

COUNTRY PAPER

BANGLADESH

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About Bangladesh

- Name : People's Republic of Bangladesh.
- Bangladesh is a small south Asian country. It lies between 20° 34' and 26° 38' north latitude and 88° 01' and 92° 41' east longitude.
- Bangladesh is bordered by India to the north-east and west, Myanmar to the south-east, and the Bay of Bengal to the south.
- The climate in Bangladesh is sub-tropical, with temperatures ranging from a daytime low of 18° c in the winter season to a maximum of 40° c in the summer.
- Population: Around 140,000,000
- Area: 147,570 km²
- Economy: Mainly agro-based .
- Name of the IP Office: Department of Patents Designs and Trademarks (DPDT), Ministry of Industries, Dhaka.
- Head of the Department : Registrar
- Manpower: 120



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IP OFFICE OVERVIEW

- previous Patent Office and the Trademarks Registry Office has been merged together and “Department of Patents, Designs and Trademarks (DPDT)” has been established which is functioning under the Ministry of Industries.
- Total manpower : 120 (Officers: 47 + Staff: 73)
- Bangladesh has inherited intellectual property system from the British regime.
- Government of the People’s Republic of Bangladesh has given more importance to upgrade/modernize the IP laws keeping it in conformity with Trade Related Aspects of Intellectual Property Rights (TRIPS).

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National IP legislation

- The Patents and Designs Act, 1911;
- The Patents and Designs Rules, 1933;
- The Trademarks Law, 2009 ;
- The Trademarks Rules, 1963;
- The Copyright Act, 2000 [amended in 2005] ;

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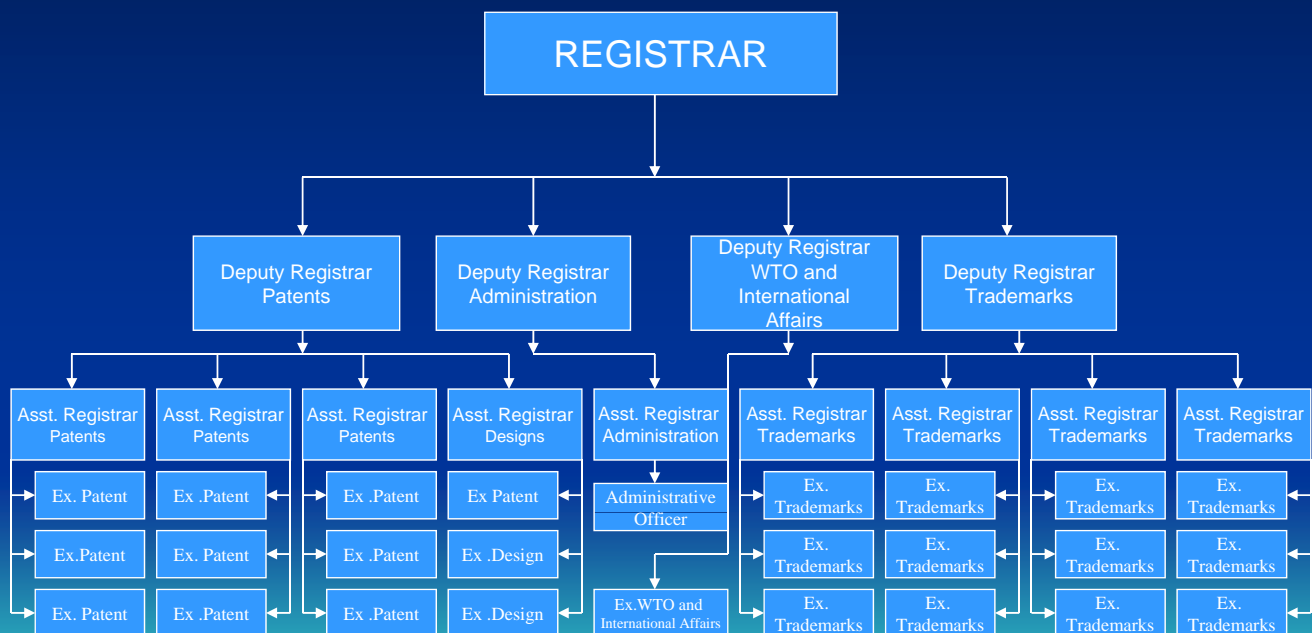
National IP legislation contd.

- Draft Patent Law, 2009 (on going) ;
- Draft Design Law, 2009 (on going) ;
- Draft Geographical Indications law, 2009 (on going) ;
- Draft law on Lay Out Designs (topographic) of Integrated Circuits (on going)

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Organizational Structure Department of Patents, Designs and Trademarks (DPDT)

- Total manpower : 120 (Officers: 47 + Staff: 73)



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IP Functions

- for the betterment of IP protection in Bangladesh, the Govt. has taken some necessary initiatives to improve the infrastructure of the IP Office and to increase the manpower of the IP office as well as computerization of the IP System.
- for the awareness of the public, Govt. of the People's Republic of Bangladesh, organizing national seminars time to time.

