

PLEASE CHECK AGAINST DELIVERY

KEYNOTE ADDRESS BY:

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AT THE THIRD GLOBAL CONGRESS ON COMBATING COUNTERFEITING
AND PIRACY, GENEVA, SWITZERLAND,
30TH JANUARY 2007.

ENHANCING COORDINATION AND COOPERATION

MAY I BEGIN BY SAYING WHAT AN HONOUR IT IS FOR MY COUNTRY AND ME TO BE INVITED TO GIVE THIS KEYNOTE ADDRESS. AT THE OUTSET I MUST EXPRESS MY APPRECIATION TO THE WORLD INTELLECTUAL PROPERTY ORGANIZATION, WORLD CUSTOMS ORGANIZATION AND THE INTERNATIONAL CRIMINAL POLICE ORGANIZATION FOR JOINTLY ORGANIZING THIS SIGNIFICANT EVENT.

COMBATING PIRACY AND COUNTERFEITING IS WITHOUT DOUBT ONE OF THE MOST SERIOUS ISSUES FACING EVERY NATION THROUGHOUT THE WORLD. THERE IS AMPLE EVIDENCE TO SUGGEST THAT IP RELATED CRIME IS GROWING AT A RATE THAT HAS THE POTENTIAL TO SERIOUSLY DISTORT ECONOMIC PROGRESS AND DEVELOPMENT ESPECIALLY IN UNDER DEVELOPED AND DEVELOPING NATIONS.

LADIES AND GENTLEMEN,

THERE ARE PEOPLE WHO SAY TO ME THAT ANTI PIRACY INITIATIVES ARE SIMPLY PALLIATIVES TO PROTECT THE INTERESTS OF LARGE MULTI NATIONAL COMPANIES. NOT SO! I WANT TO PUT THIS MYTH TO REST AT ONCE BY SAYING THAT, IN MALAYSIA FOR EXAMPLE, WE ARE CONCERNED TO ENSURE THAT OUR GROWING IP ASSETS AND THE INNOVATIVE PROGENITORS ARE ENCOURAGED TO BE CREATIVE SURE IN THE KNOWLEDGE THAT THEIR WORK IS PROPERLY RECOGNIZED AND PROTECTED. WE PERCEIVE IP ASSETS AS A GROWING AND VITALLY IMPORTANT SECTOR OF OUR ECONOMY.

THEREFORE, THE CORE THESIS OF MY ADDRESS TODAY IS TO REINFORCE THE WIPO MESSAGE THAT IT IS IN EVERY NATION'S INTEREST TO COLLABORATE IN THE REDUCTION AND ERADICATION OF THIS DEBILITATING CRIME. I HAVE SAID BEFORE AND I SAY AGAIN NOW THAT THIS IS NOT A MATTER THAT CAN BE TACKLED UNILATERALLY BUT ONE THAT NEEDS INTERNATIONAL COOPERATION AND A SUSTAINED COMMITMENT TO MUTUAL CROSS BORDER PREVENTATIVE ACTION. FURTHERMORE, IT IS MY CONTENTION THAT WE MAY WELL BE AT THE CROSSROADS WHERE WE EITHER REINFORCE THE CONCEPT AND PRACTICE OF MUTUALITY OF INTEREST OR ALLOW A FURTHER DRIFT IN TO AN UNCONTROLLABLE ECONOMIC ANARCHY THAT WILL DAMAGE ALL OF OUR COUNTRIES. I AM WELL AWARE THAT THESE ISSUES HAVE BEEN EXPLORED BEFORE IN PREVIOUS MEETINGS BUT I WANT TO USE THIS OCCASION TO STATE UNEQUIVOCALLY THAT THE TIME FOR MERE WORDS AND LIP-SERVICE IS PAST AND THE TIME FOR CONCERTED ACTION HAS ARRIVED.

