a notable case in Vietnam as a movement of intellectual property research in the ASEAN region. The Vietnam Intellectual Property Research Institute (VIPRI) was established in 2007 as a government research institute of the Ministry of Science and Technology, and is the center of intellectual property research in Vietnam. VIPRI's main business includes intellectual property research, education, consulting, and expert opinions for intellectual property arbitration. Other research activities related to intellectual property in the ASEAN region include mainly law and case studies conducted by the university's faculty of law. In addition, at the University of Singapore, MOT education is practiced and intellectual property subjects are set up in it.

(4) IP research needs of ASEAN countries

ASEAN's intellectual property research needs vary widely from country to country. In this study, we will clarify the needs of intellectual property research in ASEAN countries.

(5) Expectations on ASEAN Initiative

I think this is an era in which ASEAN initiatives should be respected rather than being pushed by developed countries. And it is desirable to build a system for that purpose. There are few studies on the relationship between economic development and intellectual property rights in the ASEAN region. It is necessary to clarify how intellectual property systems should be used for economic development in the ASEAN region.

II. Research Methodology

1. Specific intellectual property research needs in the ASEAN region

In order to develop the industry in the ASEAN region, it is necessary to grasp the intellectual property research needs in the region and establish an independent intellectual property research institute there. In this research, based on analysis of intellectual property research needs in the ASEAN region, we will proceed with concrete examination of establishment of a research institute.

2. Structure of this research

- (1) Establishment of VIPRI and activities to date
- (2) Investigation of intellectual property research needs in ASEAN region (questionnaire survey)
- (3) Analysis of results
- (4) Survey of intellectual property research attitudes in each country through interviews (interview survey)
- (5) Consideration from questionnaire survey and interview survey
- (6) Approach of intellectual property education program from developed countries
- (7) Overall summary

III. Results of research

1. History of the establishment of the Vietnam Intellectual Property Institute: VIPRI and its past achievements

The Vietnam Intellectual Property Institute (VIPRI) is a government agency for interdisciplinary research, education, and expert opinion across the legal, economic and technical fields. Established in 2007 by the Minister of Science and Technology, it is composed of staff with expertise in the field of intellectual property, and is expected to play an important role in capacity development for the creation, protection, utilization, enforcement and management of intellectual property rights. So far, it has made a great contribution to the development of science and technology and industrial economy in Vietnam.

2. Questionnaire design and survey results

Research on intellectual property policy and strategy in the country and intellectual property research in the patent field were extracted as research themes with an average questionnaire response value of 4.5 or more and high needs. In 2002, when Prime Minister Koizumi gave a speech on the administration policy, it can be said that the situation of Japan 17 years ago is appearing in ASEAN. It can be seen that ASEAN is making efforts to catch up with developed countries including Japan. There is also a growing awareness of patents. ASEAN was mainly for trademark and design applications, but it may be said that it has begun to seek to have state-of-the-art technology by improving awareness.

The following themes were extracted as research themes with an average questionnaire result

of 4.4 to 4.5: legal studies, legal studies for intellectual property law amendment, intellectual property system practices, processes from examination to registration of intellectual property applications (quality, efficiency, etc.), intellectual property value evaluation, and international harmonization research.

In addition, the following themes were extracted as research themes with an average questionnaire result of 4.3 or more and 4.4 or less: analytical research on intellectual property information, industry-academia collaboration, intellectual property management in private companies, new subjects for intellectual property protection, protection of inventions in areas such as IOT and AI, factors that promote domestic application of intellectual property rights, Infringement of intellectual property rights, legal proceedings in court, etc. In addition to these research needs, we can read from the questionnaire results that intellectual property research is important in addition to intellectual property education and should be more important in the future.

The results of regression analysis for the main objective variables are summarized as follows.

First, discussions on the necessity of intellectual property research should be promoted in the relevant ASEAN country, and efforts should be made to develop researchers in the field of intellectual property. In particular, it is effective to pay attention to enforcement research that is a problem in the country. In this way, it is important to foster an image of what intellectual property research is. As an area of particular focus, it is necessary to clarify and visualize how intellectual property rights can help improve corporate performance in real business fields. In addition, since ASEAN countries have their own research themes, for the time being, cooperation on intellectual property research may be bilateral cooperation for each country. If developed countries stick too much to profits for their own companies, they may compete against industrial development in the ASEAN region.

In order for the ASEAN region to unite and promote intellectual property research, first of all, it is necessary to proceed with discussions with neighboring countries within the ASEAN region. As a result, it will be possible to select a country to jointly promote intellectual property research. In this case, it is important to clarify the purpose of developing industries and companies in the ASEAN region in the policy of intellectual property research.