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IP functions contd.

- The Department of Patent, Design and Trademarks (DPDT) is the apex organization of the Government of Bangladesh for the administration of intellectual property.
- Main functions of the Department are as follows:
 - (a) to administer the Patents & Designs Act 1911 and Rules 1933 for the protection of Patents and industrial designs;
 - (b) to administer the Trademarks Law, 2009 and Rules 1963 for registration of trademarks;

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IP functions contd.

- (c) to receive the patent applications for invention in any field of technology and examine them as to form and as to substance and grant patents
- (d) to protect patents for new inventions and innovations whether it is product or process.
- (d) to secure the protection of invention for obtaining a patent for a period of 16 years term, which is extendable up to another 10 years.

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IP functions contd.

- (e) to receive & examine the industrial design applications.
- (f) to register industrial designs and maintain the registrations of such applications.
- (g) to secure the protection for registration of industrial design of a new and original industrial design for a period of 5 years, which is extendable for another two terms of 5 years each.

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IP functions contd.

(h) to receive & examine the trademarks Applications.

(i) to register the trademarks and maintain the registrations of such applications.

(j) to provide a legal framework for enforcement and to check the unauthorized usage of trademarks and their infringement.

(k) to protect the interest of trademark owners according to the Trademarks Act, 2009.

(l) to dispose of the opposition and rectification cases related to patents, designs and trademarks.

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Statistics for the Patent Applications in Bangladesh for last 10 years

Year	Patents Applied			Patents Granted		
	Domestic	Foreign	Total	Domestic	Foreign	Total
1998	32	184	216	14	126	140
1999	49	200	249	26	122	148
2000	70	248	318	04	138	142
2001	59	236	295	21	185	206
2002	43	246	289	24	233	257
2003	58	260	318	14	208	222
2004	48	268	316	28	202	230
2005	50	294	344	21	161	182
2006	23	287	310	16	146	162
2007	27	269	296	06	211	217
2008	60	278	338	14	151	165
2009	55	275	330	28	103	131

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Statistics for the Design Applications in Bangladesh for the last 10 years

Year	Designs Applied			Designs Registered		
	Domestic	Foreign	Total	Domestic	Foreign	Total
1998	649	33	682	392	17	409
1999	815	40	855	410	25	435
2000	693	63	756	590	39	629
2001	1046	24	1070	795	30	825
2002	1020	11	1031	732	22	754
2003	680	10	690	588	12	600
2004	739	35	794	448	12	460
2005	900	109	1009	756	60	816
2006	1040	60	1100	800	50	850
2007	748	71	819	366	41	407
2008	473	38	511	364	51	415
2009	954	38	992	376	18	394

