

## **Background**

Singapore is currently conducting a comprehensive review of its IP laws with the aim to enhance and strengthen its IP protection regime. With this review, Singapore will soon see the addition of a new protection regime especially dedicated to protect the rights of the plant breeders.

Part of the review will implement changes to the current Acts as a result of the United States – Singapore Free Trade Agreement inked by President George W Bush and Prime Minister Goh Chok Tong on 6 May 2003.

The USSFTA strengthens our already significant bilateral trade and economic relations. The US is currently Singapore's second largest trading partner and second top export destination. In 2003, Singapore's total trade with US was S\$64.52 million. This figure represented almost 14% of Singapore's total trade with the world. Overall, the USSFTA is also estimated to boost Singapore's GDP by 0.5%.

The IP Chapter of the USSFTA represents a substantial victory for supporters of intellectual property both in Singapore and the US. The provisions in the chapter peg Singapore's IP laws to the best in the world and set the stage for Singapore's continued emergence as a global IP hub.

The IP Chapter in the USSFTA is part of Singapore's efforts to ensure it has the advanced regulatory infrastructure to support Singapore's growing knowledge economy. The USSFTA legislation provides a boost for industries where IP plays an important role, particularly in IT, pharmaceuticals, technology, science and creative industries.

## **Public Consultation**

As the lead agency for IP in Singapore, the Intellectual Property Office of Singapore would like to solicit feedback from you and your organisation on **the Trade Marks (Amendment) Bill 2004** Public consultation will take place during 29 March to 25 April 2004. All feedback and comments can be channelled via this email address: [ipos\\_ipchapter@ipos.gov.sg](mailto:ipos_ipchapter@ipos.gov.sg)

This is the first time the consolidated Trade Marks (Amendment) Bill is being released for public opinion. Prior to this, there had been several rounds of closed door consultations on different aspects of the draft bill conducted with industry representatives.

### **About Trade Marks (Amendment) Bill**

Singapore is reviewing its Trade Marks Act and is proposing to make several amendments to provide greater protection for our businesses. The amendments will open up more avenues to protect businesses' investment in branding, licensing and product development.

The Trade Marks (Amendment) Bill covers the following areas:

- a) Removal of the requirement for trade marks to be “visually perceptible”
- b) Giving effect to WIPO's Joint Recommendations Concerning the Protection of Well-Known Marks
- c) Facilitation of trade mark licensing activities with the removal of certain administrative requirements on licensees.
- d) Introduction of the remedy of statutory damages in certain cases of trade mark infringement
- e) Strengthened enforcement regime with less stringent notification requirements for Customs enforcement action and provisions to allow for *ex officio* border measures
- f) Giving effect to the Trade Mark Law Treaty (except Articles 6 and 7)