LADIES AND GENTLEMEN:

PIRACY AND COUNTERFEITING ARE CRIMES THAT CAN BE TACKLED AND, I BELIEVE, REDUCED AND EVENTUALLY ELIMINATED. OUR EXPERIENCE IN MALAYSIA AND THE EVIDENCE FROM ELSEWHERE LEADS ME TO SUGGEST THAT THERE ARE FIVE CRITICAL STRANDS TO COMBATING IP CRIME.

- FIRST IS THE NEED FOR EFFECTIVE LEADERSHIP AND STRONG POLITICAL WILL.
- SECONDLY, SUCH LEADERSHIP NEEDS TO UNDERPINNED BY APPROPRIATE AND FOCUSED LEGISLATION.
- THIRDLY, THE LEGAL SYSTEM MUST BE ABLE TO RESPOND EFFECTIVELY AND WITH APPROPRIATE PROFESSIONAL EXPERTISE.
- FOURTH, THERE HAS TO BE A STRONG ENFORCEMENT REGIME.
- AND LAST, BUT BY NO MEANS LEAST, THERE IS A NEED FOR A RANGE OF EDUCATIONAL AND PUBLIC AWARENESS PROGRAMMES.

PUT ALL THESE FIVE FACTORS TOGETHER AND THE PIRATES AND COUNTERFEITERS WILL PROGRESSIVELY FIND THEMSELVES EITHER IN PRISON OR WITHOUT A MARKET OR BOTH. THESE FACTORS; POLITICAL WILL, SOUND LEGISLATION, ENFORCEMENT, SECURE LEGAL SYSTEMS

AND EDUCATION ARE I BELIEVE THE FIVE CORNERSTONES OF AN EFFECTIVE ANTI COUNTERFEITING AND PIRACY STRATEGY.

LADIES AND GENTLEMEN,

WITH YOUR INDULGENCE I WANT TO USE THIS OCCASION TO SHOW HOW MALAYSIA HAS ADOPTED THIS FIVE STRAND STRATEGY AND SHARE WITH YOU THE RESULTS THAT HAVE ACCRUED THUS FAR FROM ITS IMPLEMENTATION. MAY I ADD THAT I DO THIS NOT WITH HUBRIS BUT RATHER IN THE SPIRIT OF SHARING OF OUR EXPERIENCE AND HOW WE LEARNED FROM THAT EXPERIENCE.

SOME OF YOU MAY REMEMBER THAT ONLY EIGHT YEARS AGO MALAYSIA WAS PLACED ON THE 'TOP PRIORITY' WATCH LIST. IT IS FAIR TO SAY THAT AT THAT TIME OUR RECORD IN TACKLING PIRACY AND COUNTERFEITING WAS SOMEWHAT DISMAL BUT THE CATHARTIC EFFECT OF BEING SEEN IN THIS WAY ACTED AS A WAKE-UP CALL AND WITHIN ONE YEAR WE WERE REMOVED FROM TOP PRIORITY WATCH LIST AND PLACED ON WATCH LIST. THAT WAS A STEEP LEARNING CURVE FOR US AND AS I SHALL DEMONSTRATE SINCE THAT TIME WE HAVE NOT RELENTED IN OUR EFFORTS TO REPOSITION OURSELVES FROM BEING PERCEIVED AS A COUNTERFEITERS HAVEN TO A NATION PURSUING WORLD CLASS COMPLIANCE STANDARDS.

LADIES AND GENTLEMEN,

MALAYSIA'S FIRST STEP INVOLVED THE RECOGNITION THAT EFFECTIVE ENFORCEMENT COULD ONLY TAKE PLACE WHEN BOTH THE GOVERNMENT AND THE PRIVATE SECTOR COOPERATE AND COLLABORATE. THEREFORE, IN 1999 A SPECIAL TASK FORCE TO COMBAT PIRACY WAS FORMED LED BY A CABINET MINISTER. THIS TASK FORCE CONSISTED OF BOTH GOVERNMENT AGENCIES AND THE PRIVATE SECTORS INVOLVED IN THE IP BUSINESS. MY MINISTRY, WHICH IS THE CUSTODIAN OF THE IP LAWS, HAD TO GET THE SUPPORT AND COOPERATION OF OTHER GOVERNMENT AGENCIES THAT HANDLE SOME ASPECTS OF IP LAWS. THE DEPARTMENTS AND AGENCIES INVOLVED INCLUDED:

