

Strengthening Bangladesh's position in the IP landscape

Debbie Roenning, Director, Madrid Legal Division, World Intellectual Property Organization (WIPO), recently visited Dhaka to attend a seminar. In this interview with Naznin Tithi of The Daily Star, she talks about why it is important to protect our IP rights and how Bangladesh can benefit by joining the Madrid System, an international trademark system.

How far do you think Bangladesh has progressed in terms of protecting its Intellectual Property (IP) rights? Why is it important for a country?

I think Bangladesh is at the initial stage of a very important development in terms of IP rights as it is in the process of making its IP policies. There are different types of Intellectual Properties: patent, geographical identification (GI) copyright, design and trademark. But like in other countries, here in Bangladesh, more applications are being filed for registering trademarks than patents or GIs. To get a patent, you have to have a technical invention. So usually, there are fewer applications for registering patents. But trademark is an easier, accessible right for the big as well as small companies. A trademark is a sign capable of distinguishing the goods or services of one enterprise from those of another. It is important that companies protect their products by registration to make sure that they have the exclusive right to their products so that others may not steal their ideas. Regardless of export plans, companies need to protect their trademarks in the local market, in Bangladesh. This protection will improve their business here.

In 2017, a total of 13,090 applications were filed in Bangladesh for registering trademarks. Seventy percent of these applications were

filed by residents and less than 30 percent by non-residents. Some 153 applications were filed abroad (export markets) by companies with an address in Bangladesh.

The Department of Patent, Design and Trademark (DPDT) protects trademarks in Bangladesh and if you join the Madrid System, an international trademark system, local companies can be able to protect their trademarks outside Bangladesh in an easy and more cost-efficient manner.

Tell us about the Madrid System and why Bangladesh should join it. The Madrid System is an international system, a one-stop shop for trademark holders to obtain and maintain protection in export markets. This system is more than 125 years old and has 101 members covering 117 countries. Bangladesh is not yet a member of this system but we hope it will soon join it. This system will be very beneficial for Bangladesh, especially for trademark owners and export industries. It will empower local industries, provide easier access to export markets and promote international trade and export. It will also provide easier access for foreign trademark holders to seek protection in Bangladesh and foster a more favourable climate for foreign investment in the country.

Through this system, with one application, you can designate many



Debbie Roenning

countries, and that one application will be the equivalent of a bundle of national rights. Currently, if a local company wants to expand its business in foreign countries, it needs to file several applications in several countries, but with the Madrid System, this can be done with simply one application. The owner of a company can designate as many countries as he/she wants where he/she wants to expand business. It is possible to expand the protection to additional markets later, while keeping only one registration to maintain. It is convenient and cost-efficient.

For the government, the benefits are also many. Accession to the system will promote international

trade and export, help meet national export targets and also empower local industry. Bangladesh will become a more attractive market for foreigners because they will know that their trademarks are protected here and they can enforce their rights in Bangladesh. It will provide a more favourable climate for foreign investment, and an increased number of filings means more revenue.

Can you elaborate on how the system will benefit local industries and increase our export earnings and foreign investment?

The experiences we have from other countries that have joined the Madrid System tell us that there will be many more filings coming to the country though the system. What I have been told is that currently there isn't much exposure here of international big brands. They will come with the Madrid System. And when they come, it means foreign investment, foreign capital coming into the country. It will also mean that they will need local supplies, so this would be good for the local supply industry as they will get an extra boost. It might mean that there will be increased employment. People will have more skills. And it is always good for countries to have many more people out working with increased skills. Bangladesh is also now emerging from a least developed country and moving towards being a developing

one. Being in the Madrid System will be a big boost for its economy.

Without being a member of the Madrid System, it's more cumbersome and more financially taxing for the companies to do business in the foreign countries because they will have to have local attorneys helping them in those countries. Being in the Madrid System will allow them an easier, direct access to the export market. It will save cost and time. And it will be much more convenient for the small business owners.

