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Industrial designs can soon be registered locally

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LOCAL industrial designers can register their designs locally, instead of in the UK, once the Industrial Designs Act 1996 is enforced before the end of the year.

Deputy Domestic Trade and Consumer Affairs Minister Datuk S Subramaniam said details of the procedures are being finalised.

The Act, which was based on a proposal by the World Intellectual Property Organisation and the Malaysian Inventions and Designs Society, was gazetted at the end of last year.

Its draft was reviewed by a committee comprising representatives of government agencies and the private sector such as the Malaysian Intellectual Property Association (Mipa) and Federation of Malaysian Manufacturers.

The Act, seeks to make better provisions for the registration of industrial designs in Malaysia, repeals the UK Designs (Protection) Act 1949 of West Malaysia, the UK Designs (Protection) Ordinance, (Chapter 152) of Sabah and the Designs (UK) Ordinance, (Chapter 59) of Sarawak.

The Act also deals with various activities amounting to falsification and false representation with regard to protected designs. Offenders can be fined up to RM15,000 or jailed up to two years.

"Designers who have registered their designs in the UK need not register again but renewals can be made locally upon the expired dates," he said after opening the Mipa Intellectual Property Roundup 1997 in Kuala Lumpur yesterday.

The registration of designs was vital as it will determine the products marketability, quality and competitiveness. The introduction of the Act will complete the legislation system on intellectual properties besides fulfilling the country's obligations under the Trade Related Aspects of Intellectual Rights, of which Malaysia is among the signatories.

Subramaniam said for the past two months, there were 59 cases violating Copyright Act 1987. The Ministry confiscated RM149,000 worth of goods this year.

Last year, there were 467 cases with RM2.13 million worth of goods confiscated in all categories involving films, sound, art and literature and computer.

Earlier, Subramaniam said Prime Minister Datuk Seri Mahathir Mohamad is expected to make announcement on the proposed cyber laws this month.

University Malaya Associate Professor Dr Khaw Lake Tee said cyber laws are protection of intellectual properties rights to facilitate multimedia applications and information technology.

She said the five areas identified as crucial in cyber laws are: intellectual properties, computer crime, digital signature, telemedicine and electronic government.

Three bills related to the cyber laws are Copyright (amendment) Bill, Digital Signature Bill and the Computer Crimes Bill.

Khaw, in her paper "Multimedia and Cyberlaws", said the scope of concern to a producer of a multimedia title is the ability to control the copying and the dissemination of the product.

"It should be noted that under the Copyright Act, no distinction is made between literary, musical and artistic work and subject matter such as films and sound recordings," she said.

Khaw also said works specially created for the making of the multimedia

will be entitled to copyright over and above any copyright in the multimedia product. The two day conference ending today attempts to give a general overview to the public on intellectual properties rights within the existing legal framework.

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