- THE MINISTRY OF ENERGY, TELECOMMUNICATION AND MULTIMEDIA;
- THE ATTORNEY – GENERAL'S CHAMBER;
- THE ROYAL MALAYSIAN POLICE FROM THE MINISTRY OF HOME AFFAIRS;
- THE ROYAL CUSTOMS AND EXCISE DEPARTMENT FROM THE MINISTRY OF FINANCE;

- THE NATIONAL FILM DEVELOPMENT CORPORATION OF MALAYSIA FROM THE MINISTRY OF CULTURE, ARTS AND HERITAGE;
- THE NATIONAL FILM CENSORSHIP BOARD FROM THE MINISTRY OF HOME AFFAIRS;
- THE MULTIMEDIA DEVELOPMENT CORPORATION FROM THE MINISTRY OF ENERGY, WATER AND COMMUNICATIONS; AND
- LOCAL GOVERNMENT AUTHORITIES

THE PRIVATE SECTOR DEALING WITH IP AND WHO SERVED ON THE TASK FORCE INCLUDED:

- THE PUBLIC PERFORMANCE (M) PRIVATE LIMITED, (A COLLECTIVE MANAGEMENT ORGANIZATION IN THE MUSIC INDUSTRY);
- THE FILM PRODUCERS ASSOCIATION OF MALAYSIA;
- THE BUSINESS SOFTWARE ALLIANCE;
- THE RECORDING INDUSTRY ASSOCIATION OF MALAYSIA; AND
- THE MOTION PICTURE ASSOCIATION.

SEVERAL MEETINGS WERE HELD TO DELIBERATE ON THE MOST EFFECTIVE STRATEGIES AND ACTIONS. FOLLOWING, AND AS A RESULT OF THESE DISCUSSIONS, THE TASK FORCE DESIGNED A THREE-PRONGED APPROACH:

- FIRST, TO IDENTIFY THOSE ASPECTS WHERE THE CURRENT LAWS NEEDED TO BE STRENGTHENED;
- SECONDLY, TO ENHANCE THE ENFORCEMENT REGIMES TO ENSURE INTEGRATED ACTION; AND,
- THIRDLY, TO DEVELOP EDUCATIONAL AND PUBLIC AWARENESS PROGRAMMES.

THE TASK FORCE RAPIDLY APPRECIATED THE NEED TO INTEGRATE ALL THE RELEVANT LAWS. AS YOU CAN IMAGINE THIS WAS MUCH EASIER SAID THAN DONE BUT WITH GOOD WILL AND PERSUASION WE WERE ABLE TO GET THOSE MINISTRIES HANDLING SOME ASPECTS OF IP TO JOIN HANDS. TO GIVE YOU AN IDEA OF THE SCOPE SOME OF THE LEGISLATION AND PARLIAMENTARY ACTS CONCERNED WERE:

- THE FILM CENSORSHIP ACT 2002 UNDER THE MINISTRY OF HOME AFFAIRS;
- PRINTING PRESS AND PUBLICATION ACT 1984 UNDER THE MINISTRY OF HOME AFFAIRS;

- FILM DEVELOPMENT ACT 1984 UNDER THE MINISTRY OF HOME AFFAIRS;
- PRICE CONTROL ORDER 1980 UNDER THE MINISTRY OF DOMESTIC TRADE AND CONSUMER AFFAIRS;
- TRADE DESCRIPTION ACT 1972 UNDER THE MINISTRY OF DOMESTIC TRADE AND CONSUMER AFFAIRS; AND
- CUSTOMS ACT 1967 UNDER THE MINISTRY OF FINANCE:
- LOCAL AUTHORITIES BY-LAWS