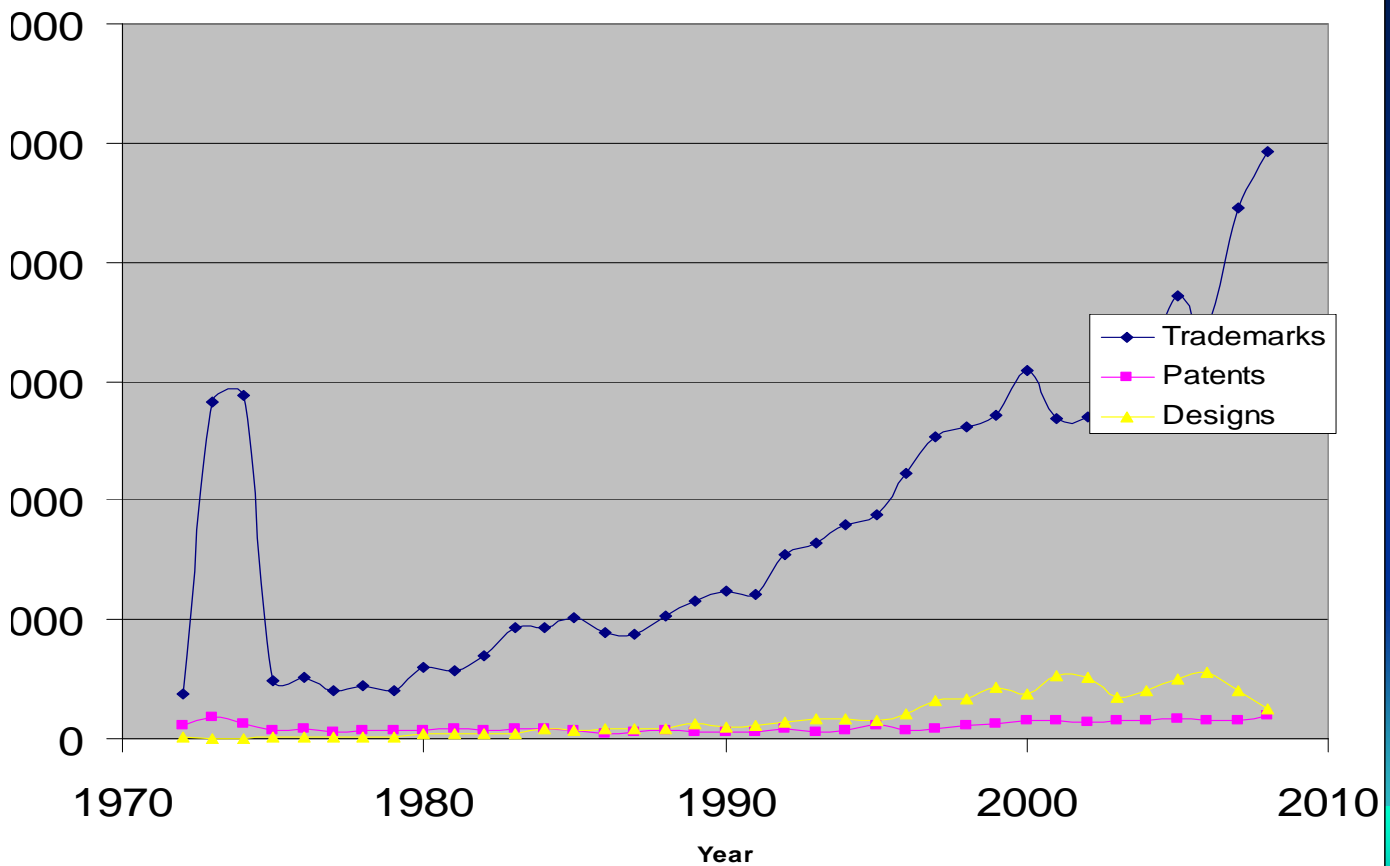
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Statistics for the Trademark Applications in Bangladesh for last 10 years

Year	TM Applications Filed			TM Applications Registered		
	Domestic	Overseas	Total	Domestic	Overseas	Total
1998	3204	1351	4555	146	140	286
1999	3424	1336	4760	127	219	346
2000	4040	1479	5519	262	466	728
2001	3502	1242	4744	487	228	715
2002	3612	1228	4840	268	190	458
2003	4085	1310	5395	308	227	535
2004	3918	1889	5807	64	262	326
2005	5512	1252	6764	24	195	219
2006	5171	1280	6451	32	149	181
2007	5002	3230	8232	126	493	619
2008	6034	3187	9221	132	423	555
2009	7447	1859	9306	170	909	1079

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Trend of applications for Trademarks, Patents and Designs from the year 1972 to 2008



Automation of DPDT

- Granting of Patents system of the Department have been partially automated under a project titled "Nationally Focused Action Plan (NFAP) for the Government of Bangladesh for Modernization of Patent Office " with the technical and financial assistance of WIPO.
- Registration of Trademarks system has also been partially automated under a separate project titled "Modernization and strengthening of Intellectual Property administration in Bangladesh" with the technical and financial assistance of WIPO.

Automation contd.

- Currently, a project under the title “Intellectual Property Rights (IPR) Project” with the technical and financial assistance from EC and WIPO is being implemented.
- Implementation of the project will ensure better service to public and private sector, industrialists and R&D institutes.
- An automated database of granted patents, registered designs and trademarks is underway that will help to enhance the IP activity in Bangladesh.
- Establishment of Bangladesh Intellectual Property Organization (BIPO), bringing all IP related offices under one umbrella organization is under process

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Duties of the Registrar

- The Registrar discharges all duties and responsibilities as the Chief Executive of the Department of Patent, Design and Trademarks as per the rules and regulations of the Government.
- He also advises the Government on framing the policy relating to the technical matters of the Department.
- He exercises all powers entrusted on him by the Patents & Designs Act 1911 & Patents & Designs Rules 1933 and Trademarks Law 2009 & Trademarks Rule 1963.

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Duties of the Registrar contd.

- He takes final decision on the applications received by the Department for registration purposes.
- He also acts as a tribunal for the disposal of cases of opposition and rectification.
- The Registrar issues all the legal documents of registrations related to Industrial Design and Trademarks and also grants the patent rights as per the relevant acts.

