

“The IP System and the Competitiveness of National Enterprises and Industries: Sharing of Country Experiences on Challenges and Opportunities”

***Hnin Ei Cho (Ms) and Kyaw Thane (Mr.)
The Republic of the Union of MYANMAR***

CURRENT STATUS OF IP in MYANMAR

- Myanmar, founding member of WTO,
- Becomes member of WIPO in March 2001,
- Automatically bound to TRIPS Agreement,
- As LDC, enjoys extension of transitional period till end of June 2013,
- As member of ASEAN, bound to “ASEAN Framework Agreement on IP Cooperation, 1995”,
- IP office not existing yet,
- Under new constitution (2008), IP protection principles embedded,

CURRENT STATUS OF IP in MYANMAR

(cont'd)

- ❑ Under special assignment, Attorney-General Office, Ministry of Science & Technology, other related ministries and NGOs carrying out drafting of IP laws with assistance of WTO and WIPO,
- ❑ Due to extension of transitional time granted, more time available to refine the drafts for further updating,
- ❑ Promulgation of IP laws definitely be made before extended time.

SMEs IN MYANMAR

- SMEs account for 96% of the economic sector
- 92% of the manufacturing sector,
- Myanmar economic growth depends on development of SMEs in the private sector.

KEY SMEs SUPPORT AGENCIES IN MYANMAR

Government	Private
Industrial Development Committee	The of the Union of Myanmar Federation of Chambers of Commerce & Industry (UMFCCI)
ASEAN SME Working Committee (Ministry of Industry)	Myanmar Industries Association (MIA)
Directorate of Industrial Supervision and Inspection (Ministry of Industry)	Small and Medium Enterprise Committee (Myanmar Engineering Society)
Directorate of Trade, MAPT (Ministry of Commerce)	Myanmar Fisheries Federation (MFF)
Foreign Economic Relation Department, AFTA Unit (Ministry of National Planning & Economic Development)	Myanmar Women Entrepreneurs' Association (MWEA)
Institute of Economics (Ministry of Education)	INGOs and NGOs (UNIDO, JICA, JETRO, KOTRA, etc.)
Myanmar Science & Technological Research Department (Ministry of Science & Technology)	Other trades and services associations
Small and Medium Size Industries Department (Ministry of Cooperatives)	
National Skill Standard Authority (Ministry of Labor)	

BASIC STRUCTURE OF MYANMAR INDUSTRIAL PROMOTION ORGANIZATION

- Central Industrial Development Committee (IDC)
- Myanmar Industrial Development Committee (MIDC)
- Myanmar Industrial Development Working Committee (MIDWC)

OBJECTIVES OF MYANMAR INDUSTRIAL DEVELOPMENT COMMITTEE

- ✓ To develop agro-based industries
- ✓ To enhance industrial production
- ✓ To encourage production of new types of industrial machineries and equipment
- ✓ To assist in channeling new investments into more value-added products

STRENGTH of SMEs in Myanmar

- ❖ Entrepreneurship & Business Capacity Building Trainings for SMEs
- ❖ Provide opportunities to become entrepreneurs
- ❖ Greater cooperation and linkages among the Government, private business community, educational and technological institutions.
- ❖ Abundant of Natural Resources as raw material source for SMEs and SMIs.
- ❖ Gaining awareness and interest by the private sector as well as business starters.

WEAKNESSES OF SMEs IN MYANMAR

- Need to upgrade the products to meet international standard
- Difficulties in marketing, distribution, connectivity, information & IT
- Inadequate level of management skill & technology
- Low level of productivity
- Increasing global and regional competitions
- Weak in networking activities among SMEs

IP and Myanmar

- The science and technology development law enacted in 1994.
- The computer science development law enacted in 1996.
- Penalty for imports and exports of any type of computer software or any information.
- Existing laws relating to IP do not cope with economic trend and developments in the IP field.
- Need to be reviewed and redrafted the existing law.

Rules for Transfer of Technology

- Every contract for transfer of technology must be **registered**
- A **new technology** may transfer upon payment of fee or free of charge under a licensing contract
- **Government** will determine the manner and conditions relating to export and import of technology

11

IP and Myanmar

- **Usage of IP**, important to economy and business growth
- **No existing IP laws**, foreign investors reluctant to do business due to no protection of their IPRs,
- **Without IP laws**, discourage sense of own creation, fair competition or business ethics,
- **Causing “Brain Drain”** which can be big asset for economic growth,

IP and Myanmar

- ❑ Educating and creating awareness on IP among people and businesses plus industries concerned -- time consuming but urgently and much needed,
- ❑ **Need to establish** necessary infrastructure,
- ❑ **Human Resource Development**, personnel with technical expertise to oversee the implementation of IP laws and IP offices; judges and law enforcement officers competent with IP laws and IP knowledge – need to be trained correspondingly,
- ❑ Need to collaborate closely with WIPO and other international IP organizations.

13

CONCLUSION

- Admittedly, Myanmar lagging behind,
- IP new to most Myanmar people,
- Most have very little or no knowledge on IP,
- NGOs, like UMFCCI, giving helping hands in creating awareness and education regarding IP,
- More support and assistance necessary,
- Looking forward to support from WIPO and other international organizations in these endeavors.

THANK YOU