SUBSEQUENTLY, WHERE NECESSARY AND APPROPRIATE, WE HAVE PROGRESSIVELY STRENGTHENED THE LEGISLATION. THIS HAS BEEN DONE THROUGH A SERIES OF AMENDMENTS AND THE INTRODUCTION OF NEW REGULATORY POWERS. FOR EXAMPLE, IN 2000, THE CABINET MADE A RULING TO BAN ALL OPEN SALES OF POTENTIALLY PIRATED PRODUCTS FROM OPEN PREMISES. LOCAL GOVERNMENTS THROUGHOUT THE COUNTRY NOW HAVE THE MONITORED RESPONSIBILITY TO IMPLEMENT THIS DECISION.

FURTHERMORE, THE COPYRIGHT AND TRADEMARK ACTS WERE AMENDED IN 2000, IN LINE WITH 'TRIPS' OBLIGATIONS TO ADDRESS BORDER MEASURES. THE MINISTRY'S ENFORCEMENT DIVISION, WITH THE COOPERATION OF THE ROYAL CUSTOMS DEPARTMENT AND THE MALAYSIAN PORT AUTHORITIES, HAS INTERCEPTED COUNTERFEIT GOODS, INCLUDING FALSELY BRANDED CIGARETTES AND ELECTRICAL GOODS ENTERING THE COUNTRY OR CRIMINALS FROM OTHER COUNTRIES USING MALAYSIA AS A TRANSIT POINT. SINCE 2000, COUNTERFEIT GOODS WORTH RM 213.07 MILLION (US\$ 60.8 MILLION) HAVE BEEN SEIZED FROM VARIOUS PREMISES THROUGH OUT THE COUNTRY.

LADIES AND GENTLEMEN,

IN 2000, THE OPTICAL DISCS ACT WAS PASSED IN ORDER TO CURB PIRACY AT THE SOURCE ITSELF. WE NEEDED TO HAVE THE POWERS TO PROSECUTE INDIVIDUALS AND COMPANIES WHO WERE RUNNING FACTORIES AND WORKSHOPS ILLEGALLY PRODUCING OPTICAL DISCS. OFFENCES UNDER THE OPTICAL DISCS ACT INCLUDE:

- THE MANUFACTURE OF OPTICAL DISCS WITHOUT A VALID LICENSE;
- THE MANUFACTURE OPTICAL DISCS WITHOUT A BONA FIDE MANUFACTURE'S CODE;
- FAILING TO MAINTAIN RECORDS OF RAW MATERIALS, E.G. POLYCARBONATE;
- FAILING TO KEEP RECORDS OF MANUFACTURING OUTPUT;
- FAILING TO KEEP RECORDS OF SUPPLIERS AND/OR CUSTOMERS

SINCE THIS LAW CAME INTO FORCE THE ENFORCEMENT DIVISION HAS ACTED AGAINST 28 ILLEGAL FACTORIES WHILE 21 OFFENCES AGAINST 18 LICENSED FACTORIES HAVE INVOLVED CHARGES BEING BROUGHT FOR PRODUCING PIRATED COPIES. UP TO 2006 THE ENFORCEMENT DIVISION HAS SEIZED RM201.6 MILLION (US\$57.6 MILLION) WORTH OF OPTICAL DISC MACHINES. THE AMENDED LAWS HAVE ENABLED AN INCREASE IN THE SEVERITY OF PENALTIES INCLUDING CUSTODIAL SENTENCES TO FURTHER ACT AS A DETERRENT.

