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Editorial

Myanmar has made a new establishment in IP protection early of this year. From February 9, 2024, copyrights and related rights applications can be filed in Myanmar according to the Notification No. 4/2024 dated February 9, 2024 issued by Myanmar Intellectual Property Department (IPD).

Similar to the copyright system in Japan and Thailand, the new Copyright Law in Myanmar grants the right automatically upon the creation of a work. Therefore, registering copyrights in Myanmar is considered as optional. However, to register copyright is recommended for enforcement purposes as evidence to prove the ownerships and in order to prevent the loss of rights of IP owner. Regarding the requirement, the foreign works can be registered in Myanmar if the work is first published in other countries and also published in Myanmar within thirty days from the first publication.

Currently, the application can be filed by the authorized Representative to IP Department's E-filing system at <https://crfile.ipd.gov.mm/>. For the timeframe, we expect in the range of at least 6 to 9 months from filing up to obtaining registration certificate.

With the upcoming copyright law, there are trademark and industrial design applications already opened for filing since October last year. For patent applications, Myanmar is moving forward with the draft law. The effective date will be announced at a later stage. We will continue to monitor their developments closely and keep you update on the IP news in Myanmar and ASEAN region on our website.

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1. Vietnam expects a strong wave of Chinese investment

(From www.nationthailand.com, December 18, 2023)

Viet Nam News, Asia News Network – Many Chinese enterprises, especially those with the ability in the global supply chain, have made investment surveys in the northern provinces of Vietnam. Chinese has been one of the largest foreign investors over the past five years. In 2023, China pumped \$3.96 billion into Vietnam, ranking fourth among countries and territories investors. Chinese financiers have injected over \$27 billion in 4,161 projects across Vietnam, placing sixth out of 143 countries and territories investors. According to the Ministry of

Planning and Investment (MPI), investment capital flows from China to Vietnam have changed significantly in a variety of areas. In addition to restaurants, hotels, and consumer goods, Chinese investors have expanded into electricity, electronics, tire production, textiles, and footwear.

2. Foreigners invested THB98 billion in 11 months, creating over 6,000 jobs

(From www.nationthailand.com, December 22, 2023)

Bangkok – Foreign investments in Thailand for 2023 amounted to 98.288 billion baht and led to the creation of jobs for 6,086 people. The highest number of foreign investors are from Japan – 129 – accounting for 21% with total investment of 30.106 billion baht. Singapore was next with 95 investors, accounting for 16%, with investments amounting to 22.219 billion baht. The United States was third: 95 investors, accounting for 16%, with investments of 4.235 billion baht. A total of 56 investors from China accounted for 9%, with total investments of 15.818 billion baht. The value of investment in the EEC area was 19.531 billion baht. There were 403 proposals had been approved under investment promotion laws or under the laws governing industrial estates in Thailand and the utilization of rights under international agreements or agreements between countries.

3. Japan's R&I retains Thailand's sovereign credit rating of 'A-'

(From www.nationthailand.com, December 22, 2023)

Bangkok – The Finance Ministry's Public Debt Management Office reported Thailand credit rating of "A-" with a "stable outlook" from Japan's Rating and Investment Information Inc (R&I), which retains at the same level as for 2022. The office summarized R&I's analysis of the Thai economy in 2024 as driven by private consumption and tourism, with the main supporting factor being direct foreign investment, especially in the electrical, electronic and automotive industries. The export would continue to slow, reflecting the sluggish international economy. It estimated that Thailand's current account balance would return to a surplus in 2023, while the foreign exchange reserve will stand at a high level.

4. Talk with EU on free trade pact to start next month

(From www.nationthailand.com, December 25, 2023)

Bangkok – Thailand will host a second round of talks on a free trade agreement (FTA) with the European Union (EU) on the liberalization of trade, investment and services. Both parties have a goal of finalizing negotiations by 2025. The EU is Thailand's fourth-largest trading partner behind China, the US and Japan, respectively. Two-way trade value between Thailand and the EU during the first 10 months tallied US\$35 billion, a rise of 1.96% year-on-year, representing

7.3% of Thailand's total trade value worldwide. Thailand's exports to the EU were worth \$18.2 billion, a decrease of 4.42%, while imports from the EU reached \$16.7 billion, representing a 9.9% increase.