It is also necessary for ASEAN countries to take intellectual property research as their own issue and promote it with their own leadership. The most important issue for that was research on intellectual property rights management in companies. To achieve this, it is important to train researchers in the intellectual property field. Research that derives new knowledge is different from education as knowledge transfer and requires a clear understanding of the differences.

Furthermore, in order to promote intellectual property research led by ASEAN countries, research efforts to promote industry-academia collaboration are necessary. This is because ASEAN countries still have not developed their own industrial technology, and it is necessary to establish an

effective industry-academia collaboration system in search of new technology seeds. The unique research needs and research issues of ASEAN member countries should be respected, and the development of intellectual property researchers in the field of science and technology is required. It is also important to develop the infrastructure necessary for research activities. In order to establish an ASEAN Intellectual Property Research Institute in the ASEAN region in the future, it will be necessary to start by considering the research needs of each country. As a result of the discussion, it is necessary to clarify the intellectual property research policy. In particular, there is a need for intellectual property researchers in the management field, and I think that ASEAN industry will be interested in research to bring about growth and strengthening of companies by utilizing intellectual property rights.

In the future, in order to establish the ASEAN Institute for Intellectual Property, it is important to train intellectual property researchers in addition to intellectual property practitioners. It is also necessary to discuss the establishment of the Institute for Intellectual Property, focusing on member countries where intellectual property researchers have been nurtured. Furthermore, it is required to promote joint work with member countries in the region. In doing so, it will be particularly helpful to promote intellectual property research by making industrial development a common issue in member countries.

IV. Conclusions

1. Overall observation

The important thing is to think carefully about the difference between intellectual property research and intellectual property education. ASEAN IP specialists have been steadily nurtured. Intellectual property education for domestic universities, companies, society in general, etc. is domestically procured and can be fully handled using their own language. This is clear from the VIPRI example. What advanced countries should support for the development of ASEAN countries is that IP education should be promoted as before, but support for IP research based on the needs of each country should be strengthened.

In order to promote the creation, protection, and utilization of intellectual property in each ASEAN country, it is important to conduct basic research on intellectual property locally. As a future approach from Japan, the importance of IP research as a function different from IP education should be pointed out. In Japan, IIP was established as a research organization separately from INPIT, which is in charge of intellectual property education. Mainly, IIP has conducted basic research related to intellectual property law amendment, and has utilized the research results as basic data necessary for legal

amendment. However, nowadays there are a wide range of research themes. For example, integration of intellectual property activities and business, intellectual property activities necessary for startup, evaluation of intellectual property value, technology trend analysis utilizing intellectual property information, prediction of future technology, protection of intellectual property of IoT and AI technology, standardization And intellectual property rights, M&A and intellectual property rights, intellectual property rights and marketing, business expansion and intellectual property rights of SMEs, and business expansion and intellectual property rights by licensing. In this way, intellectual property research has spread to a wide variety of areas, and intellectual property research in these areas will become increasingly important in the future. Of course, since research results can be used as teaching materials for future intellectual property education, cooperation between intellectual property education institutions and intellectual property research institutions is important, and an organization for that purpose is also needed. It is important to distinguish the importance of intellectual property research from intellectual property education. Advanced countries in Europe and the United States are focusing on intellectual property education for ASEAN human resources with the aim of profits for Western companies. Japan, on the other hand, understands the intellectual property research needs of each ASEAN country, and focuses on support that allows each country to exert their own leadership and work on intellectual property research for the development of that country.

2. Proposals for future activities

We should consider establishing an IP Academy one step ahead. In addition to intellectual property education for foreign companies, the viewpoint of intellectual property education and intellectual property research for industrial development in ASEAN member countries is important. To achieve this goal, it is important to first understand and understand intellectual property education and intellectual property research.

I think Japan will need to support ASEAN's leadership in discussions on how IP education and IP research should be for the development of ASEAN member states. In addition to accumulating achievements in intellectual property research activities in each country, it is expected to establish an “Intellectual Property Research Forum” and study intellectual property research policies.

3. Further research in the future

Based on this survey, the voices were addressed that the Philippines, Thailand, Vietnam, Malaysia, and Indonesia should be included, if the joint working group for intellectual property

research will be established as the first step. In order to establish a joint working group, it is necessary to conduct further research and hearing on these countries and to set up a specific process for future consideration.

First, with the participation of five countries, the “Intellectual Property Research Forum” should be established, and the first seminar should be held as soon as possible. The theme of the seminar is “Toward the Future of Intellectual Property Research.” And while thinking about what intellectual property research is, we will use it as a place to present intellectual property research results from ASEAN. In the future, the Intellectual Property Research Forum will be expanded and developed in 10 ASEAN countries. Developed countries such as EUIPO plan to develop intellectual property education in ASEAN to protect their own companies in developed countries. In contrast, Japan should explain the importance of intellectual property research to ASEAN member countries and continue to support intellectual property research necessary to foster the industry of ASEAN member countries.