LADIES AND GENTLEMEN,

THE FOURTH STRAND IN OUR STRATEGY IS EFFECTIVE ENFORCEMENT. THERE IS LITTLE POINT IN HAVING GOOD LEGISLATION UNLESS IT CAN BE ENFORCED. TO STRENGTHEN THE MALAYSIAN ENFORCEMENT PROCESS, AN ANTI COUNTERFEIT SPECIAL TASK FORCE WAS FORMED IN 2002. AS BEFORE THIS WAS MADE UP OF BOTH THE GOVERNMENT AND THE PRIVATE SECTOR. THE GOVERNMENT AGENCIES INVOLVED INCLUDED THE POLICE, THE CUSTOMS DEPARTMENT AND THE MINISTRY OF HEALTH.

THE PRIVATE SECTORS INVOLVED WERE THE PHARMACEUTICAL INDUSTRIES, THE ENERGY COMMISSION, THE NATIONAL STANDARDS ORGANISATION (SIRIM), THE CIGARETTE MANUFACTURING INDUSTRIES AND OTHER RELATED ASSOCIATIONS AND GUILDS. BOTH THE GOVERNMENT AND PRIVATE SECTORS PARTICIPATED ACTIVELY IN COORDINATING JOINT RAIDS AND ENFORCEMENT ACTIVITIES.

I CAN INFORM YOU THAT THE SPECIAL TASK FORCE TO COMBAT COUNTERFEITS HAS RECORDED 17,848 CASES SINCE ITS FORMATION IN 2002. WE HAVE PROGRESSIVELY INCREASED THE NUMBER OF ENFORCEMENT OFFICERS FROM 723 IN 2000 TO 2174 FOR 2007 – A THREEFOLD INCREASE. IN ADDITION WE HAVE UPGRADED OFFICER TRAINING TO ENHANCE OUR INVESTIGATIVE AND ENFORCEMENT CAPABILITIES.

LADIES AND GENTLEMEN,

IN JULY 2003 THE COPYRIGHT ACT WAS AMENDED TO PROVIDE WIDER POWERS TO THE ENFORCEMENT OFFICERS TO ARREST WITHOUT WARRANT AND TO INCREASE THE PENALTY FOR OFFENSES. IN JANUARY 2003, THE GOVERNMENT INTRODUCED THE TRADE DESCRIPTION (ORIGINAL LABEL) ORDER 2002. THIS REGULATION HAS THE MANDATORY REQUIREMENT FOR THE AFFIXING OF ORIGINAL LABELS IN THE FORM OF HOLOGRAMS WITH SPECIAL SECURITY FEATURES ON OPTICAL DISCS. IT IS NOW A REQUIREMENT THAT THE

HOLOGRAM MUST BE STUCK ON ALL CD'S, VCD'S, CD ROM'S, DVD'S, LD'S, VIDEO AND AUDIO CASSETTES.

THE HOLOGRAM STICKERS HAVE BEEN DESIGNED NOT ONLY TO PREVENT PIRACY BUT TO HELP THE PUBLIC TO DEMARCATATE BETWEEN FAKE AND ORIGINAL GOODS. FURTHERMORE THE STICKER ENABLES THE ENFORCEMENT OFFICERS TO ACT QUICKLY TO CHARGE TRADERS DEALING IN PIRATED OPTICAL DISCS EVEN IN THE ABSENCE OF OFFICIAL COMPLAINTS FROM THE IP RIGHT HOLDERS. I CAN TELL YOU THAT A TOTAL OF 4,553 CASES UNDER THIS REGULATION HAVE BEEN TAKEN AGAINST THE OFFENDERS. DURING THE SAME PERIOD A TOTAL OF 166.20 MILLION LABELS HAVE BEEN ISSUED TO THE BONA FIDE INDUSTRIES WHO ARE INVOLVED WITH THE PRODUCTION OF LEGITIMATE COPYRIGHT PRODUCTS.

IN ADDITION WE HAVE BEEN CONCERNED TO ENSURE THAT THOSE WHO KNOWINGLY PURCHASE AND USE PIRATED IP PRODUCTS FACE THE LEGAL CONSEQUENCES. OUR ENFORCEMENT OFFICERS HAVE RAIDED SEVERAL PREMISES, CONFISCATED SOFTWARE AND EQUIPMENT AND PROSECUTED OFFENDERS.