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Bangladesh is signatory to following international treaties

from:

- (i) Convention establishing the World Intellectual Property Organization (WIPO) — May 11, 1985
- (ii) The GATT & TRIPs (WTO Agreement)— April 15, 1994
- (iii) The Paris Convention for the Protection of Industrial Property — March 3, 1991
- (iv) Berne Convention for Protection of Literarily and Artistic Works — May 4, 1999
- (v) Universal Copyright Convention — May 5, 1975

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Cliental Service and Outreach programme

- Bangladesh is now engaged in several programs to promote the protection of intellectual property and enhance the use of intellectual property as an instrument for economic, social, technological and cultural development.
- Bangladesh has necessary laws in the areas of Intellectual Property.
- The current objectives of the intellectual property policy of our country is to update legislation, develop/improve of manpower skill, raise manpower strength and modernize the Industrial Property Office of Bangladesh through complete automation and to amend intellectual Property Laws which are originated from the British Law.

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Cliental Service . contd.

- Remarkable changes in the laws to expedite disposal of cases and to incorporate the recommendations of the TRIPS Agreements are in progress.
- The Department of Patents, Designs and Trademarks is actively involved in dissemination of information contained in patent/design documents, through publications of these documents in the Bangladesh Gazettes, part-IV.

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Cliental Service ..contd.

- Trademarks related information is also published periodically in the Trademarks Journal.
- This office provides information about patents and trademarks and certified copies of patents, designs and trademarks related documents available in the department to the interested members of the public.
- To create public awareness about patents and designs four inspection centers are open by the Government where publications on patent and design matters are kept for public inspection.

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Quality/Performance control of DPDT

- For better cliental service the government has merged the Patent Office and the Trademark Registry Office and established Department of Patent, Design and Trademarks (DPDT).
- DPDT is committed to provide quality service to its clients and improve its performance continuously.
- Keeping it in mind this department has initiated followings :

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Quality/Performance .contd.

- At the patent and design side all the applications for granting patents and registration of industrial designs are being completed in time, and there is no pending.
- While at the trademarks side 1, 44, 706 number of TM applications have been received during the period from 1971 to 2009. Among which 28, 428 number of applications have been registered up to 2009 and certificates have already been issued, Around 80, 503 number of applications are under process for registration, 35, 778 number of applications are abandoned and the remaining 4,054 number of applications applications are un-attended.
- The department took extra measures to overcome this backlog.
- This department ensures to complete all the formalities for granting patent and issuing registration within the given time frame as described in concerned acts and rules.
- While examining the applications our examiners and their supervisors tries to expedite the process following concerned rules and regulations.

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Enforcement

- Enforcement of all IP laws in Bangladesh are related with the customs, police and judiciary of the country.
- National IP education in Bangladesh is not mentionable, only a few public and private Universities are teaching IP, with their limited number of IP related books and teaching materials.
- It is the time to introduce IP curriculum in all public Universities as well as private.

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Training/Seminars Organized on IP

- For the awareness buildup about IP among the people, the following seminars have been arranged during the last 9 years with the Themes given by WIPO for IP Day observance in Bangladesh:
- (i) DPDT organized a seminar in 2001 on “Creating the Future Today”
- (ii) Bangladesh Intellectual Property Attorneys Association (BIPAA) organized a seminar in 2002 on “Encouraging Creativity”
- (iii) BIPAA organized a seminar in 2003 on “Make Intellectual Property Your Business”
- (iv) BIPAA organized another seminar in 2004 on BIPAA organized a seminar in 2003 on “Encouraging Creativity”
- (v) FBCCI organized a seminar in 2005 on “Think Imagine, Create”

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Contd.

- DCCI organized a seminar in 2006 on “Intellectual Property – It starts with an Idea”
- FBCCI organized a seminar in 2007 on “Encouraging Creativity”
- DCCI organized a seminar in 2008 on “Innovation, Respect it”
- FBCCI organized another seminar in 2009 on “Green Innovation as the Key to a Secure Future”

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Contd.

- The activities performed by the DPDT with the help of the Ministry of Industries and other stakeholders on the above mentioned IP Days, are given below in brief:
- (i) Indoor discussion meeting on Observance of IP Day in Bangladesh in the year 2001
- (ii) Indoor discussion meeting on Importance on Protection of IP in the year 2001
- (iii) Discussion meeting on Intellectual Property System in Bangladesh
- (iv) Seminar on Role of IP in Developing Countries
- (v) Moreover Newspaper supplements, TV Talk show are being arranged in every year from the year 2001

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Contd.

- From 09 to 19 August, 2009, a training program on “WIPO Training Course on Intellectual Property for the Government Officers and Lecturers from Tertiary Institutes” was organized by WIPO in Dhaka under the ongoing Intellectual Property Rights (IPR) Project.
- WIPO will arrange several other training programs for the newly appointed examiners of Patents, Designs and Trademarks and other officers of DPDT and the Ministries of Industries under this project.

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