Hilsa, Jamdani, mango and other GIs can also be protected as a collective mark (a form of trademark) through the Madrid System. Tourism is a very important sector for Bangladesh. I have seen some marks advertising for tourism. Local companies (or even the government) offering services linked to tourism (for example, hotels, resorts, eco-adventure or safaris for wild animals) can file for protection of that service mark through the Madrid System. These service marks could be exported abroad by advertising on the Internet or travel magazines to reach people outside Bangladesh.

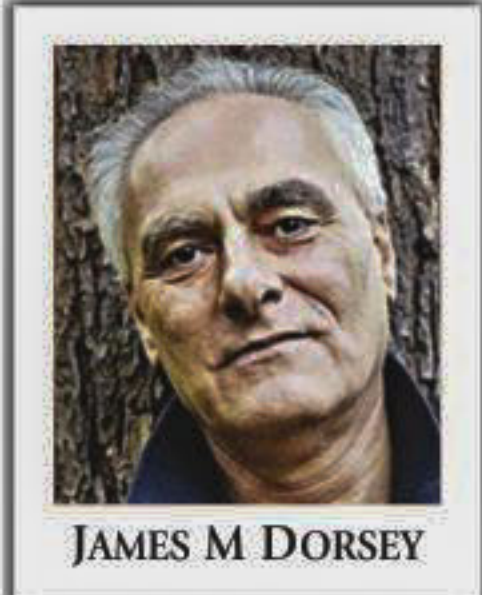
What are the main challenges in protecting the IP rights in a country like ours?

I think awareness is the main issue here. You need to make businesses aware of their IP rights. If the

government creates a system and doesn't inform the businesses about it, they won't know that the government is offering these services. So, the DPDT's role is very important here. They can try to break things down for the people as to what it means for the country and for the companies operating here. I think that's the first step. It's also very important to educate people regarding IP issues. The universities can have lectures on IP rights.

The main obstacle for Bangladesh to join the Madrid System is that the national trademarks legislation needs to be amended. Once the legislation has been amended, Bangladesh may join the Madrid System. We hope the legislation will be adopted by the parliament next year. In the meantime, we will help the DPDT to prepare for the Madrid System and get ready. India has been a member for some years and they are doing quite well. Pakistan and Sri Lanka are in the process of joining the Madrid System. So if you hurry up, maybe you will beat them and become the next member from this region. All the business organisations seem to be agreeing that this is a good thing for the local businesses. The DPDT is doing a good job and their internal procedures are very well compatible with the Madrid System. So the one crucial point now is just having the legislation approved by the parliament.

Attack in Iran raises spectre of a potentially far larger conflagration



JAMES M DORSEY

also deepens Iranian fears that the United States, Saudi Arabia and others may seek to destabilise the country by instigating unrest among its ethnic minorities.

With competing claims of responsibility by the Islamic State and the Ahvaz National Resistance for the attack that killed 29 people and wounded 70 others in the oil-rich province of Khuzestan, it is hard to determine with certainty the affiliation of the four perpetrators, all of whom were killed in the incident.

Statements by Iranian officials, however, accusing the United States and its allies, Saudi Arabia, the United Arab Emirates and Israel, suggest that they see the Ahvaz group rather than the Islamic State as responsible for the incident.

Iran's summoning, in the wake of the attack, of the ambassadors of Britain, the Netherlands and Denmark, countries from which Iranian opposition groups operate, comes at an awkward moment for Tehran.

It complicates Iranian efforts to ensure that European measures effectively neutralise potentially crippling US sanctions that are being imposed as a result of the US withdrawal from the 2015 international agreement that curbed the Islamic republic's nuclear programme.

Ahvaz-related violence last year spilled on to the street of The Hague when unidentified gunmen killed Ahvazi activist Ahmad Mola Nissi days before he was scheduled to launch a Saudi-funded television station staffed with Saudi-trained personnel that would target Khuzestan, according to Ahvazi activists.