LADIES AND GENTLEMEN,

AS I SAID EARLIER WE HAVE INCREASED OUR ENFORCEMENT MANPOWER BUT TO FURTHER STRENGTHEN OUR CAPACITY TO COMBAT PIRACY WE HAVE INVOLVED THE DEPARTMENT OF CHEMISTRY. THE GOVERNMENT HAS RECENTLY ESTABLISHED A FORENSIC FACILITY TO ANALYZE AND VERIFY THE PRODUCTION DETAILS FOUND ON ANY OPTICAL DISCS. THIS ENABLES US TO TRACE THE SOURCE OF ANY OPTICAL DISC FOR PURPOSES OF INVESTIGATION AND THE PROSECUTION OF OFFENDERS. SINCE 2003, A TOTAL OF 4,523 SAMPLES WERE SENT TO THE DEPARTMENT FOR THE PURPOSE OF ANALYSIS AND THIS HAS RESULTED IN 41 CASES BEING BROUGHT AGAINST FACTORIES AND RETAIL OUTLETS.

THE ENFORCEMENT DIVISION OF THE MINISTRY CARRIES OUT THREE KINDS OF ACTION WITH THE COOPERATION OF THE PRIVATE SECTOR. WE DESCRIBE THESE ACTIONS AS:

- PROACTIVE;
- REACTIVE; AND,
- PREVENTIVE ACTIONS AND RAIDS AGAINST PIRATES AND COUNTERFEITERS.

BY PROACTIVE ACTION THE ENFORCEMENT DIVISION HAS A PRE-PLANNED SCHEDULE FOR CONTINUOUS INSPECTIONS AND RAIDS TARGETING SUSPECTED LOCALITIES. A NUMBER OF TEAMS ARE

ASSIGNED TO DIFFERENT PLACES EACH DAY TO CONDUCT INSPECTIONS AND EXERCISE THE POWERS TO SEIZE THE SUSPECTED GOODS AND DETAIN PERSONS COMMITTING OFFENCES.

REACTIVE ACTION IS ONE WHERE THE RAIDS ARE CONDUCTED UPON INFORMATION RECEIVED FROM THE RIGHT HOLDERS, THE GENERAL PUBLIC OR GATHERED BY THE DIVISION'S OWN INTELLIGENCE TEAM. BESIDES THE TWO MAIN TYPES OF ENFORCEMENT APPROACHES, THE DIVISION CARRIES OUT PREVENTIVE ACTIONS BY STATIONING OFFICERS AT LOCATIONS IDENTIFIED TO BE POTENTIAL SITES FOR ILLICIT TRADE.

IN DECEMBER 2006 WE LAUNCHED 'OPERATION EAGLE'. THIS IS A NEW ZERO TOLERANCE STRATEGY WE HAVE DEVELOPED INVOLVING A HIGHLY FOCUSED SIX WEEK SPECIAL OPERATION AIMED AT KNOWN PIRACY 'HOT-SPOTS' IN KUALA LUMPUR. THUS FAR I AM PLEASED TO SAY IT HAS BEEN VERY SUCCESSFUL WITH SEIZURES OF NEARLY RM 2 MILLION (US\$ 571,500) WORTH OF GOODS AND THE ARREST OF 26 PEOPLE. IT IS INTERESTING TO NOTE THAT WE FOUND THAT A SIGNIFICANT PROPORTION OF THOSE PURCHASING COUNTERFEIT AND PIRATED GOODS WERE NOT MALAYSIANS BUT TOURISTS! FURTHERMORE, THERE IS SOME EVIDENCE TO SUGGEST THAT AT LEAST SOME OF THE PERPETRATORS BELONG TO INTERNATIONAL SYNDICATES. FOLLOWING A FINAL REVIEW AT THE END OF THE OPERATION WE SHALL DECIDE ON ITS EXTENSION TO OTHER AREAS.