5. Samsung to boost patent leadership with 'Ironflex' trademark for foldable displays

(From www.nationthailand.com, January 7, 2024)

The Korea Herald, Asia News Network – Samsung display has registered the “Ironflex” trademark for its next foldable display technology. The filing was submitted to the US Patent and Trademark Office on Jan. 3 and is waiting for the agency's review. Similar filings are also found to have been made in South Korea and the UK. The mark consists of standard characters without claim to any particular font style, size or color. In the filing, Samsung requested its use for a range of gadgets using foldable displays, including smartphones, monitors and tablet PCs. The filing comes as Samsung Display is ramping up research and development efforts to widen the gap with smaller rivals in the burgeoning foldable display market.

6. Phangnga sites have high lithium content

(From Bangkok Post, Thailand, January 13, 2024)

Thailand – Two major lithium deposits in Phangnga are confirmed by a Thai geochemistry expert to have a higher content of lithium than many other key deposits in the world. The finding supports the government's ambitious plan to make Thailand a hub for producing electric vehicles and parts. The Department of Primary Industries and Mines had granted a license for lithium exploration in three sites in Takua Thung district of Phangnga. The exploration site called Ruangkiat found at least 14.8 million tonnes of lithium (with 0.45% lithium oxide). If granted a lithium-mining licence, the Ruangkiat site would be able to serve at least 1 million electric vehicles that use a 50kWh lithium battery. The department is speeding up the process for lithium exploration and is looking forward to granting new lithium mining licences.

7. EV makers call for equal treatment in Thailand

(From Bangkok Post, Thailand, January 17, 2024)

Bangkok – Car manufacturers from Europe, the US and South Korea want the government to ensure its electric vehicle promotion policy is mutually beneficial to all EV makers, following concerns that rivals from China and Japan have gained the upper hand. The government insisted equally supports all car companies and investment through EV incentive packages. The cabinet also approved a new EV incentive package to further grow of EV industry. The 34.1-billion-baht scheme covers subsidies, reduced import duties for fully assembled cars and excise tax cut. Currently, certain countries in Europe and the US, have yet to sign FTAs with Thailand, the FTI

calls for accelerated trade agreement talks with Europe and the US to support trade and investment.

8. Power bills likely stable in 2024

(From Bangkok Post, Thailand, January 17, 2024)

Bangkok – Electricity bills in Thailand are unlikely to be trimmed from the existing rate as the power tariff is expected stay in a range of 4.2-4.25 baht per kilowatt-hour (unit). The Energy Regulatory Commission (ERC) agreed to reduce the power tariff to 4.2 baht a unit, down from 4.68 baht a unit, applicable from January to April. This will take longer to repay the Electricity Generating Authority of Thailand (Egat), which ran a huge loss from its previous subsidy to control electricity prices. Gas production in the Gulf of Thailand has limited supply and caused Thailand to import more liquefied natural gas (LNG) in 2022 when price skyrocketed. Gas comprises 60% of the fuel used for power generation. The country imports gas from offshore fields in Myanmar.

9. Jetro optimistic about Thai economy in 2nd half of 2024

(From www.nationthailand.com, January 31, 2024)

Bangkok – The Japan Chamber of Commerce and Industry Bangkok (JCCB) conducted an economic trend survey of Japanese joint venture companies in Thailand at the end of last year. The survey conducted with 1,646 JCCB members, and 539 responding companies (32.7%), indicated a negative economic trend reflected by the Diffusion Index (DI). The DI stood at -10 in the first half of 2023 and further decreased to -16 in the second half of the year. It is expected to improve to 10 in the first half of this year. The negative DI attributed to sluggish durable goods consumption, the global economic slowdown, and reduced exports due to monetary policies.

10. Chinese-made elephant pants face import ban

(From Bangkok Post, Thailand, February 6, 2024)

Bangkok – The Customs Department has been told to ban Chinese imports of elephant-patterned pants as the pattern's copyright has now been registered. Concern about this popular clothing was raised when a Facebook page, "Lui Chine" or "shoot2china", which has 1.4 million followers, posted that pants that were sold on Chinese online shopping platforms were at least ten times cheaper than in Thailand. It added that some Thai vendors had imported items from China. Prime Minister Srettha Thavisin said this issue is a reminder for the government to resolve copyright issues and marketing appropriation. "Some fundamental problems such as copyright protection needed to be prioritized", he added.