IP Development in Cambodia

AIPSA 20th Annual Conference

05 March 2016

SIM Sokheng
President of Secretariat of National Committee for IPR
Director of Department of Intellectual Property
Ministry of Commerce
1. Legislations


3. **Law on Copyright** and Related Rights: Law on Copyright and Related Rights on 05 March 2003.

4. **Law on Seed Management** including Breeder Right Protection on 13 May 2008.

5. Law on **Geographical Indication** on 20 January 2014.

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2. Mark Statistics

2015: $6,205 + 871 = 7,076$
3. Geographical Indication

4. Patent & Industrial Designs

First Singapore patent recognised in Cambodia

Singapore, 10 March 2015 – Businesses or inventors seeking patent protection in Cambodia may now do so through the Intellectual Property Office of Singapore (IPOS).

6. Cooperation and Agreements

1. Cambodia-US on Trade Relations and IPR Protection in 1996
2. Cambodia-Thailand on IP Cooperation in 1997
3. Cambodia-China on IP Cooperation in 2011
4. Cambodia-Japan on IP Cooperation on 27 November 2014
5. Cambodia-Korea on IP Cooperation on 13 December 2014
6. Cambodia-Singapore on IP Cooperation on 20 January 2015
9. ASEAN Framework Agreement on IP Cooperation in 1999
10. Trade-Related Aspects of IP Rights (TRIPS) in 2004
11. ASEAN-China on IP Cooperation in 2009
12. ASEAN-Australia NZ FTA (IP Chapter) in 2010
13. ASEAN-Japan on IP Cooperation in 2012
14. ASEAN-EU (EPO) on IP Cooperation in 2014
15. Madrid Protocol for International Registration of Marks on 5 March 2015

7. Flow of Mark Registration

- APPLICATION FILED (1)
- ACKNOWLEDGEMENT (2) (Filing Requirement Meet)
- FORMALITY CHECK (3) (All Contained in Application Form Must Be Fulfilled)
- SUBSTANTIVE EXAMINATION (4)
- REGISTRATION (5)
- PUBLICATION (6)
  - OPPOSITION, IF ANY (7)
  - APPEAL, IF ANY (8)
  - COURT(S), IF ANY (9)
Minimum Requirements

➢ To allocate a filing date and an application number, the following minimum requirements must be met at the time of filing an application:

1. The name of the applicant;
2. An address to which communications can be directed, including local address for service
3. A reproduction of the mark;
4. A Specification of goods or services;
5. The required filing fee

8. Penalties

• Imprisonment from one to six months or fine of not more than 5 (five) million riels or both for false documents (Article 63).
• Imprisonment from 1 (one) to 5 (five) years or fine of from 1 (one) to 20 (twenty) million riels or both for infringement acts (Article 64).
• Whoever willfully imports, sells, offers for sale or has purpose of sale goods bearing a counterfeit mark shall be liable to the penalties provided in Article 64 [1-5 years] (Article 66).
Many Thanks!
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