LADIES AND GENTLEMEN,

NOT ONLY ARE WE WORKING TO STAMP OUT THE ILLEGAL TRADE DOMESTICALLY BUT WE WANT TO PREVENT THE EXPORT OF COUNTERFEIT AND PIRATED IP. TO THIS END, THE MINISTRY ESTABLISHED, IN APRIL 2005, A SPECIAL EXPORT UNIT. THIS UNIT HAS OFFICERS STATIONED AT EXIT POINTS TO FOIL ATTEMPTS BY PIRATES TRYING TO EXPORT ILLEGAL PRODUCTS. WE HAVE FURTHER STRENGTHENED THIS APPROACH BY PLACING HIGH TECH SCANNER MACHINES AT THE MAJOR AIRPORTS IN THE COUNTRY. RANDOM AND 'TIP OFF' CHECKS ON SUSPECTED RECEPACLES IS BEING CARRIED OUT AND THIS STRATEGY HAS ALREADY RESULTED IN THE SEIZURE OF 1.5 MILLION UNITS OF PIRATED OPTICAL DISCS WORTH RM 13.6 MILLION (US\$3.9 MILLION) WE PLAN TO EXTEND THIS APPROACH TO THE MAJOR SEAPORTS IN THE FUTURE.

LADIES AND GENTLEMEN,

IT WOULD BE QUITE WRONG OF ME TO PAINT A PICTURE OF UNMITIGATED SUCCESS. YES, WE HAVE MADE PROGRESS, BUT THE MALAYSIAN GOVERNMENT IS WELL AWARE THAT THERE IS MUCH THAT STILL NEEDS TO BE DONE. FOR EXAMPLE, I WANT TO SEE FURTHER IMPROVEMENTS IN INTER- AGENCY COOPERATION. AS I MENTIONED EARLIER DIFFERENT ASPECTS OF IP COME UNDER THE PURVIEW OF A VARIETY OF AGENCIES AND UNLESS THERE ARE CLEAR GUIDELINES THERE IS A TENDENCY TO DISCLAIM OWNERSHIP OF RESPONSIBILITY.

IN A WAY WE HAVE BEEN CAUGHT BY OUR OWN SUCCESSES. FOR EXAMPLE, THE INCREASE IN PIRACY DETECTION AND PROSECUTION RATES HAS PUT IMMENSE PRESSURE ON OUR COURTS. IT WAS A MATTER OF CONCERN TO ME THAT WE WERE FINDING DIFFICULTY KEEPING PACE PROCESSING THE PROSECUTIONS AT THE LEGAL STAGE. THEREFORE, I ASKED A WORKING GROUP TO CONSIDER THE POSSIBILITIES AND IMPLICATIONS OF ESTABLISHING SPECIALIZED IP COURTS. THE WORKING GROUP HAS RECENTLY COMPLETED THEIR STUDY AND I SHALL RECEIVE THE REPORT SHORTLY. FOLLOWING THIS IT WILL BE CONSIDERED BY THE CABINET. ONCE ESTABLISHED, THE IP COURT WILL BE IN A POSITION TO HANDLE AND CLEAR AT A FASTER RATE IP RELATED CASES WITHOUT DENYING PROPER AND DUE PROCESS. THE ESTABLISHMENT OF THESE SPECIALIST COURTS WILL BECOME A FURTHER MILESTONE IN THE DEVELOPMENT OF THE IP COMPLIANCE REGIME IN MALAYSIA.

I SHOULD ADD THAT CONCURRENTLY WE ARE CONSIDERING THE BENEFITS OF LANDLORD LIABILITY LEGISLATION. SUCH AN ACT COULD BE AN ADDITIONAL WEAPON IN OUR ANTI PIRACY ARMORY.

