

KEYNOTE SPEECH BY

**Yang Berhormat Datin Seri Paduka Hajah Hayati Binti Pehin Orang Kaya
Shahbandar Dato Seri Paduka Haji Mohd. Salleh**

Attorney General

**at the
'30 Seconds Infomercial Awards Ceremony'
in conjunction with
World Intellectual Property Day
26 April 2013
"Creativity *The Next Generation*"**

**Venue
iCentre
Anggerek Desa
Bandar Seri Begawan**

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

السلام عليكم ورحمة الله وبركاته

and a very good morning

Yang Mulia Dr Manaf Metussin, Acting Chief Executive Officer, BEDB

Mr David Kay, CEO, TelBru

Mr Candra Darusman Representative from World Intellectual Property Organisation

Your Excellencies, Permanent Secretaries, Board Members, Deputy Permanent Secretaries, Distinguished Guests, Ladies and Gentlemen.

May I begin by expressing my gratitude to Yang Mulia Dato Paduka Haji Ali bin Haji Apong, the Deputy Minister of the Prime Minister's Office as Chairman of Brunei Economic Development Board (BEDB) and the Organising Committee for inviting me as the guest of honour to this '30 seconds Infomercial awards ceremony' which is held in conjunction with World Intellectual Property Day with the theme 'Creativity – the next generation'. I would also like to commend TelBru as a partner in organising the competition. Such partnership is to be encouraged especially in our efforts to increase awareness of the importance of IP in Brunei Darussalam.

Most of you here would know, that personally, it gives me much pleasure to be here, as the development of IP in Brunei Darussalam has a special place in my heart. Listening to Yang Mulia Dr Manaf, the Acting CEO BEBD's, speech about all the efforts made by the PRO and BEDB's

incentive schemes to promote and support IP in Brunei Darussalam make me even happier and prouder to be here! Congratulations and keep up the good work.

Ladies and Gentlemen,

The theme for this year's world IP Day "Creativity: the Next Generation", is indeed very relevant and important to us especially to our new generation.

Lets look at the mobile phone! I am told that this year the mobile phone is 40 years old (just a few years younger than me 😊). I remember that it was once a chunky thing and very very heavy. At that time it was very expensive, the functions were limited and not everyone has access to it. I remember carrying it around with much pride, (and pains in my wrist). My boss then, assured me, how useful it would be to me "for my self-defence" as I had to commute a lot from BSB to KB then! Today it is more commonly referred to as a 'Smart phone', smaller, lighter and accessible to everyone. With a touch of a button the world is at the tip of our hands. Some of us may dread, some may look forward to the day when it can read minds and know what we want. Its development not only benefitted the creators but we as consumers have grown to rely on it. [or some, too dependent on it]

All this was made possible with creative thinking....the ability to be imaginative, innovative and also to challenge oneself to break old moulds and create new ones. What's next. A car that can drive itself? What awaits us in the future? Ask the new generation – says WIPO! And correctly so!

Creativity is of course not limited to products like the mobile phone and can be expressed in many different forms. Lets talk about that famous and now, very rich man, PSY who was quoted as saying that he was doing his horse riding dance for 12 years in Korea and nobody took real notice until he posted it on 'YouTube'. To date, it had 15 billion views! Suddenly, you see, Presidents, celebrities and Attorney General (sorry, may be not Brunei's AG) dancing the "The Gangnam Style"!! or trying to!! Ban Ki-moon, UN Secretary General, said that he used to be the most famous Korean but PSY has taken over! His new video "Gentleman" just 9 days after its release, has 200 million views!! Amazing!!

I was recently in Kyoto, Japan for the 3rd ASEAN-Japan Heads of IP Offices Meeting and Symposium. Apart from enjoying the breathtaking views of the Cherry Blossom (Sakura) and sampling Sakura tea, Sakura candies etc, I managed to collect many impressive 'success story' and I would like to share one, with you, especially the participants in the hope that it will inspire you.

The product was silicon rubber bands in the shape of animals, "Animal Rubber Band." At the designer's requests, the product made its debut at the museum shop in the United States, and got the world's attention. Apparently, at present, about 30 million animal rubber bands live throughout the world. Imagine that!