This week, a group of exiled Iranian academics and political activists, led by The Hague-based social scientist Damon Golriz, announced the creation of a group that intends to campaign for a liberal democracy in Iran under the auspices of Reza Pahlavi, the son of the ousted Shah of Iran who lives in the United States.

While Iran appears to be targeting exile groups in the wake of the Ahvaz attack, Iran itself has witnessed in recent years stepped up activity by various insurgent groups amid indications of Saudi support, leading to repeated clashes and interception of Kurdish, Baloch and other ethnic insurgents.

Last month, Azeri and Iranian Arab protests erupted in soccer stadiums while the country's Revolutionary Guards Corps reported clashes with Iraq-based Iranian Kurdish insurgents.

State-run television warned at the time in a primetime broadcast that foreign agents could turn legitimate protests stemming from domestic anger at the government's mismanagement of the economy and corruption into "incendiary calls for regime change" by inciting violence that would provoke a crackdown by security forces and give the United States fodder to tackle Iran.

The People's Mujahedin Organisation of Iran or Mujahedin-e-Khalq (MeK), a controversial exiled opposition group that enjoys the support of serving and former Western officials, including some in the Trump administration, as well as prominent Saudis such as Prince Turki al-Faisal, a former Saudi intelligence chief, who is believed to be close to Saudi Crown Prince Mohammed bin Salman, has taken credit for a number of the protests in Khuzestan.

The incidents fit an emerging pattern,



A soldier running past injured comrades lying on the ground at the scene of an attack on a military parade marking the anniversary of the outbreak of its devastating 1980-1988 war with Iraq.

PHOTO: MORTEZA JABERIAN/AFP

prompting suggestions that if a Gulf-backed group was responsible for this weekend's attack, it may have been designed to provoke a more direct confrontation between Iran and the United States.

Iran appears with its response to the Ahvaz attack to be saying that its fears of US and Saudi destabilisation efforts are becoming reality. The Iranian view is not wholly unfounded.

Speaking in a private capacity on the same day as the attack in Ahvaz, US President Donald J Trump's personal lawyer, Rudolph Giuliani, declared that US sanctions were causing economic pain that could lead to a "successful revolution" in Iran.

"I don't know when we're going to overthrow them. It could be in a few days, months, a couple of years. But it's going to happen," Mr Giuliani told an audience

gathered in New York.

Giuliani is together with John Bolton, Mr Trump's national security advisor, a long-standing supporter of the Mujahedeen-e-Khalq that calls for the violent overthrow of the Iranian regime.

Bolton, before assuming office last year, drafted at the request of Trump's then strategic advisor, Steve Bannon, a plan that envisioned US support "for the democratic Iranian opposition," "Kurdish national aspirations in Iran, Iraq and Syria," and assistance for Iranian Arabs in Khuzestan and Baloch in the Pakistani province of Balochistan and Iran's neighbouring Sistan and Balochistan province.

The Trump administration has officially shied away from formally endorsing the goal of toppling the regime in Tehran. Bolton, since becoming national security advisor, has insisted that US policy was to put "unprecedented pressure" on Iran to

"change its behaviour", not its regime.

Bolton and Giuliani's inclination towards regime change is, however, shared by several US allies in the Middle East, and circumstantial evidence suggests that their views may be seeping into US policy moves without it being officially acknowledged.

Moreover, Saudi support for confrontation with Iran precedes Trump's coming to office but has intensified since, in part as a result of King Salman's ascendance to the Saudi throne in 2015 and the rise of his son, Prince Mohammed.

Already a decade ago, Saudi Arabia's then King Abdullah urged the United States to "cut off the head of the snake" by launching military strikes to destroy Iran's nuclear programme.

Writing in 2012 in Asharq Al Awsat, a Saudi newspaper, Amal Al-Hazzani, an academic, asserted in an op-ed entitled

that Khuzestan "is an Arab territory...Its Arab residents have been facing continual repression ever since the Persian state assumed control of the region in 1925...It is imperative that the Arabs take up the al-Ahwaz cause, at least from the humanitarian perspective."