LADIES AND GENTLEMEN,

YOU WILL RECALL THAT ONE OF THE FIVE STRANDS IN OUR ANTI COUNTERFEITING AND PIRACY STRATEGY WAS EDUCATION. I AM OF THE OPINION THAT WE HAVE TO RAISE PUBLIC CONSCIOUSNESS OF THE DELETERIOUS EFFECTS OF PIRACY AND COUNTERFEITING. MANY OF THE PUBLIC ARE OFTEN BLISSFULLY UNAWARE OF, FOR EXAMPLE, THE HEALTH HAZARDS OF COUNTERFEIT MEDICAL PRODUCTS OR THE THREAT TO ECONOMIC PROSPERITY INCLUDING JOBS. COUNTERFEITERS ONLY THRIVE BECAUSE THERE IS A DEMAND. IT DOES NOT TAKE ROCKET SCIENCE TO DEDUCE THAT IF WE CAN REDUCE THE DEMAND THEN WE WILL REDUCE THE SUPPLY. THE MALAYSIAN GOVERNMENT, WITH THE COLLABORATION OF THE PRIVATE SECTOR, HAS IMPLEMENTED EDUCATIONAL CAMPAIGNS IN THE FORM OF SEMINARS AND AWARENESS RAISING PROGRAMMES.

IN FEBRUARY 2002 MY MINISTRY, SUPPORTED BY THE KEY PLAYERS IN THE INDUSTRY, LAUNCHED A NATIONAL ANTI -PIRACY CAMPAIGN. THE CAMPAIGNS WERE ALSO CONTINUED THROUGHOUT THE COUNTRY BY THE PRIVATE SECTOR. THESE CAMPAIGNS ARE STILL BEING RUN AND INCLUDE PROMINENTLY PLACED BILLBOARDS AND THE USE OF BIG SCREEN ADVERTORIALS. WE HAVE MADE USE OF TELEVISION AND RADIO ADVERTISING TO GET THE MESSAGE ACROSS TO THE PEOPLE AT LARGE. THIS WE SHALL CONTINUE AND EXPAND.

THOSE THEN ARE THE FIVE STRANDS OF OUR ANTI PIRACY STRATEGY BUT I CANNOT LET THIS OPPORTUNITY PASS BY WITHOUT PUBLICLY THANKING WIPO FOR THE WAY IN WHICH IT HAS SUPPORTED OUR WORK IN MALAYSIA. WE WELCOME THEIR ADVICE AND SUGGESTIONS.

FINALLY, LADIES AND GENTLEMEN,

I WOULD LIKE TO END ON THE SAME THEME WITH WHICH I BEGAN. WHEREAS EACH COUNTRY, RIGHTLY, WILL WANT TO USE ITS OWN APPROACHES TO COMBATING PIRACY. THESE EFFORTS ARE RENDERED LESS EFFECTIVE UNLESS AND UNTIL THERE IS EVEN STRONGER INTERNATIONAL, REGIONAL AND LOCAL COLLABORATION. IT IS WORTH REMEMBERING THAT IF THE CRIMINALS ENGAGED IN THIS TRADE PERCEIVE ONE COUNTRY AS A SOFT OPTION THEN IT AFFECTS US ALL. IN OTHER WORDS WE MUST WORK TOGETHER, LEARN FROM EACH OTHER AND PROVIDE MUTUAL SUPPORT. PERHAPS TOO THERE SHOULD BE EVEN CLOSER COLLABORATION AND COOPERATION AMONG THE INTERNATIONAL IP ENFORCEMENT AGENCIES AND I LOOK TO ALL GOVERNMENTS TO GIVE THEIR FULLEST SUPPORT TO THEIR WORK. I HOPE THAT THIS CONGRESS WILL MARK A SIGNIFICANT NEW STEP IN THAT DIRECTION.

LADIES AND GENTLEMEN,

WITH THOSE WORDS MAY I CLOSE BY ONCE AGAIN THANKING THE ORGANIZERS OF THIS GLOBAL CONGRESS FOR INVITING ME AND MOST OF ALL TO EACH OF YOU FOR GIVING ME YOUR ATTENTION.

THANK YOU.