Under such circumstances, the company's management policy was highly valued by the Development Bank of Japan which provides loans on security of intellectual property rights, and the said bank provided a loan on security of the design right for Animal Rubber Band with good design. It was the first time for the bank to provide a loan on

security of a design right. Around the time of the end of the redemption of the loan, the bank provided a loan on security of a design right a second time, focusing attention on the future potential of the design of “Cupmen” (a weight for the lid of cup noodles). The fact that the value of designs was recognized is a great pride and encouragement for designers and other persons engaging in design. What an inspiring story!! (or as our young generation including my children would say – HOW AWESOME IS THAT?)

Ladies and Gentlemen,

Of course, as it is evident from that success story, and many others, creativity requires a conducive environment to thrive and succeed. An environment that helps promote and protect innovation and creativity. An environment that understand and respect IP rights, be it patent, industrial design, trademarks, copyrights and related rights. Therein lies the challenges not just for Brunei Darussalam. But, I would, if I may say that, with the support of His Majesty The Sultan and Yang Di-Pertuan, Brunei Darussalam has taken great strides despite the many challenges.

In the context of development and protection for intellectual property in Brunei Darussalam, I am pleased that efforts towards the establishment of a national IP office is progressing well. The first phase being the transfer of the registries ie Patent and Industrial Design to the BEDB was completed. This year we are targeting the transfer of the registry of trade marks. Our journey may be full of challenges but with all your support I am confident, we will arrive to our destination, Insha Allah.

In addition, the Attorney General's Chambers and Patent Registry Office are working together to review our laws and also international conventions and treaties to ensure that IP protection in Brunei is in accordance with Brunei Darussalam's needs, and consistent with international standards. Last year Brunei Darussalam became a Party to the Paris Convention, the Patent Cooperation Treaty and the Budapest Treaty. I am also informed that His Majesty the Sultan and Yang Di Pertuan has also consented for Brunei Darussalam to accede to the Hague Agreement. Other treaties, such as the Madrid Protocol and the WIPO Copyright Treaty (WCT) and WIPO Performances and Phonograms Treaty (WPPT) are still undergoing review. This process would need review of the laws and our needs as well as consultations. We are also utilising the support from many, such as, WIPO, USPTO, JPO, ASEAN Secretariat, amongst others and we are grateful for their assistance especially in the human resource development, accession to international treaties, sharing of best practises and raising awareness and others.

Ladies and Gentlemen,

On the enforcement side, you may have observed the recent laudable efforts by the authorities to curb selling or counterfeit CDs and DVDs. The Criminal Justice Division (CJD) of the Attorney General's Chambers has also successfully prosecuted cases in Brunei courts. In order to strengthen our enforcement initiatives under the Copyright Order, we are in the final stages of amending the Copyright Order to increase the penalties and also enhance the enforcement powers. This is made possible with the consultations and cooperation with all the relevant agencies and I wish to commend them for their admirable commitment, on top, of their already demanding responsibilities.

During my speech at the opening for the PCT and Budapest System training at the Empire Hotel and Country Club in July last year, I expressed my hope for the BEDB to consider developing a National IP Strategy. Why is it important? According to WIPO, an IP strategy is a set of measures formulated and implemented by a government to encourage and facilitate effective creations, development and management of IP. It outlines how to develop infrastructures and capacities to support investors of IP to protect develop and exploit their inventions. It therefore spells out how best to develop the talent base for an innovation system that attract foreign direct investment and help in building an inclusive economy. It will be a comprehensive national document which outlines how all the policy development and implementation takes place in a co-ordinated manner with a national framework. I believe that a National IP Strategy and the establishment of a full-fledged IP office will definitely signify a remarkable milestone for the development of IP in Brunei Darussalam especially in realising Wawasan 2035. The AGC pledges its support and assistance, whenever required.

Finally, I would like to thank you again for inviting me here today. I congratulate the winners and commend all other participants in the '30 second Infomercial competition'. I hope your experience will inspire and challenge the creativity in you and others to do even better in the future and I look forward to listen to your success story one day and to share it with Brunei Darussalam and the world!!

وبالله التوفيق والهداية ، السلام عليكم ورحمة الله وبركاته

Thank you.