More recently, Prince Mohammed vowed that "we won't wait for the battle to be in Saudi Arabia. Instead, we will work so that the battle is for them in Iran."

Abdulkhaleq Abdulla, a prominent UAE scholar, who is believed to be close to Emirati Crown Prince Mohammed bin Zayed, played into Iranian assertions of Gulf involvement in this weekend's attack by tweeting that it wasn't a terrorist incident.

Abdulla suggested that "moving the battle to the Iranian side is a declared option" and that the number of such attacks "will increase during the next phase".

A Saudi think tank, believed to be backed by Prince Mohammed last year called in a study for Saudi support for a low-level Baloch insurgency in Iran. Prince Mohammed vowed around the same time that "we will work so that the battle is for them in Iran, not in Saudi Arabia."

Pakistani militants have claimed that Saudi Arabia has stepped up funding of militant madrassas or religious seminaries in Balochistan that allegedly serve as havens for anti-Iranian fighters.

The head of the US State Department's Office of Iranian Affairs, Steven Fagin, met in Washington in June with Mustafa Hijri, head of the Kurdistan Democratic Party of Iran (KDPI), before assuming his new post as counsel general in Erbil in Iraqi Kurdistan.

The KDPI has recently stepped up its attacks in Iranian Kurdistan, killing nine people weeks before Hijri's meeting with Fagin. Other Kurdish groups have reported similar attacks. Several Iranian Kurdish groups are discussing ways to coordinate efforts to confront the Iranian regime.

Similarly, the Central Intelligence Agency (CIA) last year appointed a seasoned covert operations officer as head of its Iran operations.

Saudi Ambassador to the United States Prince Khalid bin Salman, Prince Mohammed's brother said: President "Trump makes clear that we will not approach Iran with the sort of appeasement policies that failed so miserably to halt Nazi Germany's rise to power, or avert the costliest war ever waged."

Dr James M Dorsey is a senior fellow at the S Rajaratnam School of International Studies, co-director of the University of Würzburg's Institute for Fan Culture, and co-host of the New Books in Middle Eastern Studies podcast. He is the author of *The Turbulent World of Middle East Soccer* blog, and a book with the same title among several others.

QUOTABLE Quote

ALDOUS HUXLEY
(1894-1963)
ENGLISH WRITER, NOVELIST
AND PHILOSOPHER

The more powerful and original a mind, the more it will incline towards the religion of solitude.

CROSSWORD BY THOMAS JOSEPH

ACROSS

1 Monastery figure

6 Page of music

11 Wetland

12 Wise saying

13 Shopworn

14 Censor's sound

15 Brain, slangily

17 Strange

19 Carnival city

20 Biol. or chem.

23 Bass, for one

25 Mideast nation

26 Specialty

28 Money for the poor

29 Manor worker

30 Reuben base

31 Methane, e.g.

32 Auction buy

33 Soldier's ID

35 Wasn't serious

38 African antelope

41 Exemplary

42 Mercutio's friend

43 Like some straws

44 Future flowers

DOWN

1 Mornings, for short

2 Diamond club

3 Subject of a trademark

4 European capital

5 Corollary's kin

6 Cellist Casals

7 Car bar

8 Tether

9 Low digit

10 Little terror

16 Creep

17 Film prize

18 Humdinger

20 Pheasants, rabbits, etc.

21 Carved gem

22 Like xenon

24 Basic soldiers

25 Many a time

27 Ejections

31 Devout

33 In need of recharging

34 Lotion additive

35 Triangular sail

36 Exalted verse

37 Writer Kesey

39 Homer's neighbor

40 Twice uno

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YESTERDAY'S ANSWER

SPAREBOAT
TEBOWPABLO
ARISEABOIL
YULEFLEECE
USEARMSET
PANTRIES
LEAKTIF
PASTRIES
GELNEONAT
AROUSEBASE
VODKADANTE
EDGESULCER
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